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PENNSYLVANIA BULLETIN

Volume 26

Number 18

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Pages 2081—2156

In this issue:

The Courts

Bureau of Professional and Occupational
Affairs

Conservation and Natural Resources
Advisory Council

Department of Banking

Department of Environmental Protection

Department of General Services

Department of Health

Department of Public Welfare

Department of Transportation

Environmental Hearing Board

Human Relations Commission

Independent Regulatory Review Commission

Insurance Department

Pennsylvania Public Utility Commission

Philadelphia Regional Port Authority

State Employees' Retirement Board

Turnpike Commission

Detailed list of contents appears inside.

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

No. 258, May 1996

PENNSYLVANIA

BULLETIN

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Contents

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT	
Notice of collection fee and late payment penalty for 1996—1997 registration year	2098
JUDICIAL CONDUCT	
Rules of procedure; doc. no. 1 JD 94	2097
JUDICIAL SYSTEM GENERAL PROVISIONS	
Adoption of Rule 5.7 of the Rules of Professional Conduct Regarding a Lawyer's Responsibilities for Nonlegal Services; notice of proposed rulemaking	2090
Amendment of Continuing Legal Education Regulations	2096
Amendment to Rule 8.5 of the Rules of Professional Conduct Regarding Disciplinary Jurisdiction; notice of proposed rulemaking	2094
LOCAL COURT RULES	
Westmoreland County	
Adopted Civil Rule W6027; no. 3 of 1996	2097
Adopted new District Justice Rule WD1016; no. 3 of 1996	2097
York County	
Rescission and promulgation of certain rules of the court of common pleas; no. 96 M.I. 00194.	2098

EXECUTIVE AGENCIES

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS	
Statements of Policy	
Schedule of civil penalties; guidelines for imposition of civil penalties; procedure for appeal	2100
CONSERVATION AND NATURAL RESOURCES ADVISORY COUNCIL	
Notices	
Meeting notice.	2101
DEPARTMENT OF BANKING	
Notices	
Action on applications.	2101
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Notices	
Applications, actions and special notices.	2102
Notice of public hearing and request for comments on a proposal containing regulations and a statement of policy implementing the special protection waters regulatory negotiation report.	2131
DEPARTMENT OF GENERAL SERVICES	
Notices	
Contract awards	2154
Federal Surplus Property Program.	2140
State contracts information.	2142

DEPARTMENT OF HEALTH

Notices	
Notice of beginning of review; Certificate of Need	2132
Renal Disease Advisory Committee; telephone conference call.	2132

DEPARTMENT OF PUBLIC WELFARE

Notices	
Notice of rule change; limits on office visits under General Assistance Basic Health Care Package	2132
Office of Children, Youth and Families; public hearing for Child Care and Development Block Grant Plan	2133

DEPARTMENT OF TRANSPORTATION

Notices	
Bureau of Motor Vehicles; International Registration Plan correction.	2133
Finding	2133

ENVIRONMENTAL HEARING BOARD

Notices	
Max Starr and Martha Starr v. DEP; EHB doc. no. 95-143-C	2134

HUMAN RELATIONS COMMISSION

Notices	
Public hearing opinion	2134

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices	
Actions taken by the Commission.	2134

INSURANCE DEPARTMENT

Notices	
Amendments to The Unfair Insurance Practices Act—prohibiting insurance companies from denying coverage to victims of domestic abuse; notice no. 1996-06.	2135
Application and request for a Certificate of Authority	2136
Capital Blue Cross; Pennsylvania Blue Shield; amendatory rider to the Comprehensive Major Medical Contract for Experience-Rated Groups; rider form no. F-898; filing no. 96-L.	2136
Delta Dental of Pennsylvania; proposed rider to schedule II of Delta Dental Service Contract (MC-3 Rev. 9/94); form no. R-57.	2136
Life and Health Insurance Co. of America; hearing.	2136
Prepaid Pennsylvania premium taxes; notice no. 1996-05	2136
State Workmen's Insurance Fund; worker's compensation group retrospective rating plan.	2137

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices	
Service of notice of motor carrier applications.	2137
Wynnewood Sewer Corporation; sewer service	2138
Wynnewood Water Corporation; water service.	2138

PHILADELPHIA REGIONAL PORT AUTHORITY

Notices	
Request for proposals (2 documents)	2138

2084

STATE EMPLOYES' RETIREMENT BOARD

Notices

Hearings scheduled 2139

TURNPIKE COMMISSION

Notices

Request for proposals 2139

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

Printing Format

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

Fiscal Notes

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

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

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1996.

1 Pa. Code (General Revisions)

Proposed Rulemaking

101	332
103	332

4 Pa. Code (Administration)

Adopted Rules

1	856
39	993

Statements of Policy

1	593, 1146
9	596, 913, 1147, 1377, 1560, 2010

7 Pa. Code (Agriculture)

Adopted Rules

21	161
----------	-----

Proposed Rulemaking

110	1558
138h	1555

Statements of Policy

17a	1271
138g	1149

13 Pa. Code (Commerce and Trade)

Adopted Rules

205	483
-----------	-----

22 Pa. Code (Education)

Proposed Rulemaking

211	232
213	232

Notices

44	1060
----------	------

25 Pa. Code (Environmental Protection)

Adopted Rules

86 (with correction)	324
----------------------------	-----

Proposed Rulemaking

71	1491
72	1491
73	1491
127	1139
260	1828
261	1828
262	1828
263	1828
264	1828
265	1828
266	1828
267	1828
269	1828
270	1828
971	491
Unclassified	591

Statements of Policy

105	494
-----------	-----

Notices

105	526
-----------	-----

28 Pa. Code (Health and Safety)

Adopted Rules

701	567
704	567

Statements of Policy

9	1629
---------	------

31 Pa. Code (Insurance)

Adopted Rules

113	230
149	1705
151	1705

Proposed Rulemaking

27, Appendix A	752
163	996

Statements of Policy

301	1636
-----------	------

34 Pa. Code (Labor & Industry)

Adopted Rules

50	1552
----------	------

Proposed Rulemaking

101	1141
203	1133

37 Pa. Code (Law)

Statements of Policy

56	1057
----------	------

40 Pa. Code (Liquor)

Adopted Rules

11	1353
----------	------

Proposed Rulemaking

5	31
---------	----

43 Pa. Code (Military Affairs)

Notices

7	545, 1188
---------	-----------

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	866
5	324
7	325
15	327
16	487
21	2005
25	485
29	328
39	330

Proposed Rulemaking

5	1001
13	1011
16	1014
18	757
21	1017

23 1023
 25 591, 757, 1027
 27 1030, 1032
 29 1047
 33 1004
 36 489
 40 1043
 41 1050
 42 1020
 45 1008
 47 1053

Statements of Policy

43a 2100

52 Pa. Code (Public Utilities)

Adopted Rules

57 590
 59 1265
 60 1265
 69 1265

Proposed Rulemaking

1 1358
 3 1358
 21 1358
 23 1358
 29 1358
 31 1358
 59 1370

Statments of Policy

53 1377
 69 1377, 1380
 93 1377
 Unclassified 756

55 Pa. Code (Public Welfare)

Adopted Rules

5320 867

Proposed Rulemaking

181 1715

Statements of Policy

100 596
 3040 596
 6000 1563, 1829

Notice of Rule Changes

125 945
 133 945
 141 805, 806, 945
 178 805
 181 805
 227 69
 1101 2132
 1121 806
 1153 806

Notices

181 1762
 501 714
 1181 259

58 Pa. Code (Recreation)

Adopted Rules

53 1706, 1822
 61 1706, 1825
 63 1706
 65 1706

69 1706
 77 1825
 93 1822
 95 1822
 97 1706, 1822
 101 1822
 103 1822
 111 1822
 113 1822
 117 1822
 141 884
 147 884, 1131

Proposed Rulemaking

53 168
 61 168
 63 168
 69 168
 135 1354
 139 907
 141 1354

Notices

Unclassified 547, 720, 953, 1042, 1769, 1875

61 Pa. Code (Revenue)

Adopted Rules

103 (with correction) 887, 994
 108 (with correction) 887, 994
 117 (with correction) 887, 994
 125 (with correction) 887, 994
 817 1268
 853 2006
 854 2006
 856 2006
 857 2006
 859 2006
 860 2006
 861 2006
 864 2006

Proposed Rulemaking

9 2007
 47 2007
 55 893
 60 893

Notices

60 1872

64 Pa. Code (Securities)

Adopted Rules

203 30

67 Pa. Code (Transportation)

Proposed Rulemaking

177 1221
 457 895

Statements of Policy

202 1563

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

82 984, 2096
 83 1806
 85 1984
 89 1984

Proposed Rulemaking

81	2090, 2094
85	7
89	7

207 Pa. Code (Judicial Conduct)**Adopted Rules**

Unclassified	1677, 2097
--------------------	------------

Proposed Rulemaking

101	862
117	862
201	661
215	661
Unclassified	1550

210 Pa. Code (Appellate Procedure)**Adopted Rules**

3	1985
---------	------

Proposed Rulemaking

1	1988
3	1988
7	1988
9	1988
11	1988
13	1988
15	1988
17	1342, 1988
19	1988
21	1988
23	1988
25	1988
33	1988
51	1988

231 Pa. Code (Rules of Civil Procedure)**Adopted Rules**

200	159, 585, 1129
2950	1806
2970	1814
2980	1806
3000	1806, 1814
4000	227

Proposed Rulemaking

200	427
400	428
1000	862
1300	1262
1910	1818
1920	1818
2020	429
2050	429
2200	429
4000	431, 1818

234 Pa. Code (Rules of Criminal Procedure)**Adopted Rules**

1	1684
50	436
100	436, 1684, 1688
300	8
1100	438, 1684
1400	13, 1684
4000	1684
6000	989, 1684, 1688

Proposed Rulemaking

1400	1343
------------	------

246 Pa. Code (Minor Court Civil Rules)**Adopted Rules**

500	1691, 1999
1000	1691, 1999

Proposed Rulemaking

500	312
1000	312

249 Pa. Code (Philadelphia Rules)

Unclassified	15, 159, 585, 661, 662, 748, 865, 991, 1129, 1130
--------------------	------------------------------------------------------

252 Pa. Code (Allegheny County Rules)

Unclassified	314, 1999, 2000
--------------------	-----------------

255 Pa. Code (Local Court Rules)

Unclassified	160, 323, 439, 464, 586, 587, 662, 665, 678, 750, 865, 992, 1130, 1263, 1351, 1352, 1550, 1551, 1696, 1704, 1820, 2001, 2002, 2003, 2097, 2098
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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Adoption of Rule 5.7 of the Rules of Professional Conduct Regarding a Lawyer's Responsibilities for Nonlegal Services; Notice of Proposed Rule- making

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering recommending to the Pennsylvania Supreme Court that it adopt a new Rule 5.7 of the Pennsylvania Rules of Professional Conduct to read as set forth in Annex A.

Proposed Rule 5.7 was prepared by the Committee on Legal Ethics and Professional Responsibility (Committee) of the Pennsylvania Bar Association. An explanation by the Committee of its proposal for the adoption of new Rule 5.7 is set forth below.

I. Background Information About ABA Model Rule 5.7:

The topic of a lawyer's involvement in the provision of nonlegal services has been a heated one over the last few years. In 1991 the ABA House of Delegates voted 197 to 186 to adopt "Rule 5.7 Provision of Ancillary Services." As summarized by Professor Hazard:

Rule 5.7 as adopted by the ABA in 1991 largely—but not entirely—shut off the option of using independent business organizations to provide law-related ancillary services. Law firms could not establish or operate such entities as subsidiaries, but it was permissible for a law firm to invest, so long as its interest was not a "controlling" one. Otherwise the Rule assumed that ancillary services must be delivered only by traditional law firms, only to clients of the firm in connection with legal matters currently being handled, and only by employees of the firm.

Hazard & Hodes, 2 *The Law of Lawyering: A Handbook on the Model Rules of Professional Conduct* § 5.7:101 at 8.26.5 (1994 Supp.). One year later, however, the ABA repealed Rule 5.7 by a vote of 190 to 183. A year and a half later, in February 1994, the ABA adopted the current version of Model Rule 5.7. Professor Hazard has summarized the current rule by stating:

The new rule no longer draws its main distinction between what services may and may not be provided; instead, the key divide is whether a lawyer providing law-related services will or will not also have to comply with all of the other Rules of Professional Conduct. In effect, Rule 5.7 generally permits lawyers to act as nonlawyers when they are providing law-related rather than legal services.

Id.

The current text of Rule 5.7 as adopted by the ABA reads as follows:

RULE 5.7 Responsibilities Regarding Law-Related Services

(a) A lawyer shall be subject to the Rules of Professional Conduct with respect to the provision of law-related services, as defined in paragraph (b), if the law-related services are provided:

(1) by the lawyer in circumstances that are not distinct from the lawyer's provision of legal services to clients; or

(2) by a separate entity controlled by the lawyer individually or with others if the lawyer fails to take reasonable measures to assure that a person obtaining the law-related services knows that the services of the separate entity are not legal services and that the protections of the client-lawyer relationship do not exist.

(b) The term "law-related services" denotes services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services, and that are not prohibited as unauthorized practice of law when provided by a nonlawyer.

II. Comments on ABA Model 5.7

As a general rule the Committee believes that it is desirable to have a new Pennsylvania Rule of Professional Conduct track the language of any recently adopted ABA Model Rule. The advantages can include national uniformity and the ultimate availability of a wider body of opinions and commentary to draw upon.

However, the Committee has found ABA Model Rule 5.7 of limited utility. In a survey of 20 past inquiries to the Committee's Hotline, the Committee found the rule would have applied or afforded guidance in less than half. The rule applies in just two situations: first, when the providing of nonlegal services is not distinct from the providing of legal services and, secondly, when the nonlegal services are provided by a separate entity controlled by the lawyer. Of the 20 surveyed inquiries, none involved the first category, and less than half involved the second. Furthermore, ABA Model Rule 5.7 does not address the special questions that the Committee believes arise when the lawyer, even though the lawyer may not control the separate entity, acts as an employee or agent thereof in providing the nonlegal services; over two-thirds of the surveyed inquiries involved that situation.

III. Goals With Respect to Rule 5.7

The Committee believes that the goals of Rule 5.7 are twofold: first, the rule should ensure that the Rules of Professional Conduct apply in those situations in which that is appropriate; and second, the rule should ensure that if a lawyer is somehow involved with a nonlegal services business, the customers of that business understand that they are not receiving the protection of a client-lawyer relationship.

The Committee believes that these two goals are consistent with the goals of ABA Model Rule 5.7. *See* ABA Model Rule 5.7, Comment ¶1 ("Principal among these [potential ethical problems] is the possibility that the person for whom the law-related services are performed fails to understand that the services may not carry with them the protections normally afforded as part of the client-lawyer relationship."); Comment ¶7 ("The risk of such confusion is especially acute when the lawyer renders both types of services with respect to the same matter. Under some circumstances the legal and law-related services may be so closely entwined that they cannot be distinguished from each other, and the requirement of disclosure and consultation . . . cannot be met. In

such a case a lawyer will be responsible for assuring that both the lawyer's conduct and, to the extent required by Rule 5.3, that of nonlawyer employees in the distinct entity which the lawyer controls complies in all respects with the Rules of Professional Conduct.") Professor Hazard's comments, quoted earlier, reinforce the Committee's conclusion that the main goal of the current ABA Model Rule 5.7 is to identify those situations in which the Rules of Professional Conduct apply, rather than trying to prohibit a lawyer from engaging in certain ancillary businesses.

In sum, although the language of Rule 5.7 as proposed for adoption in Pennsylvania is very different from the language of ABA Model Rule 5.7, the Committee does not believe that the goals of proposed Pennsylvania Rule 5.7 are significantly different from the goals of ABA Model Rule 5.7.

IV. Implementing the Goal of Having the Rules of Professional Conduct Apply Where Appropriate

As stated above, the first goal is to make sure the Rules of Professional Conduct apply to nonlegal services where appropriate. After identifying this first goal, the Committee studied the circumstances under which a lawyer's conduct should always be subject to the Rules of Professional Conduct.

The Committee did not find that the factor used by ABA Model Rule 5.7—who provides the law-related services—to be most significant. Instead, the Committee concluded that the most significant variable is whether the recipient is receiving services that are distinct from legal services, or whether the recipient is receiving services that are not distinct from legal services.

In the latter situation, where the recipient is receiving services that are not distinct from legal services, the Committee believes the Rules of Professional Conduct must apply. (By stating the issue in this fashion, the Committee limited the rule to situations where a lawyer, although not necessarily the same lawyer, is providing legal and nonlegal services; the critical issue for deciding whether proposed Rule 5.7(a) applies is whether these services are distinct.) Similar to the approach used in ABA Model Rule 5.7(a)(1), the Committee believes that if the legal and nonlegal services are indistinct, the client/recipient probably will not know, for example, which comments are protected by attorney/client privilege and the lawyer's duty of confidentiality. Therefore, because the risk of confusion is unavoidable where legal and nonlegal services are indistinguishable, the Committee concluded that all of the Rules of Professional Conduct should apply in this situation to everything the lawyer does. Furthermore, the Committee concluded that this was the only situation in which it was appropriate to apply, without exception, the rules of Professional Conduct to the provision of nonlegal services.

V. Implementing the Goal of Ensuring that if a Lawyer is Somehow Involved with a Nonlegal Services Business, the Recipients of the Nonlegal Services Understand that They Are not Receiving the Protection of a Client-Lawyer Relationship.

The Committee also considered the situation of a lawyer who provides nonlegal services in a context that is distinct from the provision of legal services. (ABA Model Rule 5.7 simply does not address the situation of a lawyer who provides law-related services that are distinct.) The reason why the Committee thought it important to cover this situation is that even if the lawyer concludes that the provision of nonlegal services is distinct from the provi-

sion of legal services, there is still a risk that the nonlegal services recipient will be confused about the role and implications of the lawyer in the nonlegal services business. The Committee concluded that proposed Rule 5.7 should address this risk of confusion by imposing on the lawyer a duty to educate the recipient if there is a chance the recipient will misunderstand the implications of the lawyer's presence.

The Committee analogized this situation to the situation covered by Pennsylvania Rule of Professional Conduct 4.3(c). If a lawyer is dealing with someone who is not represented by counsel, and the lawyer knows or reasonably should know that the person misunderstands the lawyer's role, then the lawyer must make reasonable efforts to correct the misunderstanding. Similarly, if the lawyer knows or reasonably should know that there is a risk that the recipient of the nonlegal services will misunderstand the lawyer's role, then the lawyer should undertake reasonable efforts to educate the recipient.

Once the Committee identified as a concern the risk of confusion on the part of the recipient, the Committee determined that it did not matter whether the lawyer's involvement with the nonlegal services business was that of owner, controlling party, employee or agent. Furthermore, the Committee determined that it was not necessary to draw any lines about how large an ownership interest was needed to trigger the rule. The proposed rule is simply that if a lawyer is somehow connected with the provision of nonlegal services, and if the lawyer should know that the recipient might be confused about the implications of the lawyer's presence, then the lawyer has a duty to educate the recipient. Hence, proposed Rule 5.7 states that the Pennsylvania Rules of Professional Conduct apply unless the lawyer takes reasonable measures to assure the recipient understands the role of the lawyer, including the fact that the lawyer is not providing legal services and that the protections of the client-lawyer relationship do not apply.

The Committee considered this to be a fairly modest burden to impose on the lawyer, but a burden that could reap a substantial benefit in avoiding confusion, misunderstanding, ill will and loss of legal rights such as the attorney-client privilege. Thus, although the Committee initially thought that it might be important to include "owner," as well as "controlling party," and although it grappled with the issues of "how big an owner should be covered?", the Committee ultimately determined that this issue was not significant.

VI. Ensuring that Proposed Rule 5.7 Does Not Cancel Other RPC Provisions

There are some Rules of Professional Conduct to which a lawyer is subject 24 hours per day, regardless of whether the lawyer is providing legal services. Thus, a lawyer violates Rule 8.4(c) if the lawyer engages in dishonesty, fraud, deceit or misrepresentation, regardless of whether that occurs in the context of providing legal representation to a client. Compare *Office of Disciplinary Counsel v. Passyn*, 644 A.2d 699 (1994) (applying DR 1-102(A)(4)); *Office of Disciplinary Counsel v. Ewing*, 436 A.2d 139 (1981) (applying DR 1-1-2(A)(4)). Similarly, a lawyer engaged in any kind of business with a client must consider both Rules 1.7(b) and 1.8(a).

The Comment to Proposed Pennsylvania Rule 5.7 confirms that even if Rule 5.7 does not require a lawyer to be subject to all of the provisions of the Rules of Professional Conduct with respect to his or her involvement in the provision of nonlegal services, the lawyer is already

subject to some of the Rules of Professional Conduct with respect to everything he or she does, including the provision of nonlegal services.

VII. Concepts in ABA Model Rule 5.7 that are Omitted From Proposed Rule 5.7

In addition to using different language, the Committee dropped several of the concepts in ABA Model Rule 5.7 from the proposed Pennsylvania Rule 5.7.

The current version of ABA Model Rule 5.7 uses the term "law-related services," which it defines in Model Rule 5.7(b). The Committee decided that it does not make sense to use the term "law-related services." The reason is that the proposed rule requires lawyer disclosure to avoid confusion *even if the client is provided nonlegal services that in fact are wholly distinct from legal services*. In this situation, the Committee thought it might be confusing to call these distinct nonlegal services "law-related services." The issue is whether there is a risk of recipient confusion by virtue of the lawyer's involvement, not whether the services in fact are or are not related to the legal services. If the nonlegal services are completely unrelated so that there is no risk of confusion (e.g., the lawyer runs a gas station) then the rule simply is not triggered. The term "nonlegal services" is defined in the first paragraph of the Comment as "those not prohibited as unauthorized practice of law when provided by a nonlawyer." While the Committee recognizes that there is not always a bright line between legal and nonlegal services, the Committee believes that this line may be the clearest line available and that some line is necessary if there is to be a rule on this topic. Furthermore, to the extent that the line is fuzzy in a particular case, that may suggest that the legal and nonlegal services are indistinct, so that Rule 5.7(a) applies.

A second difference between ABA Model Rule 5.7 and proposed Pennsylvania Rule 5.7 is that the proposed rule is triggered in situations beyond the situation where a lawyer has a controlling interest in an entity providing law-related services. The Committee concluded that ABA Model Rule 5.7 probably uses the concept of "controlling interest by a lawyer" for two reasons. First, the predecessor to the current ABA Model Rule 5.7 talked about controlling interests; thus, there may have been some political pressure to draft alternative language which nevertheless used the same frame of reference. Second, the comment to ABA Model Rule 5.7 demonstrates the drafters' view that where a lawyer controls a separate entity, there is a risk of recipient confusion. The Committee believes that it is more useful for the rule to directly address the underlying goal of avoiding recipient confusion about the role of the lawyer and that this confusion might occur whenever a lawyer has some connection with the provision of nonlegal services. Accordingly, proposed Rule 5.7 puts the onus on the lawyer to educate the recipient about the lack of a client-lawyer relationship.

Interested persons are invited to submit written comments regarding the proposed new Rule 5.7 to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before June 3, 1996.

By the Disciplinary Board of the Supreme Court of Pennsylvania

ELAINE BIXLER,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

LAW FIRMS AND ASSOCIATIONS

Rule 5.7. Responsibilities Regarding Nonlegal Services.

(a) A lawyer who provides nonlegal services to a recipient that are not distinct from legal services provided to that recipient is subject to the Rules of Professional Conduct with respect to the provision of both legal and nonlegal services.

(b) A lawyer who provides nonlegal services to a recipient that are distinct from any legal services provided to the recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.

(c) A lawyer who is an owner, controlling party, employee, agent, or is otherwise affiliated with an entity providing nonlegal services to a recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.

(d) Paragraph (b) or (c) does not apply if the lawyer makes reasonable efforts to avoid any misunderstanding by the recipient receiving nonlegal services. Those efforts must include advising the recipient that the services are not legal services and that the protection of a client-lawyer relationship do not exist with respect to the provision of nonlegal services to the recipient.

Comment

For many years, lawyers have provided to their clients nonlegal services that are ancillary to the practice of law. Nonlegal services are those that are not prohibited as unauthorized practice of law when provided by a nonlawyer. Examples of nonlegal services include providing title insurance, financial planning, accounting, trust services, real estate counseling, legislative lobbying, economic analysis, social work, psychological counseling, tax return preparation, and patent, medical or environmental consulting. A broad range of economic and other interests of clients may be served by lawyers participating in the delivery of these services. In recent years, however, there has been significant debate about the role the Rules of Professional Conduct should play in regulating the degree and manner in which a lawyer participates in the delivery of nonlegal services. The ABA, for example, adopted, repealed and then adopted a different version of Rule 5.7. In the course of this debate, several ABA sections offered competing versions of Rule 5.7.

One approach to the issue of nonlegal services is to try to substantively limit the type of nonlegal services a lawyer may provide to a recipient or the manner in which the services are provided. A competing approach does not try to substantively limit the lawyer's provision of nonlegal services, but instead attempts to clarify the conduct to which the Rules of Professional Conduct apply and to avoid misunderstanding on the part of the recipient of the nonlegal services. This Rule adopts the latter approach.

The Potential for Misunderstanding

Whenever a lawyer directly provides nonlegal services, there exists the potential for ethical problems. Principal among these is the possibility that the person for whom the nonlegal services are performed may fail to understand that the services may not carry with them the protection normally afforded by the client-lawyer relationship. The recipient of the nonlegal services may expect, for example, that the protection of client confidences, prohibitions against representation of persons with conflicting interests, and obligations of a lawyer to maintain professional independence apply to the provision of nonlegal services when that may not be the case. The risk of such confusion is especially acute when the lawyer renders both types of services with respect to the same matter.

Providing Nonlegal Services That Are Not Distinct From Legal Services

Under some circumstances, the legal and nonlegal services may be so closely entwined that they cannot be distinguished from each other. In this situation, confusion by the recipient as to when the protection of the client-lawyer relationship apply are likely to be unavoidable. Therefore, Rule 5.7(a) requires that the lawyer providing the nonlegal services adhere to all of the requirements of the Rules of Professional Conduct.

In such a case, a lawyer will be responsible for assuring that both the lawyer's conduct and, to the extent required by Rule 5.3, that of nonlawyer employees, complies in all respects with the Rules of Professional Conduct. When a lawyer is obliged to accord the recipients of such nonlegal services the protection of those Rules that apply to the client-lawyer relationship, the lawyer must take special care to heed the proscriptions of the Rules addressing conflict of interest (Rules 1.7 through 1.11, especially Rules 1.7(b) and 1.8(a), (b) and (f)), and to scrupulously adhere to the requirements of Rule 1.6 relating to disclosure of confidential information. The promotion of the nonlegal services must also in all respects comply with Rules 7.1 through 7.3, dealing with advertising and solicitation.

Rule 5.7(a) applies to the provision of nonlegal services by a lawyer even when the lawyer does not personally provide any legal services to the person for whom the nonlegal services are performed if the person is also receiving legal services from another lawyer that are not distinct from the nonlegal services.

Avoiding Misunderstanding When A Lawyer Directly Provides Nonlegal Services That Are Distinct From Legal Services

Even when the lawyer believes that his or her provision of nonlegal services is distinct from any legal services provided to the recipient, there is still a risk that the recipient of the nonlegal services will misunderstand the implications of receiving nonlegal services from a lawyer; the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship. Where there is such a risk of misunderstanding, Rule 5.7(b) requires that the lawyer providing the nonlegal services adhere to all the Rules of Professional Conduct, unless exempted by Rule 5.7(d).

Avoiding Misunderstanding When a Lawyer is Indirectly Involved in the Provision of Nonlegal Services

Nonlegal services also may be provided through an entity with which a lawyer is somehow affiliated, for example, as owner, employee, controlling party or agent. In this situation, there is still a risk that the recipient of the nonlegal services might believe that the recipient is receiving the protection of a client-lawyer relationship. Where there is such a risk of misunderstanding, Rule 5.7(c) requires that the lawyer involved with the entity providing nonlegal services adhere to all the Rules of Professional Conduct, unless exempted by Rule 5.7(d).

Avoiding the Application of Paragraphs (b) and (c)

Paragraphs (b) and (c) specify that the Rules of Professional Conduct apply to a lawyer who directly provides or is otherwise involved in the provision of nonlegal services if there is a risk that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship. Neither the Rules of Professional Conduct nor paragraphs (b) or (c) will apply, however, if pursuant to paragraph d, the lawyer takes reasonable efforts to avoid any misunderstanding by the recipient. In this respect, Rule 5.7 is analogous to Rule 4.3(c).

In taking the reasonable measures referred to in paragraph d, the lawyer must communicate to the person receiving the nonlegal services that the relationship will not be a client-lawyer relationship. The communication should be made before entering into an agreement for the provision of nonlegal services, in a manner sufficient to assure that the person understands the significance of the communication, and preferably should be in writing.

The burden is upon the lawyer to show that the lawyer has taken reasonable measures under the circumstances to communicate the desired understanding. For instance, a sophisticated user of nonlegal services, such as a publicly-held corporation, may require a lesser explanation that someone unaccustomed to making distinctions between legal services and nonlegal services, such as an individual seeking tax advice from a lawyer-accountant or investigative services in connection with a lawsuit.

The Relationship Between Rule 5.7 and Other Rules of Professional Conduct

Even before Rule 5.7 was adopted, a lawyer involved in the provision of nonlegal services was subject to those Rules of Professional Conduct that apply generally. For example, Rule 8.4(c) makes a lawyer responsible for fraud committed with respect to the provision of nonlegal services. Such a lawyer must also comply with Rule 1.8(a). Nothing in this rule is intended to suspend the effect of any otherwise applicable Rule of Professional Conduct such as Rule 1.7(b), Rule 1.8(a) and Rule 8.4(c).

In addition to the Rules of Professional Conduct, principles of law external to the Rules, for example, the law of principal and agent, may govern the legal duties owed by a lawyer to those receiving the nonlegal services.

Code of Professional Responsibility Comparison:

There is no counterpart to this Rule in the Code.

[Pa.B. Doc. No. 96-715. Filed for public inspection May 3, 1996, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT
[204 PA. CODE CH. 81]

Amendment to Rule 8.5 of the Rules of Professional Conduct Regarding Disciplinary Jurisdiction; Notice of Proposed Rulemaking

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering recommending to the Pennsylvania Supreme Court that it amend Rule 8.5 of the Pennsylvania Rules of Professional Conduct as set forth in Annex A.

The amendment being proposed herewith is based on a recent amendment to Rule 8.5 adopted by the American Bar Association. The proposal to adopt that amendment in Pennsylvania has been developed and approved by the Committee on Legal Ethics and Professional Responsibility of the Pennsylvania Bar Association. In addition, the Board of Governors of the Philadelphia Bar Association passed favorably on this proposed rule revision earlier this year.

The objective of the proposed change in Rule 8.5 is to bring some measure of certainty and clarity to the frequently encountered, and often difficult, decisions a lawyer must make when encountering a situation in which the lawyer is potentially subject to differing ethical requirements of more than one jurisdiction. It is generally the case that such decisions cannot await an authoritative ruling or advisory opinion from an independent source.

The most compelling circumstance of a lawyer caught between conflicting ethical obligations in all likelihood is that where a lawyer has become aware of a client's fraud committed in the course of the lawyer's representation, and the rule of one jurisdiction with authority over the lawyer would require disclosure of the fraud and that of another jurisdiction with authority would forbid it. Cf. Md. Final Op. No. 86-28 (Oct. 7, 1985). But this is by no means the only circumstance in which the problem arises.

As the Comment to present Rule 8.5 states, such issues may be expected to be governed by ordinary principles of conflict of laws; but those complex and subtle principles, well presented though they are in the Restatement (Second), Conflict of Laws, do not ordinarily provide to the practitioner (or the practitioner's client, who is likely to be affected by the lawyer's decision as to which rule the lawyer will follow) clear and readily decipherable guidance as to what a lawyer, facing a concrete decision where the potentially applicable ethical rules are at variance, should do. If, in the usual case where a lawyer was faced with a choice of law decision with respect to conflicting ethical requirements any of the potentially interested jurisdictions had adopted a clear and simple choice of law rule for purposes of application of its ethical rules to lawyers subject to those rules—or, even better, if all of the affected jurisdictions had adopted the same choice of law rules—the problem would undeniably be much ameliorated.

The problem of lack of clear guidance that the proposed change to Rule 8.5 seeks to address is exacerbated by the fact that existing authority as to choice of law in the area of ethics rules is unclear and inconsistent. Some authorities suggest that particular conduct should be subject to only one set of rules, while others suggest that more than one set of rules can apply simultaneously to the same conduct. Compare, e.g., Md. Final Op. No. 86-28 (Oct. 7, 1985) (Maryland attorney practicing in another jurisdiction need only comply with the other jurisdiction's rules),

with, e.g., *In re Porep*, 60 Nev. 393, 111 P.2d 533 (1941) (attorney disciplined under Nevada rules for the same California advertising that California had previously held not to violate California rules). Widely differing approaches to how to identify the applicable rules have been taken. See, e.g., Md. Final Op. No. 86-28, *supra* (rule of state in which practice occurs governs), Ala. Ethics Op. RO-81-542 (Dec. 4 & 28, 1981) (same); Mich. Informal Op. No. CI-709 (Dec. 28, 1981) (suggesting that any connection with Michigan, however small, would be sufficient to make Michigan rules applicable to lawyer admitted in both California and Michigan and practicing in California); Ariz. Op. No. 90-19 (Dec. 28, 1990) (applying the full panoply of choice-of-law factors from Restatement (Second), Conflict of Laws § 6(2)); Fla. Prop. Adv. Op. No. 88-10 (1988) ("most significant relationship test," with important factors being the client's state of residence, the state where the cause of action arose, and the state (or states) where suit may be filed"); *In re Dresser Industries, Inc.*, 972 F.2d 540 (5th Cir. 1992) (conduct of attorney in federal district court suit is governed by general "national standards of legal ethics," even where contrary to state rules adopted by the district court to govern attorneys practicing before it).

Because of uncertainty resulting from the variety of choice of law approaches that the pertinent authorities of different jurisdictions have adopted, lawyers wishing to understand their ethical obligations often find themselves stymied by threshold questions of choice of law. In particular, two types of situations frequently arise: (a) the lawyer who is involved in litigation in another jurisdiction and does not know whether the rules of that jurisdiction, of the jurisdiction in which he or she principally practices, or of both, apply to conduct in connection with the litigation; and (b) the lawyer who is admitted in two jurisdictions and does not know whether the rules of one or the other jurisdiction, or both, apply to particular conduct.

The proposed amendment to Rule 8.5 seeks to provide clear answers to these problems in nearly all cases. In litigation, the ethical rules of the tribunal, and only those rules, would apply. The ABA version of new Rule 8.5 has been modified in this proposal by the addition of references to an "agency" in Rule 8.5(b)(1), thus broadening the scope of that provision to include litigation before an administrative agency. In non-litigation matters, the lawyer admitted in more than one jurisdiction would be subjected only to the rules of the jurisdiction where he or she principally practices, except when the particular conduct clearly has its predominant effect in another admitting jurisdiction.

The basic thesis of the proposal is that what it achieves in certainty and simplicity is worth much more than whatever regulatory interest it sacrifices in possibly preventing, in particular cases, a different set of rules, or two sets of rules, simultaneously, from being applied to a lawyer's conduct. The interests of the clients and of the profession alike are likely to be best served by clarity as to the governing rules. Under the proposed amended Rule, the rules of one jurisdiction, which undeniably will have a legitimate and substantial interest in the conduct, will in all cases govern every act of an attorney (and more than one jurisdiction may be empowered to enforce those rules). This being so, the benefits of clarity and simplicity of the proposal would appear to outweigh any benefit, in the form of substituting one set of rules for another or simultaneously applying two sets of rules in particular cases, to be had from more complex and uncertain alternatives.

It might be argued against the proposed amendment that, by providing for a single rule to apply to particular conduct, it would promote "forum-shopping." However, this seems unlikely, since a lawyer would rarely if ever be in a position to change the determinative factors (whether conduct relates to litigation, where he or she principally practices, and whether conduct clearly has its predominant effect in a particular jurisdiction) in order to affect the choice of ethics rules.

It might also be argued that under the proposed amendment an admitting jurisdiction might have to apply another jurisdiction's rules in a disciplinary proceeding. However, that is at least equally the case under the present regime.

Finally, it might be argued that, because of the exception for particular conduct that clearly has its predominant effect in another jurisdiction, the proposal falls short of achieving perfect clarity and certainty. This is indeed true, and there may be instances in which it is difficult to define the "particular conduct" and to decide whether it has its "predominant effect" in one jurisdiction or another. However, to provide for no exception would allow substantial conduct to occur in a second admitting jurisdiction without being subject to that jurisdiction's rules; and the exception has been crafted in a manner that is intended to minimize to the extent possible the difficulty of applying it in particular cases.

The proposed revised Comment would also make clear that the choice of law rules laid down in the black letter text are not intended to apply to transnational practice; in other words, the references in the Rules to other "jurisdictions" implicitly only assume such other jurisdictions as have promulgated some version of the Model Rules of Professional Conduct (or the predecessor Model Code of Professional Responsibility), thus providing complete reciprocity and certainty. Unlike domestic choice of law, on the other hand, international choice of law issues are not at this time resolvable by the adoption of uniform rules; although this may be possible in the future, at present they must continue to be resolved by internationally accepted conflict of law principles.

Interested persons are invited to submit written comments regarding the proposed amendment to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before June 3, 1996.

*By The Disciplinary Board of the
Supreme Court of Pennsylvania*

ELAINE BIXLER,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

MAINTAINING THE INTEGRITY OF THE PROFESSION

Rule 8.5. [Jurisdiction] Disciplinary Authority; Choice of Law.

(a) **Disciplinary Authority.** A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction [although engaged in

practice elsewhere], regardless of where the lawyer's conduct occurs. A lawyer may be subject to the disciplinary authority of both this jurisdiction and another jurisdiction where the lawyer is admitted for the same conduct.

(b) **Choice of Law.** In any exercise of the disciplinary authority of this jurisdiction, the rules of professional conduct to be applied shall be as follows:

(1) for conduct in connection with a proceeding in a court or agency before which a lawyer has been admitted to practice (either generally or for purposes of that proceeding), the rules to be applied shall be the rules of the jurisdiction in which the court or agency sits, unless the rules of the court or agency provide otherwise; and

(2) for any other conduct,

(i) if the lawyer is licensed to practice only in this jurisdiction, the rules to be applied shall be the rules of this jurisdiction, and

(ii) if the lawyer is licensed to practice in this and another jurisdiction, the rules to be applied shall be the rules of the admitting jurisdiction in which the lawyer principally practices; provided, however, that if particular conduct clearly has its predominant effect in another jurisdiction in which the lawyer is licensed to practice, the rules of that jurisdiction shall be applied to that conduct.

Comment

[In modern practice lawyers frequently act outside the territorial limits of the jurisdiction in which they are licensed to practice, either in another state or outside the United States. In doing so, they remain subject to the governing authority of the jurisdiction in which they are licensed to practice. If their activity in another jurisdiction is substantial and continuous, it may constitute practice of law in that jurisdiction. See Rule 5.5.

If the rules of professional conduct in the two jurisdictions differ, principles of conflict of laws may apply. Similar problems can arise when a lawyer is licensed to practice in more than one jurisdiction.

Where the lawyer is licensed to practice law in two jurisdictions which impose conflicting obligations, applicable rules of choice of law may govern the situation. A related problem arises with respect to practice before a federal tribunal, where the general authority of the states to regulate the practice of law must be reconciled with such authority as federal tribunals may have to regulate practice before them.]

Disciplinary Authority

Paragraph (a) restates longstanding law.

Choice of Law

A lawyer may be potentially subject to more than one set of rules of professional conduct which impose different obligations. The lawyer may be licensed to practice in more than one jurisdiction with differing rules, or may be admitted to practice before a particular court or agency with rules that differ from those of the jurisdiction or jurisdictions in which the lawyer is licensed to practice. In the

past, decisions have not developed clear or consistent guidance as to which rules apply in such circumstances.

Paragraph (b) seeks to resolve such potential conflicts. Its premise is that minimizing conflicts between rules, as well as uncertainty about which rules are applicable, is in the best interest of both clients and the profession (as well as the bodies having authority to regulate the profession). Accordingly, it takes the approach of (i) providing that any particular conduct of an attorney shall be subject to only one set of rules of professional conduct, and (ii) making the determination of which set of rules applies to particular conduct as straightforward as possible, consistent with recognition of appropriate regulatory interests of relevant jurisdictions.

Paragraph (b) provides that as to a lawyer's conduct relating to a proceeding in a court or agency before which the lawyer is admitted to practice (either generally or pro hac vice), the lawyer shall be subject only to the rules of professional conduct of that court or agency. As to all other conduct, paragraph (b) provides that a lawyer licensed to practice only in this jurisdiction shall be subject only to the rules of professional conduct of this jurisdiction, and that a lawyer licensed in multiple jurisdictions shall be subject to the rules of the jurisdiction where he or she (as an individual, not his or her firm) principally practices, but with one exception: if particular conduct clearly has its predominant effect in another admitting jurisdiction, then only the rules of that jurisdiction shall apply. The intention is for the latter exception to be a narrow one. It would be appropriately applied, for example; to a situation in which a lawyer admitted in, and principally practicing in, State A, but also admitted in State B, handled an acquisition by a company whose headquarters and operations were in State B of another, similar such company. The exception would not appropriately be applied, on the other hand, if the lawyer handled an acquisition by a company whose headquarters and operations were in State A of a company whose headquarters and main operations were in State A, but which also had some operations in State B.

If two admitting jurisdictions were to proceed against a lawyer for the same conduct, they should, applying this rule, identify the same governing ethics rules. They should take all appropriate steps to see that they do apply the same rule to the same conduct, and in all events should avoid proceeding against a lawyer on the basis of two inconsistent rules.

The choice of law provision is not intended to apply to transnational practice. Choice of law in this context should be the subject of agreements between jurisdictions or of appropriate international law.

Code of Professional Responsibility Comparison

There is no counterpart to this Rule in the Code.

[Pa.B. Doc. No. 96-716. Filed for public inspection May 3, 1996, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 82]

Amendment of Continuing Legal Education Regulations

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter B. CONTINUING LEGAL EDUCATION BOARD REGULATIONS

Preamble. Statement of Purpose.

The public properly expects that lawyers, in the practice of the law, will maintain throughout their careers certain standards of professional competence and ethical behavior. These regulations prescribe the standards for the implementation of the Orders of the Supreme Court of Pennsylvania of January 7, 1992, July 1, 1992, August 21, 1992, November 29, 1993, February 1, 1994, June 22, 1994, and March 7, 1995 promulgating the Pennsylvania Rules for Continuing Legal Education and mandating continuing legal education requirements for Pennsylvania lawyers. These regulations have been amended several times. As of here and now, the following regulations are in effect.

Section 1. Definitions.

Accredited Continuing Legal Education Provider—A not-for-profit [company] corporation or association accredited by the Board in accordance with the rules and these regulations.

* * * * *

Section 5. Credit for CLE Activities.

* * * * *

(b) *Teaching Activity.* The Board may assign credit to teaching activities involving courses accredited under the rules and these regulations upon written application describing the teaching activity. The Board will provide forms to be submitted for the approval of teaching credits. Credit for teaching activities will be given [only for the time spent in making presentations of materials prepared by the applicant] on the basis of two hours credit for each hour of presentation where the applicant has prepared quality written materials for use in the presentation. Credit for repeat presentations or presentations without such materials will be given only for the actual time of presentation.

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[Pa.B. Doc. No. 96-717. Filed for public inspection May 3, 1996, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART IV. COURT OF JUDICIAL DISCIPLINE Rules of Procedure; Doc. No. 1 JD 94

Order

And Now, this 17th day of April, 1996, pursuant to Article V, Section 18(b)(4) of the Pennsylvania Constitution, and in accordance with this Court's Order of February 6, 1996, proposing to amend C.J.D.R.P. No. 502, by adopting new subsections (D)—(F) and to adopt New Rule 112, the Court of Judicial Discipline hereby adopts the amendment to C.J.D.R.P. No. 502 Subsection (D)—(F) and Rule 112 in the following form, effective immediately.

Annex A

TITLE 207. JUDICIAL CONDUCT PART IV. COURT OF JUDICIAL DISCIPLINE ARTICLE I. PRELIMINARY PROVISIONS CHAPTER I. GENERAL PROVISIONS IN GENERAL

Rule 112. Photocopies.

Upon the request of any resident of Pennsylvania, the Administrative Office of the Court of Judicial Discipline shall provide free of charge a copy of any Opinion or Order issued by the Court. The Administrative Office will provide photocopies of any other documents listed in the official docket at a cost of \$.50 per page.

ARTICLE II. PROCEEDINGS BASED ON THE FILING OF FORMAL CHARGES

CHAPTER 5. TRIAL PROCEDURES

Rule 502. Trial. Stipulations of Fact. Conclusions of Law. Withdrawal of Counts.

* * * * *

(D) Stipulations of Fact.

(1) In lieu of a trial, the parties may submit to the Court an agreed statement of all facts necessary to a decision of the issues in the case. Said statement as submitted shall be binding upon the parties and shall be adopted by the Court as the facts of the case upon which the decision shall be rendered. When submitted, any such statement shall include a signed waiver of any right to trial granted under the Constitution and the Rules of this Court.

(2) The parties may submit stipulations as to issues of fact to which they agree, but which do not resolve all relevant issues of fact. In such case, the parties shall be bound by the stipulations as submitted and the Court shall proceed to trial on all other remaining factual issues.

(E) Conclusions of Law.

At the close of the evidence, the parties may submit suggested Conclusions of Law which the Court may consider in rendering the decision, however, said conclusions when submitted are not binding upon the Court.

(F) Withdrawal of Counts.

The Board may file a motion to withdraw counts in a Complaint, which shall be supported by a

change in circumstances such as the loss of evidence or the unavailability of a necessary witness, or other justifiable reason.

By the Court

JOSEPH F. MCCLOSKEY,
President Judge

[Pa.B. Doc. No. 96-718. Filed for public inspection May 3, 1996, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY Adopted Civil Rule W6027; No. 3 of 1996

Order of Court

And Now, to wit this 11th day of April, 1996, *It Is Hereby Ordered, Adjudged, and Decreed* that Westmoreland County Civil Rule W6027 is adopted effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

BERNARD F. SCHERER,
President Judge

Statutory or License Suspension Appeals

Rule W6027.

(a) All statutory or license suspension appeals shall be commenced by the filing of a petition.

(b) If a supersedeas or stay is not automatically granted by the filing of the petition, the petitioner shall present the assigned judge an unsigned order of court granting the supersedeas or stay and setting a date and time of the hearing.

(c) If a supersedeas or stay is automatically granted by the filing of the petition, the petitioner shall, within 30 days of the filing of the petition for appeal, file a signed order setting a date and time of the hearing. Failure to file the signed order may, upon motion of the opposing party, result in the dismissal of the petition.

[Pa.B. Doc. No. 96-719. Filed for public inspection May 3, 1996, 9:00 a.m.]

WESTMORELAND COUNTY

Adopted New District Justice Rule WD1016; No. 3 of 1996

Order of Court

And Now, to wit this 11th day of April, 1996, *It Is Hereby Ordered, Adjudged, and Decreed* that Westmoreland County District Justice Rule WD1008 is repealed. New District Justice Rule WD1016 is adopted. This order is effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

By the Court

BERNARD F. SCHERER,
President Judge

Statement of Objection**Rule WD1016.**

The petitioner filing a Statement of Objection shall, within 10 days of the filing of the statement file a signed order setting a date and time of hearing. Failure to file the signed order may, upon motion of the opposing party, result in dismissal of the action.

[Pa.B. Doc. No. 96-720. Filed for public inspection May 3, 1996, 9:00 a.m.]

YORK COUNTY**Rescission and Promulgation of Certain Rules of the Court of Common Pleas; No. 96 M. I. 00194****Administrative Order**

And Now, To Wit, This 18th day of April, 1996, it is ordered that the following Rules of this Court are Rescinded and Promulgated as follows:

1. Rule 1920.51(k) is hereby rescinded. Rule 1920.51(d) is hereby rescinded. Rule 1920.51(g) is hereby rescinded. Rule 1920.55(d) is rescinded.

2. The Rules that follow this Order are hereby promulgated as set forth in the text filed herewith.

It Is Further Ordered that this Administrative Order shall be effective thirty (30) days after the publication in the *Pennsylvania Bulletin* and shall govern all matters thereafter commenced, and insofar as just and practical, all matters then pending.

It Is Further Ordered that in accordance with Pa.R.C.P. 239, the District Court Administrator shall:

(a) File seven (7) certified copies hereto with the Administrative Office of the Pennsylvania Courts.

(b) Distribute two (2) certified copies hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(c) File one certified copy hereof with the Civil Procedures Rules Committee.

(d) Cause to be printed an adequate supply of the Rules hereby amended and promulgated for distribution to the Judges and the members of the Bar of this Court, and for sale at cost to any other interested parties, such printing to be done at the expense of the County of York, in accordance with the provisions of the act of July 9, 1976, P. L. 586, Sec. 2, 42 Pa.C.S. § 3722.

(e) Supervise the distribution hereof to all Judges and all members of the Bar of this Court.

By the Court

JOHN C. UHLER,
President Judge

I. Rule 1920.51(k) shall be amended to read as follows:

In each proceeding before a Master, including the Prehearing Conference, each party is entitled to one (1) continuance as a matter of right. Continuances must be requested at least thirty (30) days before the scheduled date of the proceeding. The Master may grant continuances for cause at any time.

II. Rule 1920.51(d) shall be amended to read as follows:

The filing of Income and Expense Statements and/or Inventory and Appraisements shall be governed by the following schedule:

1. Before a party files a motion for the appointment of a Master to hear the issues of alimony, alimony pendente lite, counsel fees, costs and expenses, or equitable distribution, the party must file those documents required by Pa.R.C.P. 1920.31 and 1920.33, as appropriate.

2. The adverse party must file the documents required by those sections within twenty (20) days after receipt of the motion appointing a master.

3. No party shall be required to file documents pursuant to this Rule sooner than the time frames allowed by Pa.R.C.P. 1920.31(a)(1) and 1921.33(a).

4. Parties failing to comply with subdivision 2 of this Rule shall be subject to sanctions upon motion by the moving party presented to the Court. Any party who fails to comply with the filing requirements of this Rule may be subject to sanction upon motion to the Court.

III. Rule 1920.51(g) shall be amended to add the following subsections:

4. During the conference, the Master shall determine what discovery shall be provided by the parties and shall include a description of this discovery in a prehearing statement which shall be provided to the parties shortly after the conference. In addition to other matters contained within it, the prehearing statement shall set a date by which all of the discovery shall be produced.

5. If either party fails to comply with the discovery deadlines established in the prehearing statement, the adverse party shall be entitled to a continuance of the hearing upon request.

6. Adverse party may also request that sanctions be imposed by the Master. The Master, in his or her discretion and without prior Court approval, may apply any of the sanctions set out in Pa.R.C.P. 4019(c)(1), (2), (3), or (5).

IV. Rule 1920.55(d) shall be amended to read as follows:

In the event no transcript has been filed by the Master at the time a party files exceptions, the party filing exceptions shall request in writing that a transcript be prepared and filed. This request must be made within ten (10) days after receipt of notice from the Master's office that the transcript has been filed. The opposing party shall file its brief fifteen (15) days after the service of the brief in support of exceptions.

[Pa.B. Doc. No. 96-721. Filed for public inspection May 3, 1996, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Collection Fee and Late Payment Penalty for 1996—1997 Registration Year

Notice is hereby given of the establishment by The Disciplinary Board of the Supreme Court of Pennsylvania for the 1996—1997 registration year of the collection fee for checks in payment of the annual registration fee for attorneys that are dishonored and the late payment penalty for registrations not received on time.

Pennsylvania Rule of Disciplinary Enforcement 219(d)(2) provides that, where a check in payment of the annual registration fee for attorneys has been returned to the Board unpaid, a collection fee established annually by the Board must be paid before the annual registration fee shall be deemed to have been paid. The Board has established the collection fee for the 1996—1997 registration year as \$50.00 per returned item.

Pa.R.D.E. 219(h)(2) provides that a late payment penalty established annually by the Board must be paid by an attorney who fails to timely file an annual registration statement before the attorney shall be considered on

active status for the new registration year. The Board has established the late payment penalty for the 1996—1997 registration year as \$50.00.

*The Disciplinary Board of the Supreme Court of
Pennsylvania*

ELAINE M. BIXLER,
Secretary

[Pa.B. Doc. No. 96-722. Filed for public inspection May 3, 1996, 9:00 a.m.]

STATEMENTS OF POLICY

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS
[49 PA. CODE CH. 43a]

Schedule of Civil Penalties; Guidelines for Imposition of Civil Penalties; Procedures for Appeal

On October 21, 1995, a schedule of civil penalties, guidelines for their imposition and procedures for appeal

for persons operating without a current, registered, unsuspended and unrevoked license, was adopted as a policy statement in the *Pennsylvania Bulletin* at 25 Pa.B. 4527. Two civil penalties pertaining to the State Board of Cosmetology were inadvertently omitted on pages 4529 and 4530.

The Commissioner of the Bureau of Professional and Occupational Affairs herein notifies the public that civil penalties under 63 P.S. § 519(a) and 49 Pa. Code § 7.64(a) were inadvertently omitted from the previous publication and that the schedule of fees, as reflected in Annex A, will include provisions for collecting civil penalties when a cosmetology owner employs unlicensed employees and a cosmetology manager employs unlicensed persons. These corrections will have no fiscal impact on the agency.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 43a. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

§ 43a.7. Schedule of civil penalties—cosmetologists, manicurists, cosmeticians, shops.

STATE BOARD OF COSMETOLOGY

Violation under 63 P. S.	Title/Description * * * * *	Civil Penalty
Section 514	Practice in place other than licensed shop	1st offense—\$500 2nd offense—formal action
Section 519(a)	Owner employing unlicensed employes	1st offense—\$500 for each unlicensed individual 2nd offense—formal action
Section 524	Availability of current licenses and permits on the premises	1st offense—\$100 2nd offense—\$250
Violation under 49 Pa. Code Chapter 7		
	Title/Description * * * * *	Civil Penalty
§ 7.62	Operating without manager	1st offense—\$100 2nd offense—\$250
§ 7.64(a)	Manager employing unlicensed persons	1st offense—\$500 for each unlicensed individual 2nd offense—formal action
§ 7.71—7.71b, 7.75—7.79	Physical requirements for beauty shop * * * * *	1st offense—\$50 for each violation 2nd offense—\$100 for each violation

[Pa.B. Doc. No. 96-723. Filed for public inspection May 3, 1996, 9:00 a.m.]

NOTICES

CONSERVATION AND NATURAL RESOURCES ADVISORY COUNCIL

Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will be held on Monday, May 13, 1996, at 10 a.m. in the 1st Floor Meeting Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Glenda Miller at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Glenda Miller directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MAURICE FORRESTER,
Interim Chairperson

[Pa.B. Doc. No. 96-724. Filed for public inspection May 3, 1996, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 23, 1996.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-9-96	CoreStates Financial Corp., Philadelphia, to acquire 100% of the voting shares of Meridian Bancorp, Inc., Reading	Philadelphia	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-19-96	Harris Savings Bank, Harrisburg, and First Federal Savings and Loan Association of Harrisburg, Harrisburg, surviving institution— Harris Savings Bank, Harrisburg	Harrisburg	Effective
	<i>Branches Acquired:</i>		
	31st and Market St. Camp Hill Cumberland County	526 S. 29th Street Harrisburg Dauphin County	
	Camp Hill Shopping Mall Camp Hill Cumberland County	2019 Linglestown Road Harrisburg Dauphin County	
	Silver Springs Common Mechanicsburg Cumberland County	114 W. Chocolate Ave. Hershey Dauphin County	

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-96	Farmers & Merchants Trust Company Chambersburg Franklin County	Menno Haven Penn Hall Retirement Community 1425 Philadelphia Ave. Chambersburg Franklin County	Approved

NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-19-96	Old Forge Bank Old Forge Lackawanna County	540 Main Street Peckville Lackawanna County	Filed
4-19-96	First Sterling Bank Devon Chester County	Northeast Corner of State and Jackson Sts. Media Delaware County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-18-96	Northern Central Bank Williamsport Lycoming County	100 S. Henry St. South Waverly Bradford County	Filed

SAVINGS ASSOCIATIONS**Branch Applications**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
2-1-96	ADP Savings Association Allentown Lehigh County	1400 Montefino Ave. Diamond Bar Los Angeles County California	Opened
3-21-96	Washington Savings Association Philadelphia Philadelphia County	10663 Bustleton Ave. Philadelphia Philadelphia County	Opened

CREDIT UNIONS**Articles of Amendment**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
4-19-96	C.H.E. Credit Union Chambersburg Franklin County	To provide for a change in corporate title to "Community of Healthcare Employees Credit Union."	Approved and Effective

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 96-725. Filed for public inspection May 3, 1996, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

PA 0032379. Industrial waste, SIC: 4910, **Safe Harbor Water Power Corp.**, P. O. Box 97, Conestoga, PA 17516.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Conestoga River and the Susquehanna River, in Manor Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.015 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Suspended Solids	30	60
Total Phosphorus	2	4
Total Residual Chlorine	1	2
Dissolved Oxygen	minimum of 5.0 at all times	
pH	6.0—9.0	
Fecal Coliforms	200/100 ml as a geometric average	
(5-1 to 9-30)	100,000/100 ml as a geometric average	
(10-1 to 4-30)		

The proposed effluent limits for Outfall 002 for a design flow of 3.4 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature		monitor	
Oil and Grease	4	8	10
Total Suspended Solids	30	60	75
Total Iron	2	4	5
Total Aluminum	4	8	10
Total Manganese	1	2	2.5
pH	6.0—9.0		

The EPA waiver is in effect.

Final Notice is hereby given that the Department of Environmental Protection, after public notice, has issued a National Pollutant Discharge Elimination System Permit to:

Permit No. PA 0087106. Permittee: Peter Rondeau

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

Total Residual Chlorine and Oil and Grease were removed from the permit due to changes in site plans.

PA 0087343. Sewage, SIC: 4952, **Broad Top Township** (Langdondale Study Area), Box 57, Municipal Building, Defiance, PA 16633.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to Sandy Run, in Broad Top Township, **Bedford 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 Saxton Municipal Water Plant located in Saxton on Raystown Branch. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of .01445 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40		50
Suspended Solids	30	45		60
Total Residual Chlorine	0.5			1.64
Dissolved Oxygen	minimum of 5.0 at all times			

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	75,000/100 ml as a geometric average			

The EPA waiver is in effect.

PA 0087149. Industrial waste, SIC: 9229 and 9224, **Pennsylvania Emergency Management Agency** (PEMA), P. O. Box 3321, Harrisburg, PA 17105, 1150 Riverside Drive, Lewistown, PA 17044.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to Juniata River, in Lewistown Borough, **Mifflin 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 Dauphin Consolidated located just north of Fort Hunter near Harrisburg. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of .003 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		
pH	within limits of 6—9 s.u. at all times		
Total Recoverable Petroleum Hydrocarbons	monitor and report		
Total BTEX	monitor and report		
Benzene	monitor and report		
Toluene	monitor and report		
Ethylbenzene	monitor and report		
Xylene	monitor and report		
Total Suspended Solids	monitor and report		
Oil and Grease	15	30	30

The EPA waiver is in effect.

PA 0023183. SIC: 4952, **Borough of Mt. Holly Springs**, 200 Harman Street, Mt. Holly Springs, PA 17065.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Mountain Creek, in Mt. Holly Springs Borough, **Cumberland 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 Mechanicsburg Water Company located in Fairview Township, 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 .600 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	40		50
Total Suspended Solids	30	45		60
NH ₃ -N (5-1 to 10-31)	2.5			5
(11-1 to 4-30)	7.5			15
Total Phosphorus	2			4
Total Residual Chlorine	.05			1.63
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	26,000/100 ml as a geometric average			

The EPA waiver is in effect.

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

PA 0000914. Industrial waste, SIC: 8731, **Department of Energy, Pittsburgh Naval Reactors Office**, Bettis Atomic Power Lab, 814 Pittsburgh-McKeesport Boulevard, West Mifflin, PA 15122-0109.

This application is for renewal of an NPDES permit to discharge treated process water and noncontact cooling water and stormwater from Bettis Atomic Power Lab in West Mifflin Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Bull Run and unnamed tributaries to Thompson Run, classified as warm water fishery with existing and/or potential uses for 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 (PWS) considered during the evaluation is Western PA Water Company, located at Pittsburgh, Allegheny County approximately 9 miles below the discharge point.

Outfalls 001 and 002: existing discharge, average flows of (001 = 0.13 mgd and 002 = 0.07 mgd).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
TSS			25	50	
Oil and Grease			15		30
Temperature °F				110	
Fecal Coliform**				monitor and report	
Dichlorobromomethane*			0.0007	0.0014	
pH	6.0—9.0				

*Interim and final limits in the permit with TRE Special Condition.

**For Outfall No. 001 only.

Outfalls 003 and 006: existing discharge, stormwater flow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Fecal Coliforms					monitor and report

Outfalls 004 and 005: existing discharge, stormwater flow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Fecal Coliforms					monitor and report
Aluminum					monitor and report

The EPA waiver is in effect.

PA 0091227. Industrial waste, SIC: 2819, **Calgon Carbon Corporation**, 500 Calgon Drive, Pittsburgh, PA 15230.

This application is for renewal of an NPDES permit to discharge untreated cooling water stormwater from Neville Island Plant in Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River—Back Channel, classified as warm water fishery with existing and/or potential uses for 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 (PWS) considered during the evaluation is Robinson Township Water Authority, located at River Mile 8.8 Ohio River, 3.3 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.033 mgd.

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

Outfall 002: existing 0.203 mgd discharge to the Ohio River.

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

Outfall 003: Existing 0.0576 mgd discharge to the Ohio River.

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

Outfall 004: existing 0.116 mgd discharge to the Ohio River.

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

The EPA waiver is in effect.

PA 0217298. Industrial waste, SIC: 4449, **Mon River Towing**, 200 Speers Road, Belle Vernon, PA 15012.

This application is for issuance of an NPDES permit to discharge treated process water from a bilge water treatment system in Speers Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, the Monongahela River, classified as warm water fishery with existing and/or potential uses for 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 (PWS) considered during the evaluation is Charleroi Borough Authority, located at Charleroi, 5 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.0024 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30		60
Oil and Grease			15		30
Dissolved Iron					7.0
Benzene			0.001		0.0025
Total BTEX			0.100		0.250
pH	6.0—9.0				

The EPA waiver is in effect.

PA 0027430. Sewage, **City of Jeannette Municipal Authority**, P. O. Box 168, Jeannette, PA 15644.

This application is for renewal of an NPDES permit to discharge treated sewage from the Jeannette Wastewater Treatment Plant in the City of Jeannette, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Brush Creek, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company Becks Run intake.

Outfall 001: existing discharge, design flow of 3.3 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				
(5-1 to 10-31)	15	23		30
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2	3		4
(11-1 to 4-30)	4	6		8
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.025			0.08
Dissolved Oxygen	not less than 6.0 mg/l			
pH	6.0—9.0			
Free Cyanide	0.005			0.0125
Lead	0.007		0.014	0.0175

Outfalls 003, 004, 006, 008, 009 and 010 which discharge to the receiving waters, known as Brush Creek, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

Outfalls SWO-1, SWO-2 and SWO-3 are permitted to discharge uncontaminated stormwater runoff from areas in and around the treatment plant. There are at this time no specific effluent limitations on the outfalls.

The EPA waiver is not in effect.

PA 0027464. Sewage, **Pleasant Hills Authority**, 410 East Bruceton Road, Pittsburgh, PA 15236.

This application is for renewal of an NPDES permit to discharge treated sewage from Pleasant Hills Wastewater Treatment Plant in South Park Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Lick Run, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company, Becks Run Intake, on the Monongahela River.

Outfall 001: existing discharge, design flow of 5.0 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				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3.0
(11-1 to 4-30)	2.5	3.8		5.0
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 6.0 mg/l			
pH	6.0—9.0			
Total Residual Chlorine				
1st month—36th month	0.5			1.6
37th month—expiration	0.017			0.057
Mercury	not detectable using EPA Method 245.1 or 245.2, or equivalent, as approved by the Department			
Free Cyanide	0.005			0.0125
Phenolics	0.02			0.05

The EPA waiver is not in effect.

PA 0095681. Sewage, **Casciola Homes, Inc.**, 101 Dacor Drive, McDonald, PA 15057.

This application is for renewal of an NPDES permit to discharge treated sewage from Casciola Homes Sewage Treatment Plant in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Millers 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 West View Municipal Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0245 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	15			30
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month 37th month—expiration	monitor and report 1.4			3.3
pH	6.0—9.0			

Other Conditions: The above effluent limitations would also apply if the plant capacity is doubled to 0.049 mgd, except for the Ammonia Nitrogen parameter which would have the following effluent limitations:

Parameter	Average Monthly	Instantaneous Maximum
(5-1 to 10-31)	8.0	16.0
(11-1 to 4-30)	24.0	48.0

The EPA waiver is in effect.

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

PA 0056855. Sewage, **Pat Dantis**, 216 Neiffer Road.

This application is for issuance of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant serving single residence in Limerick Township, **Montgomery County**. This is new discharge to Mine Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 500 gallons per day are as follows:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10	20
Suspended Solids	20	40
Ammonia (as N)	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliforms	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0056871. Industrial waste, **SmithKline Beecham Research Company**, 1250 S. Collegeville Road, P. O. Box 5089, Collegeville, PA 19426.

This application is for issuance of an NPDES permit to discharge treated air conditioning condensate and untreated stormwater from SmithKline Beecham Research Company in Upper Providence Township, **Montgomery County**. This is a new discharge to Doe Run.

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

The proposed effluent limits for Outfall 001 during nonstorm event, based on an average flow of 45,000 gpd are as follows:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Total Dissolved Solids	monitor/report		
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 003 during nonstorm event, based on an average flow of 15,000 gpd are as follows:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Total Dissolved Solids	monitor/report		
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfalls 001 through 009 during storm event are as follows:

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	monitor/report	monitor/report
COD	monitor/report	monitor/report
Oil and Grease	monitor/report	monitor/report
pH	monitor/report	monitor/report
Total Suspended Solids	monitor/report	monitor/report
Total Kjeldahl Nitrogen	monitor/report	monitor/report
Total Phosphorus	monitor/report	monitor/report
Dissolved Iron	monitor/report	monitor/report

Other Requirements:

1. Conditions for future permit modifications.

The EPA waiver is in effect.

PA 0056839. Industrial waste, **Sun Company, Inc.**, 1801 Market Street, 10 Penn Center, Philadelphia, PA 19103.

This application is for issuance of an NPDES permit to discharge treated groundwater from a groundwater remediation system for Sunoco SS No. 0363-2783 in Radnor Township, **Delaware County**. This is a new discharge to Ithan Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 3,600 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>
Benzene	0.001	0.002	0.0025
Total BETX	0.1	0.2	0.25
Ethylbenzene	monitor/report	monitor/report	
Toluene	monitor/report	monitor/report	
Total Xylene	monitor/report	monitor/report	
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0056821. Sewage, **The Goddard School—Glen Mills**, 20 Creek Road, Glen Mills, PA 19342.

This application is for issuance of an NPDES permit to discharge treated sewage from the Goddard School—Glen Mills in Thornbury Township, **Delaware County**. This is a new discharge to east branch of Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 2,500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)	20	40
Total Residual Chlorine	1.2	2.8
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

Northwest Regional Office: Regional Manager, Oil and Gas Management, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6860.

PA 0222011. Industrial waste, SIC: 1311 (Crude Oil Production). **Big Sandy Oil Company**, P. O. Box 269, Franklin, PA 16323.

This application is for a new NPDES permit to discharge treated industrial waste water to the Allegheny River in Cranberry Township, **Venango County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and phenolics, the existing/proposed downstream potable water supply considered is the Emlenton Municipal Water Authority intake on the Allegheny River at Emlenton, approximately 39 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a maximum discharge rate of 0.00735 mgd are:

<i>Parameter Flow (mgd)</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum 0.00735</i>	<i>Instantaneous Maximum (mg/l)</i>
TSS	30		60
Oil and Grease	15		30
Total Iron	3.5		7
Alkalinity	greater than acidity		
Acidity	less than alkalinity		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0003026. Sewage. **U. S. Bronze Foundry and Machine, Inc.**, R. D. 3, Brake Shoe Road, Meadville, PA 16335.

This application is a renewal of a Part I NPDES permit to discharge treated sewage to French Creek (002, 005), UNT to French Creek (003, 004) in Woodcock Township, **Crawford 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 the General Authority of the City of Franklin on French Creek located at Franklin, approximately 23 miles below point of discharge.

The proposed effluent limits for Outfall No. 005 based on a design flow of .007 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
<i>CBOD₅</i>	25		50
Total Suspended Solids	30		60
Phosphorus (as P)	2.0		4.0
Ammonia-Nitrogen (5-1 to 10-31)	14		28
Fecal Coliforms (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	.5		1.2
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0034045. Sewage, **Greene Township Municipality**, 8899 Old Wattsburg Road, Erie, PA 16510.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from a subdivision to an unnamed tributary to Four Mile Creek in Greene Township, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, there is no potable water supply to consider during the evaluation until Lake Erie.

The proposed effluent limits for Outfall 001 based on average design flow of 0.012 mgd are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
<i>CBOD₅</i>	25	50
Total Suspended Solids	30	60
<i>NH₃-N</i> (5-1 to 10-31)	4.5	9
(11-1 to 4-30)	13.5	27
Phosphorus as "P"	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5	1.2
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	9,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0031461. Sewage, **Thomas Mobile Home Park**, Trask Road, P. O. Box 84, Waterford, PA 16441.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from a facility treating wastes from a mobile home park to an unnamed tributary to Trout Run in Waterford Township, **Erie County**. This is an existing discharge from a non-POTW.

The receiving water is classified for trout stocking fish and State-wide list. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Cambridge Springs Borough on French Creek, located at Cambridge Springs approximately 22 miles downstream from the point of discharge.

The proposed effluent limits for Outfall 001 based on average design flow of 0.02 mgd are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅ (5-1 to 10-31) (11-1 to 4-30)	20 25	40 50
Total Suspended Solids	30	60
NH ₃ -N (5-1 to 10-31) (11-1 to 4-30)	4.5 13.5	9 27
Total Residual Chlorine	0.5	1.2
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0037931. Sewage. **Municipal Authority of the Township of Cambridge**, R. D. 1, Box 53F, Cambridge Springs, PA 16403.

This application is a renewal of a Part I NPDES permit to discharge treated sewage to an unnamed tributary of French Creek in Cambridge Township, **Crawford 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 the General Authority of the City of Franklin on French Creek located at Franklin, approximately 41 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after chlorine contact tank) based on a design flow of 0.015 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
Total Suspended Solids	30	45	60
Ammonia-Nitrogen (5-1 to 10-31) (11-1 to 4-30)	2 6		4 12
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		
Total Residual Chlorine	.5		1.2
Dissolved Oxygen	minimum of 3 mg/l at all times		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0222046. Sewage, **Rodger B. Conklin and Marcia J. McCormack**, 2398 West Washington Street, Bradford, PA 16701.

This application is for a new Part I NPDES permit to discharge treated sewage to unnamed tributary to Willow Creek in Corydon Township, **McKean County**. This is a new discharge.

The receiving water is classified for the following uses: high-quality 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 Emlenton Water Company on the Allegheny River located at Emlenton.

The proposed discharge limits for Outfall No. 001 based on a design flow of .0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
	CBOD ₅	10
Total Suspended Solids	20	40
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	monitor and report on maintenance report form	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0002143. Industrial waste, SIC: 2621 and 2611. **Willamette Industries, Inc.**, 3800 First Interstate Tower, Portland, Oregon 97201.

This application is for renewal of an NPDES permit to discharge treated industrial waste and Group 1 stormwater to the Clarion River and Riley Run in Johnsonburg, **Elk County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Clarion River and Western PA Water Company located at Clarion, approximately 61 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 1.24 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	
BOD ₅	25	50	63
Total Suspended Solids	30	60	75
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 002 (Interim) based on a design flow of 14 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	
BOD ₅	31	63	78
Total Suspended Solids	51	106	128
2,3,7,8-TCDD	0.0000000011	0.0000000017	0.0000000017
Sulfide	1.0	2.0	2.5
Chloroform	0.022	0.033	0.055
Betz Magni-form 304P	0.61	0.95	1.5
Betz Bio-trol 88P	0.013	0.02	0.03
Temperature (Interim)	<i>Daily Average</i>		
January	monitor and report		
February	monitor and report		
March	monitor and report		
April 1—15	monitor and report		
April 16—30	monitor and report		
May 1—15	monitor and report		
May 16—31	monitor and report		
June 1—15	monitor and report		
June 16—30	monitor and report		
July	monitor and report		
Aug. 1—15	monitor and report		
Aug. 16—31	monitor and report		
Sept. 1—15	monitor and report		
Sept. 16—31	monitor and report		
Oct. 1—15	monitor and report		
Oct. 16—31	monitor and report		
Nov. 1—15	monitor and report		
Nov. 16—30	monitor and report		
Dec.	monitor and report		
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 002 (Final) based on a design flow of 14 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	
BOD ₅	31	63	78
Total Suspended Solids	51	106	128
2,3,7,8-TCDD	0.0000000011	0.0000000017	0.0000000017
Sulfide	1.0	2.0	2.5
Chloroform	0.022	0.033	0.055

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Betz Magni-form 304P	0.61	0.95	1.5
Betz Bio-trol 88P	0.013	0.02	0.03
Temperature (Final)	<i>Daily Average</i>		
January	1,197		
February	654		
March	1,446		
April 1—15	6,772		
April 16—30	2,338		
May 1—15	2,178		
May 16—31	5,295		
June 1—15	2,238		
June 16—30	3,907		
July	3,641		
Aug. 1—15	644		
Aug. 16—31	1,184		
Sept. 1—15	1,265		
Sept. 16—31	575		
Oct. 1—15	455		
Oct. 16—31	455		
Nov. 1—15	929		
Nov. 16—30	516		
Dec.	1,041		
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 102 based on a design flow of N/A 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	
BOD ₅		monitor and report	
COD		monitor and report	
Oil and Grease		monitor and report	
Total Suspended Solids		monitor and report	
Color		monitor and report	
pH		monitor and report	

The proposed discharge limits for Outfall No. 004 based on a design flow of N/A 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	
BOD ₅		monitor and report	
COD		monitor and report	
Oil and Grease		monitor and report	
Total Suspended Solids		monitor and report	
Color		monitor and report	
pH		monitor and report	

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

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 DEP'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, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0080861	LaDeira, Inc. Walmar Manor MHP 125 Walmar Manor Dillsburg, PA 17019	York Franklin Twp.	UNT North Branch Bermudian Creek	TRC Fecal Coliform
PA0083721	Jacob L. Miller, Jr. Paradise MHP R. D. 4, Box 4033 Spring Grove, PA 17362	York Paradise Twp.	UNT to Beaver Creek	TRC
PA0084255	Swatara Creek MHP Audrey Estevez 2459 Grace Avenue Lebanon, PA 17046	Lebanon Swatara Twp.	UNT to Swatara Creek	TRC
PA 0085430	Robin Hill Camping Res. William/Veronica Reading 149 Robin Hill Road Lenhartsville, PA 19534	Berks Greenwich Twp.	UNT to Maiden Creek	TRC

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

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

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

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

The application and related documents, including the erosion and sedimentation control plan for the construc-

tion activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

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

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

Southeast Regional Office: Regional Water Management Program Manager, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6131.

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

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

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

NPDES Permit PAS100609. Stormwater. **R & M Family LTD Partnership**, 515 S. Terrace Drive, Altoona, PA 16602 has applied to discharge stormwater from a construction activity located in Blair Township, **Blair County**, to UNT to Beaver Dam Branch.

Chester County Conservation District, District Manager, 601 Westtown Road, West Chester, PA 19382, telephone (610) 696-5126.

NPDES Permit PAS10G204. Stormwater. **Robert Sweeney Jr.**, 116 Culbertson Run Road, Downingtown, PA 19335 has applied to discharge stormwater from a

construction activity located in Honeybrook Township, **Chester County**, to the north branch of Brandywine Creek.

NPDES Permit PAS10G205. Stormwater. **Anthony Dambro**, 449 Bayard Road, Kennett Square, PA 19348 has applied to discharge stormwater from a construction activity located in East Marlborough Township, **Chester County**, to UNT to Pocopson Creek.

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

NPDES Permit PAS10P022. Stormwater. **Dennis Hess**, R. D. 2 Box 245, Hummelstown, PA 17036 has applied to discharge stormwater from a construction activity located in North Londonderry Township, **Lebanon County**, to Killinger Creek.

Lehigh County Conservation District, District Manager, 4184 Dorney Park Road, Allentown, PA 18104, telephone (610) 391-9583.

NPDES Permit PAS10Q110. Stormwater. **Marriott International**, 1 Marriott Drive, Washington, DC 20056 has applied to discharge stormwater from a construction activity located in the City of Bethlehem, **Lehigh County**, to Moncacy Creek.

NPDES Permit PAS10Q111. Stormwater. **East Penn School District**, 4949 Liberty Lane, Wescosville, PA has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to the Conemaugh River.

NPDES Permit PAS10Q112. Stormwater. **East Penn School District**, 4949 Liberty Lane, Wescosville, PA has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

Westmoreland County Conservation District, District Manager, R. D. 12, Box 202-B, Greensburg, PA 15601, telephone (412) 837-4127.

NPDES Permit PAS10X061. Stormwater. **NESE Construction**, 1 Monroeville Center, Monroeville, PA 15146 has applied to discharge stormwater from a construction activity located in Salem Township, **Westmoreland County**, to Beaver Run.

NPDES Permit PAS10X062. Stormwater. **U. S. Army Corps of Engineers**, 1000 Liberty Avenue, Pittsburgh, PA 15222 has applied to discharge stormwater from a construction activity located in Derry Township, **Westmoreland County**, to the Conemaugh River.

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number, identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commenter will be notified in writing of the time and place if a hearing or conference concerning the plan or action or application to which the

protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

A.6596203. Industrial waste. **Westinghouse Electric Corporation**, Interstate 70, Madison Exit, 25A, Madison, PA 15663. Application for the construction and operation of a groundwater treatment system to serve the Waltz Mill Plant located in the Township of Sewickley, **Westmoreland County**

A.5696401. Sewerage. **A. Duane Lohr**, R. D. 1, Box 322D, Somerset, PA 15501. Application for the construction and operation of a sewage treatment plant to serve the Lohr residence located in the Township of Somerset, **Somerset County**.

A.6577420. Amendment No. 1. Sewerage. **Westinghouse Electric Corporation**, Interstate 70, Madison Exit 25A, Madison, PA 15663. Application for the construction and operation of a water processing system for the laundry consisting of bag micro filters and carbon filters to treat water used in the laundering of clothing used in controlled areas of nuclear plants to serve the Waltz Mill Plant located in the Township of Sewickley, **Westmoreland County**.

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

A.6796405. Sewage. **Randy Grim**, Country View Mobile Home Park, R. D. 2, Box 498, East Berlin, PA 17316 in Washington Township, **York County** to construct a wastewater treatment plant was received in the Southcentral Regional Office on April 4, 1996.

A.3696402. Sewage. **Peter B. Shirk, Inc.**, R. D. 2, Box 62A, Denver, PA 17517 in Millcreek Township, Lebanon County to construct a sewer extension to serve the Newburg Village Subdivision was received in the Southcentral Region on April 4, 1996.

A.0693407 (96-1). (amendment), Sewage. **William and Veronica Reading**, 149 Robin Hill Road, Lenhartsville, PA 19534 in Greenwich Township, Berks County to re-rate their existing wastewater treatment facility from 5,000 gpd to 10,000 gpd at the Robin Hill Camping Resort was received in the Southcentral Region on April 5, 1996.

A.6796406. Sewage. **York Township Water and Sewer Authority**, 25 Oak Street, York, PA 17402 in York Township, **York County** to construct the Leader Height's Pump Station was received in the Southcentral Region on April 17, 1996.

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

A.4596402. Sewerage. Keystone Hollow Corporation, P. O. Box 1158, Marshalls Creek, PA 18335. Application for construction and operation of a low pressure sewage collection system and two sewage lift stations to serve the Estates at Great Bear, located in Middle Smithfield Township, **Monroe County**. Application received in the Regional Office—April 10, 1996.

A.5496402. Sewerage. Air Products and Chemicals, Inc., P. O. Box 351, R. R. 1, Tamaqua, PA 18252. Application to make temporary modifications to APCI's Sewage Treatment Plant for the time between expansion at APCI and the planned connection to the Quakake/Tamamend Sewage Treatment System. APCI's STP is located in Rush Township, **Schuylkill County**. Application received in the Regional Office—April 9, 1996.

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

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

A.1191501-A1. Kings II Mobile Home Park, R. D. 2, Box 623, Altoona, PA 16601. Bringing recently constructed well no. 5 on line and installation of filtration units within an existing treatment building, **Cambria County**.

Acceptance of Chemical Certifier

The Department of Environmental Protection, under the provisions of 25 Pa. Code § 109.606, hereby accepts Underwriters Laboratories, Inc., 333 Pfingston Road, Northbrook, IL 60062-2096 as an organization for certifying chemicals used by a public water supplier which may come in contact with or affect the quality of the water for conformance with ANSI/NSF Standard 60 (Drinking Water Treatment Chemicals—Health Effects—National Sanitation Foundation) and for certifying materials used in the construction or modification of a public water system for conformance with ANSI/NSF Standard 61 (Drinking Water System Components—Health Effects—National Sanitation Foundation).

Underwriters Laboratories, Inc. has demonstrated compliance with the provisions of 25 Pa. Code § 109.606 relating to acceptable certification organizations. The Department reserves the right to rescind its acceptance of Underwriters Laboratories Inc. as a certification organization for ANSI/NSF Standards 60 and/or 61 for failure to maintain compliance with the applicable provisions of 25 Pa. Code § 109.606 Chemicals, Materials, and Equipment of Chapter 109 Safe Drinking Water of the Department's Rules and Regulations.

Any person aggrieved by this action may appeal, under section 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, 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 by itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

For further information, the contact persons are Frederick A. Marrocco, Chief Division of Drinking Water Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-9037; and Pamela G. Bishop, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060.

Acknowledgment of Notices of Intent to Remediate

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (the act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought to responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

Roemer Industries, 161 Mill Street, Sharon Twp., **County of Mercer**, has submitted a Notice of Intent to Remediate soils and groundwater contaminated with Solvents and BTEX. Source of contamination is the Historical surface releases of solvents used in the manufacturing of industrial metal name plates. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was published in the Sharon Herald on April 15, 1996.

Spang Specialty Metals Plant, 154 Eastbrook Lane, East Butler, PA 16029, Summit Twp., **Crawford County**, has submitted Notice of Intent to Remediate Sediment contaminated with Heavy Metals. The applicant proposes to remediate the site to meet the Background Standard. A summary of the Notice of Intent to Remediate was published in the Butler Eagle in March of 1996.

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (the act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

Bet-Tech International, Inc./former LTV Aliquippa Works Industrial Tract, City of Aliquippa, Beaver County, Bet-Tech International, Inc./former LTV Aliquippa Works Industrial Tract, east of Route 51, Aliquippa, PA 15001 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PAHs, PHCs and heavy metals. The applicant proposes to remediate the site to meet a special industrial area standard. A summary of the Notice of Intent to Remediate was reported to have been published in the Beaver County Times on March 15, 1996.

Bet-Tech International, Inc./former LTV Aliquippa Works Parcels A, A-1, A-2, A-3, A-4, and D-4, City of Aliquippa, Beaver County, Bet-Tech, International, Inc./

former LTV Aliquippa Works Parcels, A, A-1, A-2, A-3, A-4 and D-4, east of Route 51, Aliquippa, PA 15001 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with heavy metals. The applicant proposes to remediate the site to meet a special industrial area standard. A summary of the Notice of Intent to Remediate was reported to have been published in the Beaver County Times on March 15, 1996.

Corner Enterprises, Inc./former Moraine Market Site, Koppel Borough, Beaver County, southeast corner of the intersection of S. R. 18 and S. R. 351 (Arthur Street), Koppel, PA 16136 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet a special industrial area standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Ellwood City Ledger* on December 12, 1995.

Notice of Reopening of Administrative Record and Additional Comment Period Relating to a Prompt Interim Response Under the Hazardous Sites Cleanup Act

Bristol Township, Bucks County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.102—6020.1304) initiated a prompt interim response at the Westmoreland Tubular Products Manufacturing Co., Inc. on September 14, 1992. Notice of this response was advertised in the *Pennsylvania Bulletin*, vol. 22, no. 41, October 10, 1992. The Westmoreland Tubular Products site (the site) is located at 6500 Beaver Dam Road, Levittown, Bristol Township, Bucks County.

The site included 158 badly deteriorated drums. The drums contained hazardous substances that were a waste product generated from a painting operation. The deteriorated condition of the drums allowed the release of the hazardous substances to the environment.

In addressing the release of hazardous substances at the site, the Department's major objective was to eliminate the human health and environmental threat caused by the defective drums. In order to achieve this objective, the Department selected a response which included overpacking all drums, sampling and analysis for waste characterization and treatment/disposal purposes, and arranging and providing for off site removal of the waste to an appropriate treatment/disposal facility. All wastes involved in this response were removed from the facility during April 1993.

Under section 506(g) of HSCA, information regarding costs incurred by the Department in order to perform the above mentioned prompt interim response have been added to the Administrative Record. The Department is providing this notice under section 506(h) of HSCA. The publishing of this notice in the *Pennsylvania Bulletin* initiates an additional 60 day public comment period, as provided, under that act. The sole purpose of this additional comment period is to accept comments relating to costs incurred by the Department. Comments not related to costs will not be considered.

Information regarding costs, contained in the Administrative Record, is available for public inspection from 8 a.m. to 4 p.m. at the Department of Environmental Protection's offices located at Suite 6010, Lee Park, 555 North Lane, Conshohocken, PA.

Written comments concerning the Department's costs and related to information contained in the Administrative Record will be accepted in person, if delivered, or by mail, if postmarked, on or before July 5, 1996. Written comments should be directed to the attention of Kevin Hess, Pa DEP Project Officer, Suite 6010 Lee Park, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6194.

In addition, the public will have an opportunity to present oral comments at a public hearing. The public hearing has been scheduled for June 6, 1996 at 7 p.m., at the Department's Southeast Regional Office, Suite 6010, Lee Park, 555 North Lane, Conshohocken, PA. Persons wishing to present oral comments must register on or before June 4, 1996, by calling Rob Goldberg at (610) 832-6010. If no person registers to present oral comments by the date specified above, the hearing will not be held. For more information about the hearing, including if anyone has registered and if the hearing will be held, contact Kevin Hess at (610) 832-6194.

Persons with a disability who wish to attend the public hearing discussed above and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Kevin Hess directly at (610) 832-6194 or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Applications submitted 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 regulations to operate solid waste processing or disposal area or site.

Regional Office: Regional Solid Waste Manager, Suite 6010, 555 North Lane, Lee Park, Conshohocken, PA 19428.

A.101069. Southeastern Chester County Refuse Authority, P. O. Box 221, Kennett Square, PA 19348. This major permit modification is to amend the above referenced permit to allow the use of Rusmar-AC-667-SE Foam as an alternative daily cover material located in London Grove Township, **Chester County**. Application received in the Southeast Regional Office on April 12, 1996.

A-100148. GROWS, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067. This permit amendment is for the approval of proposed design modifications to the previously permitted 80-acre eastern expansion area landfill gas collection system located in Falls Township, **Bucks County**. Application received in the Southeast Regional Office on April 12, 1996.

A.101463. Browning-Ferris Industries, 2904 S. Christopher Columbus Blvd., Philadelphia, PA 19148. This permit amendment is for the C&D Recycling operation at TRC, Inc. Transfer Station located in the City of Philadelphia. Application received in the Southeast Regional Office on April 12, 1996.

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

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

Permit No. 602733. Jeanetter Kettering, Charles Bomgardner, Anna Bomgardner, and Lyn Struphar

Farms, City of Lebanon Authority WWTP, (250 Dairy Road, Lebanon, PA 17042). Application for permit modification for agricultural utilization at a site in N. Annville Township, **Lebanon County**. Permit issued in the Regional Office on April 18, 1996.

A.100739. Western Berks Refuse, Western Berks Refuse Authority, (230 N. 6th Street, Reading, PA 19601). Application for modification for a revision to the groundwater monitoring plan at a site in Cumru Township, **Berks County**. Application determined to be administratively complete in the Regional Office on April 11, 1996.

Applications submitted 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 regulations to operate solid waste processing or disposal area or site.

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

A.603443. Borough of North East, 58 East Main Street, North East, PA 16428, located in North East Township, **Erie County**. An application for the agricultural utilization of municipal sewage sludge in North East Township, Erie County, known as the "Luke Site" was determined to be administratively complete in the Regional Office on April 16, 1996.

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

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

A.101421. Resource Conservation Corp., R. D. 2, Box 282A, Pleasant Valley Road, Irwin, PA 15642. Shade Township Waste Management Facility, R. D. 1, Box 305, Cairnbrook, PA 15924. Application for a major permit modification to redesign the gas management system for the Shade Township Waste Management Facility in Shade Township, **Somerset County**. Application received in the Regional Office on April 11, 1996.

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

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

06-1007B. Construction of two annealing furnaces by **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) in Reading, **Berks County**.

06-1007C. Construction of a steel strip processing facility by **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) in Muhlenberg Township, **Berks County**.

06-323-019. Installation of an air cleaning device to control a hard-chrome plating operation by **Troutman Industries, Inc.** (2201 Portland Avenue, West Lawn, PA 19609) in Spring Township, **Berks County**.

67-302-136. Modification of the two existing boilers by **PECO Energy** (Peach Bottom Atomic Power Station, 1848 Lay Road, Delta, PA 17314) in Peach Bottom Township, **York County**.

67-318-118. Modification of a burn-off oven by **Donsco, Inc.** (Industrial Coaters Plant, North Front Street, P. O. Box 2001, Wrightsville, PA 17368), in Springettsbury Township, **York County**.

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

46-302-208. On April 9, 1996, an application was received from **Chef Francisco of PA** (250 Hansen Access Road, King of Prussia, PA 19013) for the construction of a Gas/Oil Fired 350 HP Boiler to be located in Upper Merion Township, **Montgomery County**.

23-301-084A. On April 15, 1996, an application was received from **DELCORA** (100 East 5th Street, P. O. Box 999, Chester, PA 19406) for the installation of Hearth Burners to be located in City of Chester, **Delaware County**.

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

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

06-1006. The Department intends to issue an air quality operating permit to **Brentwood Industries, Inc.** (P. O. Box 605, Reading, PA 19603) for a plastic parts manufacturing facility controlled by dry filters in Reading, **Berks County**.

06-1014. The Department intends to issue an air quality operating permit to **Garden State Tanning, Inc.** (16 South Franklin Street, Fleetwood, PA 19522) for a leather coating operation controlled by five water washes and two dry filters in Fleetwood, **Berks County**.

06-313-006B The Department intends to issue an air quality operating permit to **Morton International** (P. O. Box 15209, Reading, PA 19612) for a plastic manufacturing facility controlled by eight fabric collectors in Reading, **Berks County**.

22-323-015. The Department intends to issue an air quality operating permit to **RAM Industries, Inc.** (3501 North 6th Street, Harrisburg, PA 17110) for a pyrolysis furnace with afterburner in Susquehanna Township, **Dauphin County**.

44-320-001H. The Department intends to issue an air quality operating permit to **Trinity Packaging Corporation, Lewistown Division** (13 Industrial Park Road, Lewistown, PA 17044) for a flexographic printing press in Granville Township, **Mifflin County**.

67-309-105. The Department intends to issue an air quality operating permit to the **Pfaltzgraff Company** (P. O. Box 244, Thomasville, PA 17364) for a railcar unloading operation, including a fabric filter, in Jackson Township, **York County**.

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

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

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **46-317-005E**

Source: Venturi Scrubber and one 8 foot and 12 foot Packed Tower Scrubber

Company: **Moyer Packing**

Location: Franconia

County: **Montgomery**

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

The Department intends to issue an air quality operating Permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **40-303-017A**

Source: Batch Asphalt Plt. Waste Oil & Rap

Company: **American Asphalt and Paving Company**

Location: Jackson Township

County: **Luzerne County**

Permit: **40-309-034**

Source: Plantwide Applicability Limit/Pal

Company: **Techneglas, Incorporated**

Location: Jenkins Township

County: **Luzerne County**

Permit: **45-302-053**

Source: Coal Fired Boiler/Cyclone

Company: **Pleasant Valley School District**

Location: Polk Township

County: **Monroe County**

Notice of Plan Approval Application Minor Source

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

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

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

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

43-329-004. The Department received a plan approval application for construction of a dehydrator unit and a natural gas compressor (330 MMBTU/hr) with a catalytic convertor, silencer, and air to fuel ratio controller by **Atlas Resources, Inc.** (311 Rouser Rd., P. O. Box 611, Moon Twp., PA 15108) at the Garvis Compressor Station in Pine Township, **Mercer County**.

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

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

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

Permit: 35-313-007A

Source: #3 & #4 Line Trim w/3 Baghouses

Received: April 1, 1996

Company: **Tredegar Film Products Inc.**

Location: City of Carbondale

County: **Lackawanna**

Permit: 40-313-030A

Source: Polymer Plants 1 & 2 w/3 oxidizers

Received: April 12, 1996

Company: **KAMA Corporation**

Location: City of Hazleton

County: **Luzerne**

Permit: 48-310-005A

Source: Material Dryer w/Baghouse

Received: April 9, 1996

Company: **Waylite Corporation**

Location: City of Bethlehem

County: **Northampton**

Permit: 54-310-013

Source: Portable Crushing/Screening Plant

Received: April 4, 1996

Company: **H. B. Mellott Estate, Inc.**

Location: Pine Grove Township

County: **Schuylkill**

Permit: 66-315-033

Source: Diaper Prod. Line w/Baghouse

Received: April 1, 1996

Company: **Procter & Gamble Paper Products**

Location: Washington Township

County: **Wyoming**

Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonably Available Control Technology.

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

OP-46-0078. On April 17, 1996, an application was received from **G-Seven LTD.** (2289 North Penn Road, Hatfield, PA 19440) for the construction of Facility VOC/NO_x RACT to be located in Hatfield Township, **Montgomery County**.

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act, (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

Bureau of Mining and Reclamation, Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.

Coal Applications Received

17900129. Northern Counties Coal Co., Inc. (P. O. Box 668, Philipsburg, PA 16866), renewal of an existing bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 262 acres, receiving streams, Blue Run, Buck Run, Porter Run and tributaries to Clearfield Creek to Clearfield Creek to West Branch Susquehanna River, application received April 29, 1996.

17910113. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), renewal of an existing bituminous surface mine-coal refuse disposal permit in Penn Township, **Clearfield County** affecting 78 acres, receiving streams, Bell Run and Poplar Run, application received March 29, 1996.

17774017. W. R. Turner Coal Company (R. D. 3, Box 141, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit for a Change in Land Use from forestland to pastureland or land occasionally cut for hay, Bell Township, **Clearfield County**, application received April 3, 1996.

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

30841316. Consol Pennsylvania Coal Company (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Bailey bituminous deep mine in West Finley Township, **Washington County** to install E-Tailgate Bleeder Shaft, receiving stream unnamed tributary to Spottedtail Run. Application received April 12, 1996.

03871302. Triple K Coal Company (R. D. 1, Box 308, Rural Valley, PA 16249), to revise the permit for the Triple K No. 1 bituminous deep mine in Burrell Township, **Armstrong County** to add 15.0 permit and subsidence control plan acres and revise per Act 54, no additional discharges. Application received March 29, 1996.

30841317. Consol Pennsylvania Coal Company (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Enlow Fork bituminous deep mine in East Finley Township, **Washington County** to install 3 North No. 1 Airshaft, receiving stream unnamed tributary to Long Run. Application received April 4, 1996.

Bureau of Mining and Reclamation, Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.

Large Noncoal Applications Received.

08960301. Graham Construction & Excavating (R. D. 1, Box 354A, Canton, PA 17724), commencement, operation and restoration of a Large Noncoal (Sand & Gravel) permit in Canton Township, **Bradford County** affecting 19.2 acres, receiving streams Towanda Creek, tributary to North Branch Susquehanna River, application received April 5, 1996.

The following Dam Safety and Encroachment permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environment Protection (Department).

In addition to permit applications, the Bureau of Dams, Waterways, and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed pri-

mary responsibility for process requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. §§ 1341(a)), for projects requiring both a Dam Safety and Encroachments Permits, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that the involved projects will not violate the applicable provision of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, as well as relevant State requirements. Initial requests for 401 Certification will be published concurrently with the BDWW 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 Bureau or Field Office indicated as the responsible office.

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 requests for certification under section 401 of the Federal Water Pollution Control Act.

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

E06-412. Encroachment. **F R & S, Inc.** d/b/a Pioneer Crossing Landfill, 727 Red Line Road, Birdsboro, PA 19508. To amend Permit No. E06-412 to construct and maintain a 300-foot stream enclosure consisting of twin 48-inch culverts in the channel of a tributary to the Schuylkill River at a point approximately 2,700 feet upstream of Lincoln Road (Birdsboro, PA Quadrangle N: 5.7 inches; W: 8.8 inches) in Exeter Township, **Berks County**.

E06-480. Encroachment. **Eldon W. Flory**, R. R. 1, Box 461, Bernville, PA 19506. To relocate an existing outfall structure and restore the bank at the original outfall along the Schuylkill River at a point approximately 10,000 feet downstream of the mouth of Maiden Creek (Temple, PA Quadrangle N: 6.3 inches; W: 11.1 inches) in Muhlenberg Township, **Berks County**.

E21-248. Encroachment. **North Middleton Township**, 211 North Middleton Road, Carlisle, PA 17103. To place fill material in 1.5 acres of wetland in order to construct the North Middleton Township Municipal Campus located along the right bank of Conodoguinet Creek downstream of PA 34 bridge (Carlisle, PA Quadrangle N: 20.5 inches; W: 7.5 inches) in North Middleton Township, **Cumberland County**.

E22-350. Encroachment. **Jackson Township**, 450 Bastian Road, Halifax, PA 17032. To maintain a twin 84-inch culvert in the channel of a tributary to Armstrong Creek at a point at Creek Drive (T-577) (Elizabethville, PA Quadrangle N: 0.6 inches; W: 15.6 inches) in Jackson Township, **Dauphin County**.

E22-351. Encroachment. **City of Harrisburg**, 10 North Second Street, Harrisburg, PA 17101. To construct and maintain a floating dock facility, a parking area and a pedestrian plaza in and along the Susquehanna River at a point approximately 500 feet downstream of Market Street (Harrisburg East, PA Quadrangle N: 0.8 inch; W: 1.5 inches) in the City of Harrisburg, **Dauphin County**.

E28-236. Encroachment. **R. A. Hill, Inc.**, 1364 Lincoln Way East, Chambersburg, PA 17201. To place fill material in a 0.33 acre of wetland in order to construct a road of a proposed housing development located just east of T-480 (Chambersburg, PA Quadrangle N: 13.9 inches; W: 8 inches) in Hamilton Township, **Franklin County**. The applicant is required to provide 0.33 acre replacement wetland.

E36-609. Encroachment. **Soco Enterprises Company**, 1330 Charlestown Road, Phoenixville, PA 19460. To remove the existing culvert, construct and maintain a 10-foot × 5-foot and 10-foot × 6.5-foot precast reinforced concrete box culverts in a tributary to Mill Creek and fill a de minimus wetland area of less than 0.05 acre for relocation of Philip Lane in Millcreek Estates (New Holland, PA Quadrangle N: 17.5 inches; W: 8.5 inches) in Earl and East Earl Townships, **Lancaster County**.

E67-560. Encroachment. **York Building Products Co., Inc.**, 1020 N. Hartley St., York, PA 17404. To replace an existing stream enclosure in kind with 418 linear feet of 42-inch diameter R.C.P. along the Little Conewago Creek located under an existing runway at York Airport (Abbottstown, PA Quadrangle N: 7.95 inches; W: 0 inches) in Jackson Township, **York County**.

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

E40-442. Encroachment. **Robert D. and Sandra S. Richardson**, 10 Marrabee Avenue, Dallas, PA 18612. To modify and maintain an existing dock and boathouse in Harveys Lake. The project as proposed will have overall dimensions extending approximately 49.5 feet outward from the shoreline and 73.5 feet parallel to the shoreline, with a proposed net increase of 773 square feet of dock area. The dock/boathouse is located at Pole 304, Lakeside Drive (Harveys Lake, PA Quadrangle N: 18.6 inches; W: 5.0 inches) in Harveys Lake Borough, **Luzerne County** (Baltimore District, Army Corps of Engineers).

E52-141. Encroachment. **Delaware Water Gap National Recreation Area**, Bushkill, PA 18324. To remove the existing structures and to construct and maintain two bridges across Dingmans Creek (HQ-CWF), within the Delaware Water Gap National Recreation Area: (1) a single-span prestressed concrete bridge, having a span of approximately 22.0 meters and an underclearance of approximately 2.0 meters, located at milepost 13.3 on U. S. Route 209, approximately 200 meters south of the intersection of Route 209 and R. R. 0739 (Culvers Gap, NJ-PA Quadrangle N: 17.5 inches; W: 16.6 inches); (2) a single-span prestressed concrete bridge, having a normal span of approximately 13.5 meters and an underclearance of approximately 3.0 meters, located on the Dingmans Falls Access Road, approximately 1.1 kilometers northwest of the intersection of Route 209 and S. R. 0739 (Lake Meskenozha, PA-NJ Quadrangle N: 18.5 inches; W: 1.1 inches), in Delaware Township, **Pike County** (Philadelphia District, Army Corps of Engineers).

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

E46-739. Encroachment. **R.C.C. Associates**, P. O. Box 270, Newtown, PA 18940. To construct and maintain a stormwater management facility and to extend an existing stream enclosure by placing 285 feet of 18-inch reinforced concrete pipe in an unnamed tributary to Pennypack Creek (TSF-MF) and 0.03 acre of adjacent wetlands. This work is associated with the proposed

Rydal Green Subdivision located 150 feet east of the intersection of Susquehanna Road (S. R. 2017) and Marie Road (Frankford USGS Quadrangle N: 18.00 inches; W: 13.20 inches) in Abington Township, **Montgomery County**.

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

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

EA46-021CO. Environmental assessment. **Upper Merion Township**, 175 W. Valley Forge Road, King of Prussia, PA 19401. To construct and maintain a non-jurisdictional dam across a tributary to the Schuylkill River (WWF, MF) impacting approximately 0.34 acre of wetlands (PFO) for the purpose of stormwater management at the proposed Glenn Rose Subdivision located approximately 1,000 feet northeast of the intersection of Beidler Road and Caley Road (Valley Forge, PA Quadrangle N: 20.40 inches; W: 1.65 inches) in Upper Merion Township, **Montgomery County**.

EA59-004CO. Environmental assessment. **Dale Spitzer**, R. R. 2, Box 803B, Lawrenceville, PA 16929. To construct and maintain a non-jurisdictional dam across a tributary to Cummings Creek (WWF) impacting a de minimus area of wetlands (PEM) less than 0.05 acre for the purpose of recreation located approximately 4,200 feet north of Farmington Hill (Tioga, PA-NY Quadrangle N: 11.10 inches; W: 16.55 inches) in Farmington Township, **Tioga County**.

The following Environmental Assessment and request for Water Quality Certification are being processed under section 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

EA21-002CO. Environmental assessment. **Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. To breach and abandon a dam across Big Spring Creek (CWF) for the purpose of restoring the stream to a free-flowing condition located immediately west of the intersection of Big Spring Road and Nealy Road (Newville, PA Quadrangle N: 4.4 inches; W: 4.5 inches) in North Newton Township, **Cumberland County**.

ACTIONS

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (related 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

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

NPDES Permit No. PA0002577. Industrial waste, **Pittsburgh Flatroll Company**, 31st Street and A.V.R.R., Pittsburgh, PA 15201 is authorized to discharge from a facility located at 31st Street and A.V.R.R., City of Pittsburgh, **Allegheny County** to the Allegheny River.

NPDES Permit No. PA0094587. Industrial waste, **White Enterprises**, P. O. Box 410, Kittanning, PA 16201 is authorized to discharge from a facility located at Reesdale Prep Plant, Washington Township, **Armstrong County** to tributaries of the Allegheny River.

NPDES Permit No. PA0029971. Sewage, **Avella Area School District**, 1000 Avella Road, Avella, PA 15312 is authorized to discharge from a facility located at Avella District Joint High School STP, Cross Creek Township, **Washington County** to an unnamed tributary of South Fork Cross Creek.

NPDES Permit No. PA0092878. Sewage, **Traders Path Homes, Inc.**, 100 Lorraine Drive, Lower Burrell, PA 15068 is authorized to discharge from a facility located at Traders Path Mobile Home Park STP, City of Lower Burrell, to Chartiers Run.

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

NPDES Permit No. PA 0032026. Sewage. **Family Affair Campground**, 9640 Findley Lake Road, North

East, PA 16428 is authorized to discharge from a facility located in North East Township, **Erie County** to an unnamed tributary to Sixteen Mile Creek.

NPDES Permit No. PA 0103047. Sewage. **Nelson Sales and Service, c/o Charles E. Nelson**, 8333 Edinboro Road, P. O. Box 277, McKean, PA 16426 is authorized to discharge from a facility located in North East Township, **Erie County** to an unnamed tributary to Elk Creek.

NPDES Permit No. PA 0103632. Industrial waste, **Piney Creek Limited Partnership**, Piney Creek Project, R. R. 2, Box 56, Clarion, PA 16214 is authorized to discharge from a facility located in Piney Township, **Venango County** to Piney Creek.

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

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

These actions of the Department may be appealed to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under The Environmental Hearing Board Act (35 P. S. § 7514); 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

NPDES General Permit Final Actions

The Department of Environmental Protection has taken the following final actions on previously received Notice of Intent for approval of coverage under General NPDES Permits.

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

<i>NPDES General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
PAG-2	Stormwater—Construction Activities	BLWC
PAG-3	Stormwater—Industrial Activities	BWQM
PAG-4	Single Residence Sewage Treatment Plant	BWQM
PAG-6	Combined Sewer Overflows	BWQM

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge waste waters to Waters of the Commonwealth. N. E. Reg. Office, Reg. Water Mgmt. Program Mgr., 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

<i>NPDES #</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR-402201	3	Browning-Ferris, Inc., 731 E. Reliance Rd., Telford PA 18969	Luzerne Wilkes-Barre Township	Spring Run	4953

<i>NPDES #</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR-802227	3	Federal Express Corp., Eastern Regional Office, 1 Century Drive, Parsippany NJ 07054	Lehigh Hanover Township	Lehigh River	4513
PAR-112221	3	Hazleton Pumps, Inc., P. O. Box 488, Hazleton, PA 18201	Luzerne Hazleton City	Black Creek	3561
PAR-222209	3	Brojack Lumber Co. R. D. 1, Box 482 Olyphant, PA 18447	Lackawanna Scott Twp.	Montdale Creek	2421
PAR-802228	3	North American Bulk Transport, Inc., P. O. Box 736 Milwaukee, WI 53210-0736	Northampton Northampton Borough	Hokendauqua Creek	4231
PAR-122211	3	Entenmann's Bakery Inc., 1724 Fifth Avenue, Bayshore, NY 11706	Luzerne Hazleton Township	Tomhicken Creek	2051
PAR-502207	3	Pine Grove Hauling Co., Coldren Sanitation, Inc., P. O. Box 72, Race Street, Port Clinton, PA 19549	Schuylkill Port Clinton Borough	Trib. to Little Schuylkill River	4953

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

<i>NPDES No.</i>	<i>GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR206127	3	The Alta Group, Inc. 195 Hartzell School Road Fombell, PA 16123-9403	Beaver Marion Twp.	Connoquenessing Creek and UNT to Connoquenessing Creek	3339
PAR226116	3	Coastal Lumber Co. P. O. Box 829 Weldon, NC 27890-0829	Fayette S. Union Twp.	Bennington Spring Run and Lick Run	2421
PAR236117	3	Rubber Products Corp. 726 Trumbull Dr. Pittsburgh, PA 15205	Washington Chartiers Twp.	Chartiers Creek	3069
PAR116113	3	Daman Industries, Inc. P. O. Box 336, Route 68 East Brady, PA 16028	Armstrong Bradys Bend Twp.	Hart Run	3599
PAR806169	3	Armstrong Terminal Schenley Industrial Park Box 58 Schenley, PA 15682	Armstrong Gilpin Twp.	Allegheny River	5169
PAR806168	3	Woodland Equipment & Supply P. O. Box 241 Woodland, PA 16881	Cambria Cresson Twp.	UNT to Clearfield Creek	5169
PAR706114	3	Pitt Penn Oil Co. P. O. Box 296 Creighton, PA 15030	Allegheny E. Deer Twp.	Allegheny River	2992
PAR806172	3	PA American Water Co. 410 Cooke Lane Pittsburgh, PA 15234	Allegheny Bethel Park	Lick Run	7539
PAR216139	3	BMI—France 27 Noblestown Rd. Carnegie, PA 15106	Allegheny Collier Twp.	Chartiers Creek & Robinson Run	3255

<i>NPDES No.</i>	<i>GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR806171	3	Schwerman Trucking P. O. Box 736 Milwaukee, WI 53201-0736	Allegheny Pittsburgh	Ohio River	4231
PAR216138	3	Wulfrath Refractories 6th & Center Sts. P. O. Box 28 Tarentum, PA 15084	Allegheny Tarentum Boro.	Allegheny River	3297
PAR606138	3	Nicroloy Company P. O. Box 4339 Pittsburgh, PA 15204	Allegheny Heidelberg Boro.	Chartiers Creek	5093
PAR806170	3	Federal Express Corp. Central Region 1100 Lake-Cook Rd. Buffalo Grove, IL 60089	Westmoreland Hempfield Twp.	Sewickley Creek	4513

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>
PAG048367	PAG-4	Sherrri A. Kapala 1652 Cronin Rd. Waterford, PA 16441	Erie Waterford Twp.	Unnamed tributary to Benson Run
PAG048371	PAG-4	Jeffrey and Carolyn Confer R. D. 2, Box 204 Pittsfield, PA 16340	Warren Pittsfield Twp.	Birch Springs Run
PAG048373	PAG-4	Stephen and Lori Fox R. D. 1, Box 1795 Russell, PA 16345	Warren Pine Grove Twp.	Tributary to Wolcott Run
PAG048372	PAG-4	Margaret V. Angermeier 59 Reno Rd. Hermitage, PA 16148	Mercer Jefferson Twp.	Tributary to Magargee Run

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream</i>
PAS10-D042	Rohm and Haas Company P. O. Box 219 Bristol, PA 19007	Bristol Township Bucks County	Hog Run Creek and Delaware River

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

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

WQM Permit No. 6296401. Sewerage, **Jeffrey and Carolyn Confer**, SRSTP, R. D. 2, Box 204, Pittsfield, PA 16340. Construction of Jeffrey and Carolyn Confer SRSTP located in Pittsfield Township, **Warren County**.

WQM Permit No. 6296402. Sewerage, **Stephen and Lori Fox**, SRSTP, R. D. 1, Box 1795, Russell, PA 16345. Construction of Stephen and Lori Fox SRSTP located in Pine Grove Township, **Warren County**.

WQM Permit No. 4396402. Sewerage, **Margaret V. Angermeier**, SRSTP, 59 Reno Rd., Hermitage, PA 16148. Construction of Margaret V. Angermeier SRSTP located in Jefferson Township, **Mercer County**.

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

Permit No. 0296401. Sewerage, **Bethel Park Municipal Authority**, Municipal Building, 5100 West Library Road, Bethel Park, PA 15102. Construction of interceptor sewer located in the Borough of Bethel Park, **Allegheny County** to serve the Logan Road Sanitary Sewer, Piney Fork STP Sewer System.

Permit No. 0496401. Sewerage, **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001. Construction of pump station, force main and gravity sewers located in the City of Aliquippa, **Beaver County** to serve the Aliquippa Industrial Park.

Permit No. 0496402. Sewerage, **Center Township Sewer Authority**, 224 Center Grange Road, Aliquippa, PA 15001. Construction of relief sewer located in the Township of Center, **Beaver County** to serve the East Shaffer Road Area.

Permit No. 363S3. Amendment No. 2, Sewerage, **Blairsville Municipal Authority**, 203 East Market Street, Blairsville, PA 15717. Rerating of wastewater treatment plant located in the Township of Burrell, **Indiana County** to serve the Blairsville Borough's Sewage Treatment Plant.

Permit No. 1195404. Sewerage, **Pegasus Sewer Authority**, 104 Janie Street, Johnstown, PA 15902. Construction of wastewater conveyance and pumping facilities located in the Township of Conemaugh, **Cambria County** to serve the Frankstown Road Area.

Permit No. 6396404. Sewerage, **North Strabane Township Municipal Authority**, 1929 B Route 519 South, Canonsburg, PA 15317. Construction of sanitary sewerage line located in the Township of North Strabane, **Washington County** to serve the Route 19 Interceptor.

Plan revision approval granted April 12, 1996 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Location: **Robert and Lorraine Shipley**, Two Residence STP. Northeast side of Star Route 2007, 1 mile north of the village of Purcell and the intersection of S. R. 2007 and S. R. 2011. Monroe Township, **Bedford County**, PA.

The approved plan revision provided for approval of a revision to the Official Sewage Plan of Monroe Township, Bedford County. Project involves construction of a small flow sewage treatment facility to serve a proposed dwelling and an existing dwelling located on the northeast side of State Route 2007. Treated effluent is to be discharged to West Branch Sideling Hill Creek which is a perennial stream.

Any required NPDES Permits or Water Management Permits must be obtained in the name of the owner, Robert Shipley.

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

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

Permit No. 4396501. Public water supply. **Municipal Authority of the Borough of Greenville**, 44 Clinton Street, P. O. Box 638, Greenville, PA 16125. This project consists of the installation of approximately 4,100 linear feet of 12 inch ductile iron water line along Alan Avenue, appurtenant valves, connection to existing waterlines, fittings, fire hydrants and service connections. This project also includes a water booster pumping station in the Borough of Greenville, **Mercer County**.

Type of Facility: Community water supply.

Consulting Engineer: Smith Environmental Technologies Corporation, 777 Penn Center Boulevard, Suite 200, Pittsburgh, PA 15235-5927.

Permit to Construct Issued: April 12, 1996.

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

Permit No. 1595514. Public water supply. **Elverson Water Company**, Curtis Hoke, 26 East Main Street, P. O. Box 20, Elverson, PA 19520. This permit has been approved for the addition of a new well known as well No. 3, to supplement the existing water supply system in Elverson Borough, **Chester County**.

Type of Facility: Public water supply.

Consulting Engineer: Groundwater and Environmental Services, Inc., Daniel L. Hudson, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341.

Permit to Construct Issued: April 15, 1996.

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

Permit No. 0396501. Public water supply. **Kittanning Suburban Municipal Authority**, R. R. 1, Box 23, Adrian, PA 16120.

Type of Facility: River intake, Cowansville tank and pump station.

Consulting Engineer: Bankson Engineering, 100 Blue Run Road, P. O. Box 200, Indianola, PA 15051.

Permit to Construct Issued: April 8, 1996.

Permit No. 6594504. Public water supply. **David Bailey, Bailey's Mobile Home Park**, R. D. 4, Box 222, Greensburg, PA 15601.

Type of Facility: Well No. 4.

Permit to Operate Issued: April 8, 1996.

Permit No. 6590501. Public water supply. **David Bailey, Bailey's Mobile Home Park**, R. D. 4, Box 222, Greensburg, PA 15601.

Type of Facility: Bailey's Mobile Home Park Water Supply.

Permit to Operate Issued: April 8, 1996.

Permit No. 0388502. Public water supply. **Ford City Borough**, P. O. Box 112, Ford City, PA 16226.

Type of Facility: 100,000 gallon water storage tank, cover for water reservoir and water plant improvements.

Permit to Operate Issued: April 8, 1996.

Permit No. 6596501. Public water supply. **Municipal Authority of Westmoreland County**, P. O. Box 730, Greensburg, PA 15601.

Type of Facility: Lincoln Heights pump station.

Consulting Engineer: Gannett Fleming, Suite 211, Two Parkway Center, 875 Greentree Road, Pittsburgh, PA 15220.

Permit to Construct Issued: April 8, 1996.

Final Report

The following final report was submitted to the Department of Environmental Protection under the Land Recycling and Environmental Remediation Standards Act, the act of May 19, 1995 (P. L. 4, No. 2).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (the act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final report is submitted to document cleanup of a release of a regulated substance at

a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, e contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final report.

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

Roemer Industries, 161 Mill Street, Sharon Township, **Mercer County** has submitted a final report to remediate soils and groundwater contaminated with solvents and BTEX. The report is intended to document remediation of the site to meet the background standard.

Interim Response

Hanover Scrap Quarry
Conewago Township, Adams County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.102—6020.1303) (HSCA) is initiating an interim response at the Hanover Scrap Quarry Site in Conewago Township, Adams County, PA.

Hanover Scrap Quarry is a 5 acre site located along Narrow Drive 1/2 mile from Route 194 near the village of Mount Pleasant. The site is situated in a rural area that is predominately residential and agricultural. The former quarry pit occupies 1 acre of the site.

The site operated as a quarry during the 1940s and later was used as an unregulated dumping area for industrial and municipal wastes until the 1970s when the pit was completely filled. In 1987 the estate of the current owner (Estate) provided public water to homes using wells with contaminated groundwater. The quarry was determined to be the source of volatile organic compounds (VOCs) which contaminated the groundwater. In 1992, the Estate, under a Consent Decree and Order with the Department, removed 200 abandoned drums of waste from the site. Sampling by the Department in 1993 showed metals contamination of site soil to be above health based risk levels.

The Department determined that this interim response is necessary to protect the public health and safety.

The Department considered two alternatives:

1. No action, which would allow contaminated soils to remain in place.

2. The removal of soils above health based risk levels and arranging for the treatment and/or disposal of these soils at a permitted facility.

The Department determined that the no action alternative would not be protective of human health and the environment since the risk of contact with contaminated soils would remain.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)) and the publication of this notice starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's office at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4592. The Administrative Record can also be reviewed at the Hanover Public Library, 2 Library Place, Hanover, PA during normal operating hours.

The Administrative record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before August 2, 1996, by mailing them to Barbara Faletti at the above address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for Tuesday, June 4, 1996, at 7 p.m. at the Hanover Borough Office Building, 44 Frederick Avenue, Hanover, PA. Persons wishing to present formal oral comment at the hearing should register before 4 p.m., May 30, 1996, by calling Sandra Roderick at (717) 541-7969.

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 call Sandra Roderick at the above number or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

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

Permit No. 603148. Willard Kilgore Farm 1, Springettsbury Township, (1501 Mt. Zion Road, York, PA 17402). Application for modification to add a new farm to the existing permit for agricultural utilization for a site in Lower Chanceford Township, **York County**. Permit issued in the Regional Office April 16, 1996.

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

Permit ID No. 101439. Brunner Landfill, Joseph J. Brunner, Inc., 278 Brunner Road, Zelienople, PA 16063. Operation of a municipal waste landfill in New Sewickley Township, **Beaver County**. Permit renewal extending the expiration date until December 31, 1997 was issued in the Regional Office on April 3, 1996.

Operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 127.450 for Reasonably Available Control Technology.

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

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **OP-09-0034**
Source: Facility VOC Sources
Issued: April 5, 1996
Company: **Penn Protective Coatings Corp.**
Location: Lower Southampton
County: **Bucks**

Permit: **OP-23-0030**
Source: Facility NOx Sources
Issued: April 12, 1996
Company: **Swarthmore College**
Location: Swarthmore
County: **Delaware**

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

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

The Department has amended the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **23-312-193A**
Source: Reformatte Splitter Process
Administrative Amendment: April 4, 1996
Company: **Bayway Refining, formerly, BP Oil Co.**
Location: Trainer
County: **Delaware**

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **46-309-009G**
Source: Spray Dryer No. 1
Issued: April 12, 1996
Company: **American Olean Tile**
Location: Lansdale
County: **Montgomery**

Permit: **15-307-026**
Source: Scrap Reclamation and Slag Process
Issued: April 12, 1996
Company: **International Mill Service**
Location: Coatesville
County: **Chester**

Permit: **46-302-189A**
Source: Boiler No. 2
Issued: April 12, 1996
Company: **McNeil Consumer Products**
Location: Whitmarsh
County: **Montgomery**

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

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

06-313-006B. On April 11, 1996, the Department issued a plan approval to **Morton International** (P. O. Box 15209, Reading, PA 19612) for the modification of a plastic manufacturing facility with three fabric collectors at their Reading Plant in Reading, **Berks County**

06-318-042D. On April 16, 1996, the Department issued a plan approval to **Reynolds Metals Company** (County Line Road, R. D. 1, Boyertown, PA 19512) for the construction of a flexographic press and associated dryer at their Boyertown Printing Plant, Colebrookdale Township, **Berks County**.

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

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

Permit: **46-308-017**
Source: Scrap Aluminum Metal Smelter
Issued: March 31, 1996
Extended: July 31, 1996
Company: **Recycle Metals Corp.**
Location: Conshohocken
County: **Montgomery**

Permit: **15-310-039**
Source: Stone Crushing Plant
Issued: March 31, 1996
Extended: July 31, 1996
Company: **DeVault Crushed Stone**
Location: Charlestown
County: **Chester**

Permit: **23-302-130**
Source: One Boiler
Issued: April 11, 1996
Extended: August 14, 1996
Company: **Fitzgerald Mercy Hospital**
Location: Darby
County: **Delaware**

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

Permit: **23-312-206**
Source: Gasoline Storage Plant
Issued: April 5, 1996
Company: **Sun (R & M), Inc.**
Location: Marcus Hook
County: **Delaware**

Permit: **09-399-038**
Source: Two Natural Gas Pipeline Heaters
Issued: April 9, 1996
Company: **Interstate Energy**
Location: West Rockhill
County: **Bucks**

Permit: **15-302-084**
Source: Two Gas Boilers & a Diesel Generator
Issued: April 9, 1996

Company: **Nycomed R & D, Inc.**
 Location: Tredyffrin
 County: **Chester**

Permit: **46-313-144**
 Source: 6 Blending & 6 Filling Stations
 Issued: April 9, 1996

Company: **ITW Philadelphia Resins, Inc.**
 Location: Montgomeryville
 County: **Montgomery**

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

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

Permit: **39-313-032A**
 Source: 23 DMPA Tanks w/packed Scrubber
 Issued: April 10, 1996
 Company: **Mallinckrodt Chemical Inc.**
 Location: South Whitehall Township
 County: **Lehigh**

Permit: **40-312-009C**
 Source: Truck Loading Rack
 Issued: April 10, 1996
 Company: **Eldorado Properties Corporation**
 Location: Pittston Township
 County: **Luzerne**

Permit: **48-309-082A**
 Source: Clinker Convey System/8 Baghouses
 Issued: April 4, 1996
 Company: **Keystone Portland Cement Company**
 Location: East Allen Township
 County: **Northampton**

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Lane 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).

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

Coal Applications Issued

32900107. Permit renewal, **T.L.H. Coal Company** (R. D. 1, Rochester Mills, PA 15771), commencement, operation and restoration of a bituminous strip-auger-vald for reclamation only mine in Rayne Township, **Indiana County**, affecting 128.1 acres, receiving stream Rayne Run and unnamed tributaries to Rayne Run, application received February 16, 1996, permit issued April 11, 1996.

56950111. **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), commencement, operation

and restoration of a bituminous strip-auger mine in Shade Township, **Somerset County**, affecting 248.5 acres, receiving stream unnamed tributary to Shade Creek and Shade Creek, application received October 13, 1995, permit issued April 12, 1996.

11900106. Permit renewal, **Cloe Mining Company, Inc.** (P. O. Box 247, Barnesboro, PA 15714), commencement, operation and restoration of a bituminous strip-auger mine in West Carroll and Barr Townships, **Cambria County**, affecting 181.0 acres, receiving stream Hoppel Run; an unnamed tributary to the west branch Susquehanna River, and to the west branch Susquehanna River, application received February 22, 1996 and permit issued April 15, 1996.

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

17900139. **Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Jordan Township, **Clearfield County** affecting 30 acres, receiving streams Potts Run, application received March 12, 1996, permit issued April 9, 1996.

17900114. **Ed Hanslovan Coal Company, Inc.** (R. D. 2, Box 230, Morrisdale, PA 16858), renewal of an existing bituminous surface mine permit in Boggs Township, **Clearfield County** affecting 168 acres, receiving streams two unnamed tributaries of Clearfield Creek to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River, application received February 16, 1996, permit issued April 10, 1996.

17850135. **Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Penn Township, **Clearfield County** affecting 189.6 acres, receiving streams unnamed tributaries to Fenton Run and unnamed tributary to Kratzer Run, to Anderson Creek to west branch of Susquehanna River, application received February 12, 1996, permit issued April 10, 1996.

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

14743701. **Rushton Mining Company**, (P. O. Box 367, Ebensburg, PA 15931) to revise the permit for the Pauline Hollow Refuse Site in Rush Township, **Centre County** to add bio-solids to enhance vegetation, no additional discharge. Permit issued April 16, 1996.

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

5481303R2. **D. and F. Deep Mine Coal Co.** (P. O. Box 369, Minersville, PA 17954), renewal of an existing anthracite underground mine operation in Cass and New Castle Townships, **Schuylkill County** affecting 1.08 acres, receiving stream—none. Renewal issued April 16, 1996.

54840203R2. **Skytop Coal, Inc.** (P. O. Box 330, Mahanoy City, PA 17948), renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 200.0 acres, receiving stream—Mill Creek. Renewal issued April 17, 1996.

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

Noncoal Permits Issued

22880301T. **Rocky Licensing Corporation**, (1001 Paxton Street, Harrisburg, PA 17105), transfer of an

existing quarry operation (from Adams County Asphalt) in Lower Swatara Township, **Dauphin County** affecting 143.1 acres, receiving stream—none. Transfer issued April 11, 1996.

8275SM1C5. J. Miller Eshleman & Son, Inc. (Box 295, Landisville, PA 17538), renewal of NPDES Permit #PA0594601 in West Hempfield Township, **Lancaster County**, receiving stream—unnamed tributary to Chickies Creek. Renewal issued April 12, 1996.

36910302C3. J. Miller Eshleman & Son, Inc., (Box 295, Landisville, PA 17538), renewal of NPDES Permit #PA0595331 in West Hempfield Township, **Lancaster County**, receiving stream—unnamed tributary to Chickies Creek. Renewal issued April 12, 1996.

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

Small Noncoal Authorizations Issued

4-01569-56960801-01. Shaffer Brothers Coal Company, Inc. (Jay Street, Windber, PA 15963) in Paint Township, **Somerset County**, affecting 3.3 acres, receiving stream Paint Creek, application received January 16, 1996, permit issued April 15, 1996.

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

Small Noncoal Authorizations Granted

08960801. Dennis L. Newhart (R. R. 5, Box 180, Tunkhannock, PA 18675), commencement, operation and restoration of a Small Noncoal (Flagstone) permit in Tuscarora Township, **Bradford County** affecting 1 acre, application received February 13, 1996, authorization granted April 9, 1996.

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

General Small Noncoal Authorizations Granted

19960801. Myron L. Keller, (540 Montour Boulevard, Bloomsburg, PA 17815), commencement, operation and restoration of a shale quarry operation in Montour Township, **Columbia County** affecting 2.0 acres, receiving stream—none. Authorization granted April 10, 1996.

58960803. Kelley, Edward L. and LaRue, (R. R. 5, Box 189, Montrose, PA 18801), commencement, operation and restoration of a small flagstone operation in Middletown Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none. Authorization granted April 15, 1996.

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, 1 (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 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 act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certification

DEP Central Office: Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.

D33-056A. Dam. J. C. Enterprises, Box 190, Ringgold, PA 15770. To modify, operate and maintain the Doverspike No. 1 Dam across an unnamed tributary to Cherry Run in Ringgold Township, **Jefferson County**.

D58-160. Dam. Chad-Mor, Inc., Box 195, Harford, PA 18823. To construct, operate and maintain a dam across a tributary to Nine Partners Creek located in Harford Township, **Suquehanna County**.

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

E39-294. Encroachment. Bethlehem Steel Corporation, 1170 Eighth Avenue, Bethlehem, PA 18016-7699. To remove the existing structure and to construct and maintain a single span golf cart bridge having a span of 66.2 feet with an underclearance of approximately 8.5 feet on a 65 degree skew across Saucon Creek and a 2-foot high by 100-foot long earthen landscape berm within the floodway of Saucon Creek. The project is located at the Weyhill Golf Course approximately 0.8 mile east of S. R. 0378 and S. R. 2036 (Allentown East, PA Quadrangle N: 10.4 inches; W: 0.1 inch) in Upper Saucon Township, **Lehigh County**.

E39-302. Encroachment. Lehigh County, P. O. Box 1548, Allentown, PA 18105. To construct and maintain a pedestrian bridge, on existing abutments, having 2 spans of 80-feet and an underclearance of approximately 10-feet to reestablish pedestrian access across Jordan Creek and to construct and maintain approximately 150 linear feet of handicapped accessible trail within the floodway of Jordan Creek. The project is located at the Trexler-Lehigh County Game Preserve approximately 0.7 mile northeast of S. R. 4009 and S. R. 4007 (Cementon, PA Quadrangle N: 5.2 inches; W: 17.2 inches) in North Whitehall Township, **Lehigh County**.

E40-427. Encroachment. Walter and Rhoda Kuharchik, 276 Roosevelt Street, Exeter, PA 18643-1828. To place fill and regrade along the banks and within the floodway of a 300-foot reach of Hicks Creek, and to place fill in 0.08 acre of wetlands, for the purpose of preparing a site for commercial development. The project is located on the east side of Schooley Avenue (S. R. 1025), approximately 0.5 mile northwest of the intersection of S. R. 0011 and S. R. 1025 (Pittston, PA Quadrangle N: 13.8 inches; W: 10.2 inches) in Exeter Borough, **Luzerne County**.

The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

E45-287. Encroachment. **Caesars Brookdale on the Lake**, P. O. Box 400, Scotrun, PA 17355. To construct and maintain an 8-inch water intake structure in Brookdale Lake to be used as a dry hydrant to provide fire protection at the Caesars Brookdale on the Lake Resort. This project is located approximately 0.1 mile north of the intersection of T576 and T545 (Mount Pocono, PA Quadrangle N: 15.0 inches; W: 12.3 inches) in Pocono Township, **Monroe County**.

E45-288. Encroachment. **Caesars Paradise Stream**, P. O. Box 400, Scotrun, PA 18355. To construct and maintain an 8-inch water intake structure in an offstream pond along Paradise Creek to be used as a dry hydrant to provide fire protection at the Caesars Paradise Stream Resort. This project is located on the north side of S. R. 0940 approximately 0.45 mile west of the intersection of S. R. 0940 and S. R. 0390 (Buck Hill Falls, PA Quadrangle N: 0.6 inch; W: 8.5 inches) in Paradise Township, **Monroe County**.

E45-289. Encroachment. **Caesars Pocono Palace**, P. O. Box 400, Scotrun, PA 18355. To construct and maintain an 8-inch water intake structure in Echo Lake to be used as a dry hydrant to provide fire protection at the Caesars Pocono Palace. This project is located on the north side of S. R. 0209 approximately 0.6 mile northeast of the intersection of S. R. 0209 and T550 (Bushkill, PA-NJ Quadrangle N: 12.5 inches; W: 8.30 inches) in Middle Smithfield Township, **Monroe County**.

E64-165. Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain an adjacent box beam bridge having a normal span of 76.5 feet and a minimum underclearance of 15.25 feet across Dyberry Creek. The project is located on S. R. 4015 (Park Street), Section 670, Segment 0080, approximately 0.25 mile east of S. R. 0006 (Honesdale, PA Quadrangle N: 14.3 inches; W: 0.7 inch) in Honesdale Borough, **Wayne County**.

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

E09-641. Encroachment. **Rohm and Haas Company**, P. O. Box 219, Bristol, PA 19907. To remove and existing twin 36-inch pipe culvert across Hog Run Creek, to construct and maintain 43.5 linear feet of 9'2" x 3'3" box culvert and associated wetland fill, and to impact 2.4 acres of wetland associated with the closure of the Bristol Landfill Sections A, B and C which include the construction of stormwater management facilities, perimeter swaling, landfill capping, excavation of contaminated soils, slope stabilizing rock riprap, water collection system and an impermeable cut-off slurry wall around the landfill perimeter, all for the purpose of eliminating the releases of leachate from the landfill. The site is located in the vicinity and north of the confluence of Hog Run and the Delaware River (Bervery PA-NJ Quadrangle, N: 15.2 inches; W: 1.1 inches) in Bristol Township, **Bucks County**.

E23-333. Encroachment. **Concord Development Associates, Inc.**, Goshen Professional Center, Suite 310, 124 West Chester Pike, West Chester, PA 19382. To construct and maintain a twin 48-inch diameter HCMP culvert in and along a tributary to Green Creek (TSF) and adjacent wetlands at station 17+00 for a proposed

roadway in the Concord Hunt Subdivision located approximately 2,300 feet southeast from the intersection of Smith Bridge and Kirk Roads (Wilmington North, DEL-PA Quadrangle N: 20.6 inches; W: 1.3 inches) in Concord Township, **Delaware County**. Also to construct and maintain a 10-foot by 12-foot sewage control building and a 10-foot by 10-foot pump station along the Green Creek 100-year floodway. The permittee will construct 0.28 acre of replacement wetlands.

[Pa.B. Doc. No. 96-726. Filed for public inspection May 3, 1996, 9:00 a.m.]

Notice of Public Hearing and Request for Comments on a Proposal Containing Regulations and a Statement of Policy Implementing the Special Protection Waters Regulatory Negotiation Report

The Department of Environmental Protection (DEP) will hold a public hearing for the purpose of receiving public comment on a proposal containing regulatory changes and a statement of policy which would implement the results of the special protection waters regulatory negotiation report which was signed by committee members on April 1, 1996.

The special protection waters regulatory negotiation committee was convened by the Department on June 27, 1995, to address issues raised by the U. S. Environmental Protection Agency's (EPA) disapproval of portions of Pennsylvania's special protection waters regulations, and in a Federal Clean Water Act (CWA) citizen suit filed against EPA regarding Pennsylvania's special protection program. The group consists of stakeholders representing conservation, government, public interest, and regulated community representatives, and others with an interest in the special protection waters program in Pennsylvania.

The draft proposal includes changes to Pennsylvania's regulations at 25 Pa. Code Chapter 92 (relating to the National Pollutant Discharge Elimination System (NPDES) permitting), Chapter 93 (relating to water quality standards) and Chapter 95 (relating to wastewater treatment requirements). The proposed regulatory changes and statement of policy will be available from the Department on May 16, 1996. The proposal may be obtained on or after that date by contacting the Bureau of Water Quality Management, 10th Floor, 400 Market Street, Rachel Carson State Office Building (RCSOB), Harrisburg, PA 17105-8465, (717) 787-9637. The proposal will also be available on the DEP Web site: <http://www.dep.state.pa.us> (choose Public Participation/Regulations, Policies and Proposals Open for Comment).

In addition to this public comment period, the Department will continue to work with the stakeholders group to further develop the regulation and policy changes needed to implement the recommendations in their report.

Interested persons are invited to submit comments, suggestions or objections regarding the proposal and statement of policy to the Bureau of Water Quality Management at the address set forth above by June 18, 1996. Comments submitted by facsimile will not be accepted. Comments may be submitted electronically by June 18, 1996, to Sowers.Christine@A1.dep.state.pa.us. A subject heading of the proposal and a return postal address must be included in each transmission.

The public hearing is scheduled to be held at 1 p.m. on June 18, 1996, in the First Floor Meeting Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Persons interested in presenting testimony at the hearing are requested to contact Christine Sowers at (717) 787-9637 at least 1 week in advance of the hearing to reserve time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three copies of the oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on its behalf at the hearing.

Persons with a disability who need accommodations to comment or testify may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users).

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 96-727. Filed for public inspection May 3, 1996, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Beginning of Review; Certificate of Need

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

CON-95-H-2579-B: Jewish Home & Hospital for Aged at Pittsburgh, d/b/a Menorah Heights, c/o Jewish Association on Aging, 6301 Forbes Avenue, Suite 100, Pittsburgh, PA. The project involves construction of a replacement facility for Riverview Center for Jewish Seniors, decrease the licensed bed capacity, expand the services offered to include personal, respite, hospice, subacute care and others, at an estimated cost of \$20,500,000.

The project is scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning May 4, 1996. Any interested person, as defined in section 103 of the act (35 P. S. § 448.103), may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)) regarding the decisions made on this application, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Public meeting will begin at 1 p.m., Wednesday, May 22, 1996. Persons who need an accommodation due to a disability and want to attend the meeting should contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. This meeting is subject to cancellation without further notice.

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

DANIEL F. HOFFMANN, FACHE,
Acting Secretary

[Pa.B. Doc. No. 96-728. Filed for public inspection May 3, 1996, 9:00 a.m.]

Renal Disease Advisory Committee; Telephone Conference Call

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a telephone conference call on Tuesday, May 14, 1996.

The conference call will be held in Room 327, Health and Welfare Building, Harrisburg, PA from 3 p.m. to 5 p.m.

For additional information, contact Harriet Lindsay, Director, Office of Program Coordination and Grants Management, at (717) 787-9772. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to do so should contact Helen Kissinger at (717) 787-9772 [TDD: (717) 783-6514/Network TDD: 8-443-6514].

DANIEL F. HOFFMANN, FACHE,
Acting Secretary

[Pa.B. Doc. No. 96-729. Filed for public inspection May 3, 1996, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Notice of Rule Change; Limits on Office Visits Under General Assistance Basic Health Care Package

The Department of Public Welfare announces that effective November 1, 1995, family planning clinics will no longer be included in the combined limit of 18 visits per year for practitioner's office and clinic visits under the General Assistance Basic Health Care Package.

This Rule Change has been reviewed by the Office of General Counsel and the Office of Attorney General.

This Rule Change is made under the Joint Committee on Documents Resolution 1994-1(3) 24, No. 18, Pa.B. 2348 and will be in effect for 180 days pending adoption of rulemaking by the Department.

Public comments to the Rule Change can be made by contacting Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.

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

FEATHER O. HOUSTOUN,
Secretary

Purpose

To notify family planning clinic providers that, effective November 1, 1995, the limit on clinic visits under the GA Basic Health Care Package will no longer apply to them.

Scope

Applies to all family planning clinics enrolled in the Medical Assistance Program.

Background/Discussion

On January 1, 1993, the Department amended 55 Pa. Code Chapter 1101 to preserve a basic health care package for GA recipients, ages 21 to 65, that provides a primary care package of medical services.

As part of the GA Basic Health Care Package, practitioner's office and clinic visits were limited to a combined maximum of 18 visits per year. Clinics include independent medical clinics, rural health clinics, general and rehabilitation hospital clinics, family planning clinics, and Federally qualified health centers.

The Department established criteria and a process to grant exceptions to the limits of 18 practitioner/clinic visits per year. Exceptions are granted for recipients with serious chronic systemic illnesses or other serious health conditions which by themselves or in combination with other illnesses, conditions, or major trauma could lead to hospitalization, nursing home admission, complications associated with the illness, a condition which could result in serious deterioration of the health of the individual or death. A toll-free telephone number is available to providers to request an exception to the limits. Requests for exceptions to the 18 visit limit for family planning visits have been routinely granted.

In reviewing the requests for exceptions to the 18 visit limit for family planning visits, the Department has determined that family planning clinics should not be included in the list of practitioner and clinic providers who are limited under the GA Basic Health Care Package.

Policy

Effective November 1, 1995, family planning clinics will no longer be included in the combined limit of 18 visits per year for practitioner's office and clinic visits under the GA Basic Health Care Package.

The Department will amend 55 Pa. Code Chapter 1101, § 1101.31(e)(1)(i) and (2)(i) to reflect this change.

Fiscal Note: 14-NRC-063. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-730. Filed for public inspection May 3, 1996, 9:00 a.m.]

Office of Children, Youth and Families; Public Hearing for Child Care and Development Block Grant Plan

The Department of Public Welfare, Office of Children, Youth and Families, Bureau of Child Day Care Services will be holding a public hearing on the proposed Federal Child Care and Development Block Grant (CCDBG) Plan for the Federal Fiscal Years 1996—98. The hearing will be held on May 20, 1996, from 10 a.m.—1 p.m. in Room G50 of the Forum Building located at Commonwealth Avenue and Walnut Street, Harrisburg, PA. The purpose of the public hearing is to gather comments on the proposed CCDBG plan from the general public. Based

upon comments received, the Commonwealth will consider the necessary revisions to the proposed plan and develop a final plan to send to the Federal government.

Individuals who would like to review a summary of the proposed plan or would like to comment should contact Karen Habel, Bureau of Child Day Care Services, 1401 North 7th Street, Harrisburg, PA 17105 or call at (717) 787-8691.

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

FEATHER O. HOUSTOUN,
Secretary

[Pa.B. Doc. No. 96-731. Filed for public inspection May 3, 1996, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Motor Vehicles; International Registration Plan Correction

Under the authority contained in sections 6142 and 6145 of the Vehicle Code (75 Pa.C.S. §§ 6142 and 6145), the Department of Transportation published, at 26 Pa.B. 634 (February 10, 1996), a notice of the Commonwealth of Pennsylvania's intention to continue to be a member of the International Registration Plan which provides for the proportional registration of fleet vehicles in all member jurisdictions in which the vehicles are driven.

In publishing the list of participating states and provinces of Canada, the Department inadvertently deleted the State of Colorado from the list. Thus, this Commonwealth does have a proportional registration agreement with the State of Colorado, as well as the other participating states and provinces of Canada delineated at 26 Pa.B. 634 (February 10, 1996).

Because of the length and expense of publishing the full text of the International Registration Plan, a copy of the Plan has not been published with this notice. Interested persons, however, may obtain a copy of the International Registration Plan from Thomas Zamboni, Manager, Commercial Registration Section, Bureau of Motor Vehicles, P. O. Box 68285, Harrisburg, PA 17106, (717) 787-3864. The Department may impose a fee to cover its costs in forwarding the Plan. Questions, comments or suggestions regarding the Plan may also be submitted to Thomas Zamboni.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-732. Filed for public inspection May 3, 1996, 9:00 a.m.]

Finding

York County

Under the provisions of section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to widen State Route (S. R.) 0030, Section 001 in York County for approximately 2.5 miles and improve various intersections within the project limits. The proposed project limits extend from just east of the S. R. 0074 Interchange to the S. R. 0024 (Mt. Zion Rd.) Interchange.

No adverse environmental effect is likely to result from the reconstruction of this section of highway.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-733. Filed for public inspection May 3, 1996, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Max Starr and Martha Starr v. DEP; EHB Doc. No. 95-143-C

The Department of Environmental Protection (Department) and Max Starr and Martha Starr (Starrs), have agreed to a settlement of the above matter. On June 13, 1995, the Department issued an Administrative Order to the Starrs to remove all tires off their site within a 10 year period. The Starrs filed an appeal of the June 13, 1995 Order to the Environmental Hearing Board docketed to the above term and number. The appeal was filed on June 14, 1995, and perfected on July 26, 1995.

The Department and the Starrs have agreed to a settlement, the major provisions of which include:

1. The agreement lasts for a 3 year period. During the 3 years, the Starrs are required to remove at least six full trailer loads of tires per month to an approved facility. The tires shall be removed from the piles to establish fire lanes.
2. The Starrs are required to maintain fire suppression equipment and update any applicable emergency response plans, monitor and spray for vectors and monitor and control brush, trees and other vegetation in the fire lanes such that growth does not exceed 6 inches.
3. The Starrs are also required to provide financial assurance to the Department in the amount of \$300,000 for the period from July 1, 1996, to June 30, 2002.

Copies of the full agreement are in the possession of:

Amy Ershler, Assistant Counsel, Department of Environmental Protection, Northcentral Region Office of Chief Counsel, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6568;

Franklin L. Kury, Esquire, Paul S. Kline, Esquire, Reed Smith Shaw & McClay, 213 Market Street, P. O. Box 11844, Harrisburg, PA 17108-1844, (717) 234-5988;

and at the office of the Environmental Hearing Board, and may be reviewed by any interested party on request during normal business hours.

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. If information concerning this Notice is required in an alternative form, contact the Secretary to the Board at

(717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service at 1 (800) 654-5984.

Appeals must be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement which becomes final if no objection is timely made.

GEORGE J. MILLER,
Secretary

[Pa.B. Doc. No. 96-734. Filed for public inspection May 3, 1996, 9:00 a.m.]

HUMAN RELATIONS COMMISSION

Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) hereby announces the publication of the Stipulations of Fact, Findings of Fact, Conclusions of Law, Final Decision and Order, made after a public hearing under section 9(e)—(g) of the act, in the following case:

Katherine A. Paras v. Duquesne Light Company. Doc. No. E58823D (Human Relations Commission, April 23, 1996); Alleged sex-based refusal to promote. Ruling for Respondent, 9-0 decision, 18 pages.

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 10 cents per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harrisburg, PA 17101. The check or money order shall be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,
Executive Director

[Pa.B. Doc. No. 96-735. Filed for public inspection May 3, 1996, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, April 18, 1996, and took the following actions:

Regulation Approved:

Pennsylvania Liquor Control Board #54-47: Events/Tournaments/Contests (amends 40 Pa. Code Chapter 5)

Commissioners Present: John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held
April 18, 1996

*Liquor Control Board—Events/Tournaments/Contests;
Doc. No. 54-47*

Order

On December 21, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Liquor Control Board (LCB). This rulemaking would amend 40 Pa. Code Chapter 5 by removing some restrictions on the sponsorship of events, tournaments or contests at licensed premises. The authority for this regulation is contained in section 207 of the Pennsylvania Liquor Code (47 P.S. § 2-207). The proposed regulation was published in the January 6, 1996 edition of the *Pennsylvania Bulletin* with a 30-day comment period. The final-form regulation was submitted to the Commission on March 20, 1996.

This regulation is a result of a request from the Pennsylvania Licensed Beverage Association to modify some of the restrictions currently placed on a licensee's ability to sponsor an event, tournament or contest. The LCB's current regulations limit the activities that a licensee may sponsor. For example, a restaurant or tavern cannot currently hold a special contest/event where prizes are awarded without the event being associated with a bona fide charity and the revenue generated from the event (outside any food or beverage revenue) going to the charity. The proposed regulation will allow a licensee to sponsor an event or contest and award prizes to the winners without being associated with a charity. However, the total value of the prizes that are awarded cannot exceed a cash value of \$500 for one contest or a total value of \$5,000 in any 7-day period.

The proposed amendments will also allow hotels, restaurants, privately-owned public golf courses, privately-owned private golf courses, municipal golf courses, brew pubs and malt beverage eating places to conduct a self-sponsored tournament, event or contest and award prizes for the tournament, event or contest. Additionally, governing bodies of professional golf, tennis, skiing and bowling will be allowed to hold events, tournaments or contests on licensed premises. The regulations do not include a limitation on prizes that may be awarded for these events.

We submitted a comment on the proposed rulemaking recommending the LCB include the specific prize limitations in the regulation instead of simply referencing the Small Games of Chance Act. In response, the LCB agreed with our comment and amended the regulation to provide that the total value of all prizes for any given event, tournament or contest shall not exceed \$500 and that the total value of all prizes awarded in any 7-day period may not exceed \$5,000.

We have reviewed this regulation and find it to be in the public interest. The regulation will allow licensees increased business opportunities by permitting licensees to sponsor events, tournaments and contests. Further-

more, we commend the LCB for responding to the request of the Pennsylvania Licensed Beverage Association in a prompt manner.

Therefore, It Is Ordered That:

1. Regulation No. 54-47 from the Pennsylvania Liquor Control Board, as submitted to the Commission on March 20, 1996, is approved; and

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

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-736. Filed for public inspection May 3, 1996, 9:00 a.m.]

INSURANCE DEPARTMENT**Amendments to Unfair Insurance Practices Act—
Prohibiting Insurance Companies from Denying
Coverage to Victims of Domestic Abuse; Notice
No. 1996-06**

Governor Tom Ridge signed HB 1100 (Act 24) into law on April 4, 1996. The law amends the Unfair Insurance Practices Act (40 P.S. § 1171.1 et seq.), and prohibits insurance companies from denying insurance coverage or taking adverse rating action on the basis that the applicant or insured has been the victim of domestic violence.

Basis and Effect of Law

Act 24 prohibits insurance companies from denying, canceling or refusing to renew an insurance policy, or restricting coverage, adding a surcharge, excluding benefits or applying an adverse rating factor to an individual's policy because the individual has been a victim of domestic violence.

The Unfair Insurance Practices Act regulates persons doing the business of insurance in the Commonwealth. Thus, all licensed insurance companies are required to comply with Act 24. Those carriers who have considered domestic violence as an underwriting criterion or rating factor in the past must immediately modify their underwriting procedures to eliminate the practice.

The Insurance Department will commence appropriate investigations of complaints alleging violations of the law, and will initiate appropriate enforcement activity should the investigation reveal a violation of Act 24.

Effective Date

The law went into effect immediately upon execution by Governor Ridge, April 4, 1996.

Contact Person

Questions regarding this notice may be addressed to Heli LeBlanc, Deputy Insurance Commissioner for Consumer Services and Enforcement, Insurance Department, 1321 Strawberry Square, Harrisburg, PA 17120, telephone (717) 787-6174.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-737. Filed for public inspection May 3, 1996, 9:00 a.m.]

Application and Request for a Certificate of Authority

Advantage Insurance Exchange has applied for a Certificate of Authority to operate as a reciprocal exchange in Pennsylvania. The initial filing was received on March 27, 1996, and was made under the requirements set forth under 40 P. S. §§ 961—971. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-738. Filed for public inspection May 3, 1996, 9:00 a.m.]

Capital Blue Cross; Pennsylvania Blue Shield; Amendatory Rider to the Comprehensive Major Medical Contract for Experience-Rated Groups; Rider Form No. F-898; Filing No. 96-L

Under filing no. 96-L, Capital Blue Cross and Pennsylvania Blue Shield propose to incorporate an optional amendatory exclusion Rider Form #F-898 into the Comprehensive Major Medical Contract for Experience-Rated Groups. The optional exclusion permits Experience-Rated groups to exclude coverage to those corporate officers who choose to "opt-out" of the Workers' Compensation program and excludes persons who fail to enroll for such coverage or fail to claim the benefits.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This form filing consists of 3 pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-739. Filed for public inspection May 3, 1996, 9:00 a.m.]

Delta Dental of Pennsylvania; Proposed Rider to Schedule II of Delta Dental Service Contract (MC-3 REV. 9/94), Form No. R-57

Delta Dental of Pennsylvania has submitted proposed rider Form R-57 to its Dental Service Contract MC-3

which would allow for coverage of complete occlusal adjustment. Delta Dental has also submitted the rating information for the proposed rider.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg. This filing consists of three pages.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Office of Rate and Policy Regulations, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-740. Filed for public inspection May 3, 1996, 9:00 a.m.]

Life and Health Insurance Co. of America; Hearing

Life and Health Insurance Co. of America; LHA-LTC (100 Pa., et al, Long Term Care Policy and Long Term Care Policy LHA-LTC (100); Pa Associated Riders

The hearings on the above-captioned appeal is hereby scheduled for May 9, 1996, at 9 a.m. at the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

The proceedings in this matter will be governed by the Administrative Agency Law, 2 Pa.C.S. §§ 501—508, 701—704 and the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 31.1 *et seq.* The claimant may appear with or without counsel and offer relevant testimony or evidence to support the claimant's position.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-741. Filed for public inspection May 3, 1996, 9:00 a.m.]

Prepaid Pennsylvania Premium Taxes; Notice No. 1996-05

On April 18, 1996, the Insurance Commissioner (Commissioner) issued an Order permitting certain Pennsylvania domestic insurers to report prepaid Pennsylvania premium taxes (PPPT) as an admitted asset on their financial statements filed with the Insurance Department (Department).

Statutory Authority

Section 320(a)(2) of The Insurance Company Law of 1921 (40 P. S. § 443(a)(2)) provides that "[u]nless otherwise provided by law, regulation, or order of the Insurance Commissioner, each insurance company, association and exchange shall adhere to the annual or quarterly statement instructions and accounting practices and procedures manuals prescribed by the National Association of Insurance Commissioners . . ." These guidelines specify that prepaid taxes be treated as non-admitted assets. However, this same quoted language grants the Commissioner express authority to issue an order permitting deviations from these guidelines.

Basis and Effect of the Order

Section 320 applies to domestic stock and mutual insurance companies, associations, and exchanges writing property and casualty or life and health insurance in Pennsylvania. Thus, the Commissioner's Order does not affect foreign insurers doing business in Pennsylvania.

To be considered an admitted asset, the PPPT must have been paid in advance. Therefore, effective April 18, 1996, Pennsylvania domestic insurers may report PPPT as an admitted asset on financial statements filed with the Department.

The Order remains in effect unless and until modified or revoked by the Commissioner.

Questions

If there are any questions relating to this notice, please contact Kaushik K. Patel at 1345 Strawberry Square, Harrisburg, PA 17120, or (717) 787-5890.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-742. Filed for public inspection May 3, 1996, 9:00 a.m.]

State Workmen's Insurance Fund; Workers' Compensation Group Retrospective Rating Plan

On April 12, 1996, the Department received a filing from the State Workmen's Insurance Fund (SWIF) which describes eligibility criteria and premium calculation rules for a workers' compensation group retrospective rating plan. The rating plan would be written through the State Workmen's Insurance Fund with a proposed immediate effective date.

The objectives of this rating plan are to implement effective safety programs, improve medical care for the employees of plan members, and reduce workers' compensation costs for the group. SWIF will calculate the first interim estimated premium 18 months after the program's inception and will recalculate the interim estimated premium annually thereafter until all subject losses are settled, or at an earlier time by agreement with the group when a final reconciliation and adjustment are computed. Payment of additional premium to SWIF, or return premium by SWIF to the group, resulting from the calculation or recalculation of the adjusted premium, may be according to an agreement between SWIF and the group.

Copies of the filing will be available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Guo Harrison, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-743. Filed for public inspection May 3, 1996, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before May 28, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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-00112978. Blank's Moving, Inc. (619 Spruce Street, Reading, Berks County, PA 19602), a corporation of the Commonwealth of Pennsylvania—(1) household goods in use from points in the city of Reading, Berks County, and within 8 miles by the usually traveled highways of the limits thereof, to points within 75 miles by the usually traveled highways of the limits of the said county, and vice versa; subject to the following condition: that no right is granted to transport raw silk, materials and finished products, including artificial silk, of the silk industry; and (2) 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-00105797 to Blank's Moving and Storage Company, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Application for temporary authority has been filed at A-00112978, seeking the rights cited above. *Attorney:* Scott C. Painter, 1136 Penn Avenue, P. O. Box 6895, Wyomissing, PA 19610.

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-00112988. Anthony Carson and Gwendolyn Carol Carson, Copartners, t/d/b/a Tony Express Transportation System (1331 East 19th Street, Erie, Erie County, PA 16503)—persons, in paratransit service, from points in Pennsylvania, to the following State and Federal Correctional Institutions located in the counties of: Allegheny, Cambria, Centre, Clearfield, Crawford, Cumberland, Erie, Greene, Huntingdon, Luzerne, Lycoming, Mercer, Montgomery, Schuylkill, Somerset, Wayne and Westmoreland and return.

A-00112993. Lock Haven Taxi, Inc. (134 East Main Street, Lock Haven, Clinton County, PA 17745), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand, in the city of Lock Haven, the boroughs of Flemington, Mill Hall, Beech Creek, Avis, Loganton, Renova and South Renova, and the townships of Dunnstable, Allison, Bald Eagle, Woodward, Castanea,

Beech Creek, Colebrook, Grugan, Lamar, Pine Creek, Logan, Greene, Porter, Wayne and Chapman, all in Clinton County. *Attorney:* Larry E. Coploff, 136 East Water Street, Lock Haven, PA 17745.

**Notice of Motor Carrier Applications—
Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before 20, 1996.

- A-00112992 Hickory Hill Transport Co., Inc.
7868 Hickory Hill Road, Oxford, PA 19363
- A-00107913, F. 2 Seger Trucking, Inc.
R. D. 1, Box 457A, Morrisdale, PA 16858; Dwight L. Koerber, Jr., 110 North Second Street, P. O. Box 1320 Clearfield, PA 16830
- A-00112999 Maxwell Tank Lines, Inc.
P. O. Box 14, Colgate, WI 53017
- A-00112300 James and Patricia McAllister, t/d/b/a Elk Vending
P. O. Box 579, St. Marys, PA 15857
- A-00112995 E. S. Racis, t/d/b/a E. S. Racis Transport
5152 Route 419, Womelsdorf, PA 19567
- A-00112998 David R. Harting
296 Greenville Road, Denver, PA 17517

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-744. Filed for public inspection May 3, 1996, 9:00 a.m.]

**Sewage Service
Without Hearing**

A-230062. Wynnewood Sewer Corporation. Application of Wynnewood Sewer Corporation for approval to offer, render, furnish or supply sanitary sewage collection and disposal service in portions of North Whitehall Township, Lehigh County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before May 20, 1996, under 52 Pa. Code (relating to public utilities).

Counsel for Applicant: Thomas J. Sniscak, Esquire, Susan J. Smith, Esquire, Malatesta, Hawke and Mckeeon, Harrisburg Energy Center, 100 North 10th Street, Harrisburg, PA 17101.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-745. Filed for public inspection May 3, 1996, 9:00 a.m.]

**Water Service
Without Hearing**

A-210071. Wynnewood Water Corporation. Application of Wynnewood Water Corporation for approval to offer, render, furnish or supply water service in portions of North Whitehall Township, Lehigh County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before May 20, 1996, under 52 Pa. Code (relating to public utilities).

Counsel for Applicant: Thomas J. Sniscak, Esquire, Susan J. Smith, Esquire, Malatesta, Hawke and Mckeeon, Harrisburg Energy Center, 100 North 10th Street, Harrisburg, PA 17101.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-746. Filed for public inspection May 3, 1996, 9:00 a.m.]

**PHILADELPHIA REGIONAL
PORT AUTHORITY**

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, May 16, 1996, for Project #96-078-001R (Purchase of One New or In-Stock 1996 Two Wheel Drive Pick Up Truck). The Bid Document can be obtained from the Procurement Administrator, Phila. Regional Port Authority (PRPA), 210 W. Washington Square, 8th Floor, Phila., PA 19106, (215) 928-9100 and will be available May 7, 1996. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 96-747. Filed for public inspection May 3, 1996, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, May 16, 1996, for Project #96-113-001 (Purchase of Four Gantry Brake Thrusters). The bid document can be obtained from the Procurement Administrator, Phila. Regional Port Authority (PRPA), 210 W. Washington Square, 8th Floor, Phila., PA 19106, (215) 928-9100 and will be available May 7, 1996. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 96-748. Filed for public inspection May 3, 1996, 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, Harrisburg, PA 17108:

<i>June 10, 1996</i>	<i>James C. Gallagher (Disability)</i>	<i>1 p.m.</i>
<i>June 12, 1996</i>	<i>Louis Volpack (Deceased) (Death Benefits)</i>	<i>1 p.m.</i>

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 the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 96-749. Filed for public inspection May 3, 1996, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Director of Purchases, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 86-021-RS14. Construction of the sewage treatment plant improvements at the Zelenople Service Plaza in New Sewickley Township, Beaver County, PA.

Bid Opening: May 30, 1996, 11 a.m.

Bid Surety: 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 96-750. Filed for public inspection May 3, 1996, 9:00 a.m.]

FEDERAL SURPLUS PROPERTY PROGRAM

DEPARTMENT OF GENERAL SERVICES

INVENTORY AND INFORMATION

The Department of General Services, Bureau of Supplies and Surplus Operations oversees the Federal Surplus Property Program within the Commonwealth of Pennsylvania in accordance with the Federal Property and Administrative Services Act of June 30, 1949, 63 Stat. 377 as amended. Personal property is made available on an equitable basis to our State Agency for allocation to eligible organizations at minimal service charges. Available property can include office equipment and furniture, clothing, hand tools, hardware, light machinery, heavy equipment and much more. Some of the equipment is new, while some may require repair, but all of the property is useful, and is available to your organization at a fraction of the cost of buying retail. Most nonprofit, tax-exempt organizations, such as municipalities, schools, emergency management agencies, day care centers and other public service organizations are eligible and have saved thousands of dollars annually through the use of federal surplus property.

All federal surplus property is donated on a first-come, first-served basis to eligible nonprofit organizations within the Commonwealth. A nominal cost is incurred by the participants in the form of a service charge to cover the state's cost of administering the program. Questions about the availability of items or about your organization's ability to participate in the Federal Surplus Property Program should be directed to: The Department of General Services, Bureau of Supplies and Surplus Operations, Federal Surplus Property Program, P. O. Box 1365, 2221 Forster Street, Harrisburg, PA 17105, or call TOLL-FREE 1-800-235-1555.

VEHICLES AND HEAVY EQUIPMENT

Crane. Mfg. Hanson Machine Company, 5 ton, 1988, Model H-446, diesel, 33,200 gvw, 459 hours. Only 1 available, good condition, stock number 3810-95-0416-001, \$3,750.00 ea.

Trailer. Mfg. varies, 2 wheel, 3/4 ton, cargo, 2,780 gvw. Several available, good condition, stock number 2330-95-0495-002, \$750.00 ea.

Truck. Mfg. Dodge, pick-up, 4x4, 1976 and 1977, 318, v-8, 8,000 gvw, automatic. Several available, conditions vary, \$250.00—\$1,500.00 ea.

Car. Mfg. Chevy, Citation, 4 door sedan, 1984, 4 cylinder, automatic, 51,765 miles. Only 1 available, good condition, stock number 2310-95-0453-004, \$200.00 ea.

Car. Mfg. GMC, Pontiac, Bonneville, 4 door sedan, 4.1 litre, v-6, automatic, 95,838 miles. Only 1 available, good condition, stock number 2310-96-0118-001, \$700.00 ea.

Ambulance. Mfg. Chrysler Corporation, Dodge, 4x4, w 20, 1977, 318, v-8, automatic, 8,000 lb. gvw. Only 2 available, good condition, \$1,500.00 ea.

Forklift. Mfg. Hyster, gas, 4,000 lb. capacity, Model 540C-P, 1971. Only 1 available, fair condition, stock number 3930-96-0235-016, \$750.00 ea.

BUILDING MATERIALS

Insulation. Mfg. Certainteed MFC, fiberglass, board, 36" width x 100" length x 1" thick, 300 sq.ft./roll, sold by the roll. Limited quantities available, NEW, stock number 5640-96-0295-015, \$22.00 ea.

Sheet. Mfg. unknown, aluminum, 4' x 12' x .040". Plenty available, NEW, stock number 9535-95-0207-023, \$8.75 ea.

Sheet. Mfg. unknown, steel, 4' x 8'. Plenty available, good condition, 9515-95-0207-001, \$2.50 ea.

BUSINESS AND RESIDENTIAL FURNISHINGS

Cabinet. Mfg. varies, file, 2, 4 and 5 drawer. Plenty available, good condition, \$20.00—\$60.00 ea.

Partition. Mfg. unknown, fabric, various sizes. Plenty available, good condition, \$2.50 ea.

Chair. Mfg. varies, rotary, with arms, fabric seat and back. Plenty available, good condition, \$10.00—\$18.00 ea.

Desk. Mfg. unknown, single pedestal, wood, 4 drawer, 48" wide x 18" deep. Plenty available, good condition, stock number 7105-96-0210-001.

CLOTHING, TEXTILES AND PERSONAL ITEMS

Boot. Mfg. McRae Industries, Inc., combat, various sizes, black, sold by the pair. Plenty available, NEW, stock number 8430-00-0005-001, \$12.00 ea.

Boot. Mfg. Bata Choe Company, Inc., cold weather, insulated, rubber, black, for wet/cold use, sold by the pair. Plenty available, NEW, stock number 8430-00-0003-001, \$12.00 ea.

Overshoe. Mfg. unknown, boot, combat, vinyl, slip resistant, size 8, green, sold by the pair. Plenty available, NEW, stock number 8430-95-0090-007, \$.50 ea.

Backpack. Mfg. unknown, field, with internal frame, large. Limited quantities available, very good condition, stock number 8465-96-0278-001, \$30.00 ea.

ELECTRICAL AND ELECTRONICS

Motor. Mfg. General Electric, electric, Model 5K184AD205, 200-230/460 volts, 3 phase, 5 hp. Only 2 available, NEW, stock number 6105-96-0062-007, \$75.00 ea.

Wire. Mfg. Cerro Wire & Cable Company, electrical, size 14, solid, 500'/roll, sold by the roll. Plenty available, stock number 6145-96-0111-006.

Light. Mfg. General Electric, indoor spotlight, R-20, 30 watt, replacement, for track and recessed lighting, 6 lights/box, sold by the box. Plenty available, NEW, stock number 6240-95-0487-006, \$.63 ea.

Power Supply. Mfg. Lambda Electronics, regulated, Model, LK 341 A FM, 0-20 volt output. Only 1 available, good condition, stock number 6130-96-0179-001, \$75.00 ea.

OFFICE MACHINES AND SUPPLIES

Highlighter. Mfg. Sanford, pink, "Major Accent", 12 markers/box, sold by the box. Limited quantities available, NEW, stock number 7510-96-0252-035, \$1.50 ea.

Folder. Mfg. SCM Office Supplies, Inc., hanging, 1/5 cut, legal size, 25 tabs with inserts, 25 folders/box, sold by the box. Plenty available, NEW, stock number 7530-96-0146-010, \$2.50 ea.

Fluid. Mfg. LHB Industries, correction, opaque white, hydrocarbon solvent base, 12 bottles/pack, sold by the pack. Limited quantities available, NEW, stock number 7510-96-0124-007, \$2.50 ea.

Envelopes. Mfg. Union Envelope Company, plain, 12" x 16", manila, 500 envelopes/box, sold by the box. Plenty available, NEW, stock number 7530-96-0198-001, \$4.00 ea.

OILS, PAINTS AND CHEMICALS

Cement. Mfg. Bennent Industries, Corp., refractory, "Heat Stop", used for repairs to firebrick and masonry in fireplaces, woodstoves, kilns, furnaces and flues, 3.5 gallons/can, sold by the can. Plenty available, NEW, stock number 5680-95-0398-006, \$2.50 ea.

Paint. Mfg. Pratt & Lambert, latex satin, interior, aqua, acrylic, spatterless, resists staining and soil, fast drying, water clean up, 1 gallon/can, sold by the can. Plenty available, NEW, stock number 8010-96-0120-001, \$2.50 ea.

Paint. Mfg. Glidden, latex, semi-gloss, 3787 interior tint base or 3718 pastel tint base, 1 quart/can, sold by the can. Plenty available, NEW, stock number 8010-96-0014-001, \$.94 ea.

Enamel. Mfg. Duron, Inc., gloss, medium, gray, alkyd urethane modified, 5 gallons/can, sold by the can. Plenty available, NEW, stock number 8010-95-0666-001, \$15.00 ea.

PLUMBING/HEATING/AIR CONDITIONING EQUIPMENT

Heater. Mfg. E-Tech, water heater, heat pump type, Model R106K, 230 volt. Only 1 available, NEW, stock number 4520-96-0063-009, \$150.00 ea.

Blower. Mfg. Lau Industries, belt driven, 12" x 15" outlet. Limited quantities available, NEW, stock number 4140-96-0062-013, \$40.00 ea.

Air Conditioner. Mfg. Atacs Corp., A/C heater combination, 6,000 btu a/c, 4,500 btu heater, 115 volt, vertical type. Limited quantities available, NEW, \$75.00 ea.

Fan. Mfg. varies, pedestal, 24" to 30", 115 volt. Limited quantities available, conditions vary, \$20.00—\$50.00 ea.

VEHICLE PARTS AND ACCESSORIES

Engine. Mfg. Detroit, diesel, Model 453. Only 1 available, NEW, stock number 2815-95-0277-003, \$1,800.00 ea.

Tire. Mfg. varies, 10:00 x 20, newly recaped. Plenty available, like new, stock number 2610-95-0661-004, \$56.25 ea.

Tube. Mfg. RMA, tire, 875/9.50-16.5, TR-15, cw valve. Limited quantities available, NEW, stock number 2610-96-0189-002, \$5.00 ea.

Engine. Mfg. Caterpillar, diesel, 6 cylinder, Model 336, new or rebuilt. Only 1 available, very good condition, stock number 2815-96-0205-004, \$4,000.00.

MISCELLANEOUS

Battery. Mfg. Eveready, Size D, Energizer, 12 batteries/pack, sold by the pack. Plenty available, NEW, stock number 6135-96-0050-001, \$7.00 ea.

Lightstick. Mfg. Chemical Device Corporation, 15", 12 hour green, 20 sticks/box, sold by the box. Plenty available, NEW, stock number 6260-96-0137-004, \$11.25 ea.

Cleaner. Mfg. American Kleener Mfg. Company, steam pressure jet, skid mounted, 208 volt, single phase, uses grade 1 or 2 diesel fuel, 89 hours, 200 to 450 psig. Several similar units available, good condition, \$250.00—\$1,000.00 ea.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 96-751. Filed for public inspection May 3, 1996, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

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

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

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

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

Reader's Guide

Legal Services & Consultation—26

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

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

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

③ Contract Information

④ Department

⑦

⑤ Location

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

⑥ Duration

REQUIRED DATA DESCRIPTIONS

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

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

GET THAT COMPETITIVE EDGE—FOR FREE!

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

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

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

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

CATHERINE BAKER KNOLL,
State Treasurer

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

Commodities

PR-2437385 Data processing and computer equipment and supplies—1 each; furnish and render operational, a Vidar Truscan 800 Sun, 800 dpi Sun (Solaris 2.4) compatible scanner for 36" wide drawings to include "Vidar Imager" software for scan control, image clean up and production of formatted files from originals. No substitution—1 lot; training on the overall operation of the scanner—1 each; software, Draftsman DOS for Sun-Sparc platform. No substitution.

Department: Conservation and Natural Resources
Location: Middletown, Dauphin County, PA 17057-5021
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-2530725 Data processing and computer equipment and supplies—1 lot; furnish and render operational one (1) disk storage subsystem sized for a minimum of twenty (20) logical disk drives of 1.545 gb each mapped out on no fewer than 13 physical data drives from a minimum capacity of 30 gb and one (1) cabinet with expansion capability to at least 50 gb w/appropriate accessories.

Department: PSEER's
Location: Harrisburg, Dauphin County, PA 17108
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-2528725 Data processing and computer equipment and supplies—8 each; furnish and render operational the following equipment: a 1684-SCI SCSI-2 channel adapters to be installed in a Unisys A 1684-EXP channel management unit.

Department: PSEER's
Location: Harrisburg, Dauphin County, PA 17108
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-2623115 Education materials—various amounts; Black's Law Dictionary w/appropriate accompanying pamphlets.

Department: Corrections
Location: Somerset, Somerset County, PA 15501-0631
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-1011116 Food preparation and serving equipment—2,000 cases; trays, polystyrene, 5 compartment, school tray 500/cs.

Department: Corrections
Location: Graterford, Montgomery County, PA 19426-0246
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-1014116 Household and commercial furnishings and appliances—1 each; furnish only fiber glass wet lint collector capable of filtering 40,000 cubic feet per minute.

Department: Corrections
Location: Huntingdon, Huntingdon County, PA 16654-1112
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-8205320 Office machines—15 lot; mail rotary centers with parcel lockers.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-1023156 Paper and printing—775 books; Commonwealth State Seal envelope, water mark paper, 100% rag, No. 10 envelope, cream color, 500/box, size: 4 1/8 x 9 1/2—75 each; Commonwealth State Seal envelope, watermark paper, 100% rag, No. 9 envelope, cream color, 500/box, size: 3 7/8 x 8 7/8.

Department: General Services
Location: Harrisburg, Dauphin County, PA 17125
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

PR-8503120 Paper and printing—600 book; Master diary.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1995-96
Contact: Vendor Services, (717) 787-2199 or (717) 787-4705

SERVICES

Agricultural Services—02

X54049 Contractor to perform bat surveys to determine if the endangered Indiana bat species is using portals which DEP is backfilling as a bat habitat. The surveys will be conducted as required under the Endangered Species Act which is enforced through compliance with the National Environmental Policy Act.

Department: Environmental Protection
Location: Bureau of Abandoned Mine Reclamation—various sites throughout PA
Duration: 7/1/96—6/30/97 with option to renew
Contact: Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

Audio/Video—04

304-07340 Contractor to furnish and provide audiograms for the testing of hearing acuity of personnel in the Environmental Control Division, Bureau of Buildings and Grounds. Testing to be accomplished with audiometric equipment and room, meeting American National Standards Institute requirements and under the direction of a certified audiologist.

Department: General Services
Location: Buildings and Grounds, Room 403, North Office Building, Harrisburg, PA 17125
Duration: July 1, 1996 through June 30, 1999
Contact: Sam Graci, (717) 787-7606

95-C021 Contract to provide complete preventive maintenance, repair and transfer service for Department of Corrections, Central Office two-way radios and accessories.

Department: Corrections
Location: 2520 Lisburn Road, Camp Hill, PA 17001
Duration: 7/1/96—6/30/99
Contact: Linda Malinak, (717) 975-4931

96-009 The contractor shall provide complete preventative maintenance repair service for two-way radios, accessories, and base station.

Department: Corrections
Location: Training Academy, 1451 North Market Street, Elizabethtown, PA 17022-1299
Duration: 1—3 years
Contact: Ruth Gibson, (717) 367-9070

Barber/Cosmetology Services—05

Inquiry No. 65 This service will provide for hairstyling services to both male and female patients of this hospital. The service will include haircuts, perms, shampoos, hairsets, and styling. Copies of the bid proposal can be obtained by contacting the Purchasing Department of the Allentown State Hospital.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 1996 to June 30, 2000
Contact: T. F. Snyder, Purchasing Agent, (610) 740-3428

Construction Maintenance—09

080893 Crawford County, SR 322-06M; Crawford County, SR 27-01S; Erie County, SR 2015-B00; Erie County, SR 5-07M; Mercer County, SR 1015-B01; Mercer County, GR 1-96-400; Clearfield County, SR 3030-A01; Clearfield County, SR 879-224; Clinton County, SR 120-C01; Lycoming County, SR 973-013; Lycoming County, SR 15-B43; Bradford County, SR 4029-001; Lackawanna County, GR 4-96-MC3; Districtwide (5-0), GR 5-96-GR2; Berks County, GR 5-96-GR1; Berks County, GR 5-96-POC1A; Berks County, GR 5-96-POC1B; Lehigh County, GR 5-96-LM2; Lehigh County, GR 5-96-GR3; Northampton County, GR 5-96-GR4; Schuylkill County, GR 5-96-GR5; Philadelphia County, SR 1-M06; York County, GR 8-96-GR4; Perry County, SR 34-005; Districtwide (10-0), GR 100-96-RPM; Butler County, GR 102-96-SI; Washington County, SR 19-110; Westmoreland County, GR 12-96-SI5-2; Lebanon County, SR 322-003; Hbg. Int'l Airp. Passenger Loading BR; Washington County, SR 1002-B10.

Department: Transportation
Location: Districts 1, 2, 3, 4, 5, 6, 8, 10 and 12
Duration: FY 1995/1996
Contact: V. C. Shah, P.E., (717) 787-5914

080894 Fayette County, Big Six Stockpile No. 19.

Department: Transportation
Location: District 12-0
Duration: FY 1995/1996
Contact: Jim French, (412) 439-7157

Project No. 409-EC Lock Haven University of the State System of Higher Education (SSHE) invites contractors to request bid documents for the project of "Campus Drive Widening/Parking", Project 409-EC. Work includes: milling and disposal of the existing pavement, removal of existing curbing and sidewalk, repavement of the road surface, construction of new parking areas, replacement of existing catch basins, relocation of various utilities, and all excavation and restoration associated with the construction. General construction. Pre-bid meeting: May 22, 1996 (10:30 a.m.), Maintenance Department, Room No. 16. Bid proposals are due and will be publicly opened on June 12, 1996 (2:00 p.m.). For information or to request contract documents at a non-refundable cost of \$50.00 (payable to Lock Haven University), bidders can contact Todd Webber, Contracts Specialist, at Maintenance Department, Room No. 12, Lock Haven University, Lock Haven, PA 17745, phone (717) 893-2019. The System encourages responses from small firms, minority firms, women owned firms, and firms which may have not previously performed work for the System, and will consider joint-ventures which will enable these firms to participate in System contracts.

Department: State System of Higher Education
Location: Lock Haven University, Lock Haven Campus, Lock Haven, PA
Duration: 60 calendar days from date of notice to proceed
Contact: Todd Webber, Maintenance Department, (717) 893-2019

Court Reporting—10

002 Court reporting service (stenotype only) and capability for real time reporting with Live Note System. Bids must be submitted by May 24, 1996.

Department: Board of Claims
Location: Fulton Building, 200 North Third Street, Harrisburg, PA 17101-1501 (Main offices located in Harrisburg, services to be performed anywhere within the Commonwealth)
Duration: July 1, 1996—June 30, 1997
Contact: Connie G. Rode, (717) 787-3325

Elevator Maintenance—13

Project No. DGS 508-36 Project title: Replace Elevators in Dixon Building. Brief description: replacement of elevators in Dixon Building. General and electrical construction. Plans deposit: \$50.00 per set. Payable to: Tri-State Design and Development, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Tri-State Design and Development, Inc., 9 East Mall Plaza, Carnegie, Pennsylvania 15106-2455. Telephone (412) 276-2219. Bid date: Wednesday, May 29, 1996 at 11:00 a.m. A pre-bid conference has been scheduled for Wednesday, May 8, 1996 at 1:00 p.m. in the Dietary Conference Room, Mayview State Hospital, Bridgeville, Pennsylvania. Contact person: Garry Lankey, telephone (412) 257-6232. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Mayview State Hospital, Bridgeville, Allegheny County, PA
Duration: 140 calendar days from date of initial job conference
Contact: Bidding Unit, (717) 787-6556

Engineering Services and Consultation—14

X62968 Provide for lease of Everlert III Seismograph (or equivalent) for the Pottsville District Mining Office.

Department: Environmental Protection
Location: Pottsville, PA
Duration: Through 6/30/97
Contact: Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

Extermination Services—16

304-050 Contractor to furnish labor and material for an effective exterminating maintenance program at the Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA.

Department: General Services
Location: Buildings and Grounds, Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA 19130
Duration: July 1, 1996 through June 30, 1999
Contact: William P. Ivers, (215) 560-2518

304-106 Contractor to furnish labor and equipment for an effective exterminating program in the Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222 in accordance with attached specifications. All work to be done in accordance with standards of the trade and conform to Federal, State and local laws and regulations. Contractor will be paid on a monthly basis. Contractor is required to leave a delivery slip for services rendered where services are performed.

Department: General Services
Location: Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222
Duration: 7/1/96 through 6/30/99
Contact: Joseph Ehrenberger, (412) 565-5373

Financial and Insurance Consulting—17

RFQ-CF-01 The Pennsylvania Insurance Department Catastrophic Loss Benefits Continuation Fund is soliciting a Request for Qualifications from vendors to provide claims management/rehabilitation services for Catastrophic Loss Benefits Continuation claims. Prospective vendors must provide both claims and rehabilitation services on a Statewide basis. The Request for Qualifications package will be issued to interested vendors on or after April 29, 1996 and may be obtained by writing to the address below.

Department: Insurance Department
Location: Catastrophic Loss Benefits Continuation Fund, 901 North 7th Street, Harrisburg, PA 17102
Duration: Indeterminate 1995-96
Contact: Deborah L. Greider, (717) 783-8093

RFQ-WC-01 The Pennsylvania Insurance Department, Workers' Compensation Security Fund, is soliciting a Request for Qualifications from vendors to provide claims adjusting and medical management rehabilitation services for workers' compensation claims of insolvent workers' compensation insurers. Prospective vendors must provide both claims adjusting and medical management rehabilitation services on a Statewide basis. The Request for Qualifications package will be issued to interested vendors on or after April 29, 1996 and can be obtained by writing to the address below.

Department: Insurance Department
Location: Workers' Compensation Security Fund, 901 North 7th Street, Harrisburg, PA 17102
Duration: Indeterminate 1995-96
Contact: Cynthia W. Miller, (717) 783-8093

Food—19

0882-2664 Milkshake, frozen. Reference: Pennsylvania frozen dessert standards, 7 PA Code, Ch. 3931 dated 6/30/84. Portion packed. Size 8 oz. Flavors: chocolate, vanilla, and strawberry. Product shall be made from a pure, clean and pasteurized frozen mix containing fresh cow's milk, and/or NFD milk powder, cream or butter, cane sugar, and/or fructose, and/or corn syrup, cocoa, vanilla, or strawberry flavorings and stabilizers. Product shall contain not less than 3.25% or not more than 6% milk fat. Milkshake must contain at least 30 Kcal per ounce serving. Label on each container must include complete list of ingredients and nutritional labeling information. 1,350 dozen—50 dozen to be delivered weekly (20 dozen vanilla, 10 dozen chocolate, and 20 dozen strawberry) from July 1, 1996 through December 31, 1996. (Total 27 deliveries.) Preferred brand: Shake Time, Brookwood Farms.

Department: Public Welfare
Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261
Duration: July 1, 1996 through December 31, 1996
Contact: Cathy J. Tarquino, Purchasing Agent, (717) 749-4030/4031

0882-2665 Frozen fruits, vegetables, portion control juices, and miscellaneous foods (waffles, pancakes, and French toast): different amounts to be delivered weekly throughout the months of July, August, and September 1996. Additional information/specifications may be obtained by contacting the Center.

Department: Public Welfare
Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261
Duration: July 1, 1996 through September 30, 1996
Contact: Cathy J. Tarquino, Purchasing Agent, (717) 749-4030/4031

MB-96 Milk—to be delivered 3 x's a week during contract period.

Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492

S-1 Pastries—to be delivered 3 x's weekly during contract period.

Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492

- S-2** Fresh fruits and vegetables—delivered 2 x's a week during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-3** Bread and rolls—to be delivered 3 x's a week during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-5** Meat—to be delivered weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-6** Poultry—to be delivered weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-7** Frozen foods—to be delivered weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-9** Dairy products—to be delivered 2 x's a month during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-12** Frosted sheet cakes—to be delivered weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-13** Juices—to be delivered 3 x's weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- S-14** Frozen milkshakes—to be delivered weekly during contract period.
Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: July 1, 1996 through September 30, 1996
Contact: Ronda Millard, Purchasing Agent, (610) 948-2492
-
- Dietary 95-207** Coffee, frozen, liquid concentrate, regular and decaffeinated.
Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599
Duration: 07-01-96—06-30-97
Contact: F. Molisee, Purchasing Agent, (412) 257-6215
-
- Inquiry No. 8799** Snack foods: corn twists, potato chips, pretzels. Amounts to be delivered as requested during the contract period.
Department: Public Welfare
Location: Selinsgrove Center, FOB State Agency Storeroom, Selinsgrove, Snyder County, PA 17870
Duration: July 1, 1996 to June 30, 1997
Contact: Arletta K. Ney, Purchasing Agent, (717) 372-5070

Fuel Related Services—20

Project No. DGS A 251-209 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. Underground storage tank construction. Plans deposit: \$60.00 per set. Payable to: SE Technologies, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: SE Technologies, Inc., 98 Vanadium Road, Bridgeville, PA 15017. Telephone: (412) 221-1100. Bid date: Wednesday, May 29, 1996 at 11:00 a.m. A pre-bid conference has been scheduled for Thursday, May 9, 1996 at 10:00 a.m. in the Conference Room at the Meadville Maintenance Building, Meadville, PA. Contact person: Scott Allen, telephone (814) 332-6880. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Meadville, Crawford County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 251-213 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST construction. Plans deposit: \$88.00 per set. Payable to: Barry Isett and Associates, P.C. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Barry Isett and Associates, P.C., P. O. Box 147, Route 100 North and Kressler Lane, Trexlertown, PA 18087. Telephone: (610) 398-0904. Bid date: Wednesday, May 22, 1996 at 2:00 p.m. A pre-bid conference has been scheduled for Thursday, May 2, 1996 at 9:00 a.m. in the Maintenance Building, 3300 Freemansburg Avenue, Easton, PA. Contact person: Donna Sikora, telephone (610) 250-1848. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Easton, Northampton County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 251-214 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST construction. Plans deposit: \$88.00 per set. Payable to: Barry Isett and Associates, P.C. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Barry Isett and Associates, P.C., P. O. Box 147, Route 100 North and Kressler Lane, Trexlertown, PA 18087. Telephone: (610) 398-0904. Bid date: Wednesday, May 22, 1996 at 2:00 p.m. A pre-bid conference has been scheduled for Wednesday, May 1, 1996 at 10:00 a.m. at the Tunkhannock Maintenance Building, Route 6, Tunkhannock, PA. Contact person: Bill Hector, telephone (717) 278-1171. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Tunkhannock, Wyoming County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 251-216 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. Underground storage tank construction. Plans deposit: \$60.00 per set. Payable to: SE Technologies, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: SE Technologies, Inc., 98 Vanadium Road, Bridgeville, PA 15017. Bid date: Wednesday, May 29, 1996 at 11:00 a.m. A pre-bid conference has been scheduled for Thursday, May 9, 1996 at 10:00 a.m. in the Conference Room at the Meadville Maintenance Building, Meadville, PA. Contact person: Scott Allen, telephone (814) 332-6880. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Warren, Warren County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 251-217 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST construction. Plans deposit: \$100.00 per set. Payable to: R. E. Wright Environmental, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: R. E. Wright Environmental, Inc., 3240 Schoolhouse Road, Middletown, PA 17057. Telephone (717) 944-5501. Bid date: Wednesday, May 29, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for Wednesday, May 8, 1996, 10:00 a.m. Meet at main office, meeting to be held in Training Room, Selinsgrove, PA. Contact person: Kerry Grosser, telephone (717) 368-4221. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Selinsgrove, Snyder County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 251-218 Project title: New Fuel Facility. Brief description: removal and replacement of underground storage tanks/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Construction of a fuel truck containment pit. UST/AST construction. Plans deposit: \$96.00 per set. Payable to: Barry Isett and Associates, P.C. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Barry Isett and Associates, P.C., P. O. Box 147, Route 100 North and Kressler Lane, Trexlertown, PA 18087. Telephone: (610) 398-0904. Bid date: Wednesday, May 22, 1996 at 2:00 p.m. A pre-bid conference has been scheduled for Wednesday, May 1, 1996 at 2:00 p.m. in the Luzerne Maintenance Building, Route 115 South, Wilkes-Barre, PA. Contact person: Matt Collura, telephone (717) 826-2386. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: PennDOT Maintenance Building, Wilkes-Barre, Luzerne County, PA
Duration: 115 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 577-22 Project title: Underground Storage Tank Construction, Gas/Diesel Tank Removals. Brief description: remove one (1) 4,000 gallon fuel oil storage tank, two (2) 550 gallon fuel oil storage tanks and two (2) 1,000 gallon gasoline storage tanks and all related piping, dispensing equipment and guard railing. Provide all required excavation, backfilling and grading. UST/AST construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 11:00 a.m.

Department: General Services
Location: State Correctional Institution
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

RFQ-USTIF-01 The Pennsylvania Insurance Department, Underground Storage Tank Indemnification Fund is soliciting a Request for Qualifications from vendors to provide Underground Storage Tank environmental and third party claims administration services. The Request for Qualifications package will be issued to interested vendors on or after April 29, 1996 and can be obtained by writing to the address below.

Department: Insurance Department
Location: Underground Storage Tank Indemnification Fund, 901 North 7th Street, Harrisburg, PA 17102
Duration: Indeterminate 1995-96
Contact: Marion W. MacDonald, (717) 783-8093

Hazardous Material Services—21

3500-002 Remove, load, transport and dispose of approximately 470 tons of office furnishings which are characterized as residual waste due to low levels of polychlorinated biphenyl (PCBs). These furnishings are currently in a number of PennDOT locations in the Harrisburg area. Work must be coordinated with other activities. FAX requests to Dorothy Irvin at (717) 783-7971.

Department: Transportation
Location: Bureau of Office Services, 9th Floor, State Street Building, 500 North Third Street, Harrisburg, PA 17101
Duration: June 1, 1996 through December 31, 1996
Contact: Dorothy Irvin, (717) 787-7997

Heating, Ventilation, Air Conditioning—22

304-07339 Contractor to finish maintenance service for equipment operations of refrigeration equipment at the central heating/cooling plant, Capitol Complex.

Department: General Services
Location: Buildings and Grounds, Central Plant, Commonwealth Avenue, Harrisburg, PA 17125
Duration: July 1, 1996 through June 30, 1999
Contact: Sam Graci, (717) 787-7606

Project No. DGS 412-45 Project title: Renovation of Steam Distribution System. Brief description: renovations to high pressure heating distribution system. Work includes asbestos abatement, structural renovations and replacement of concrete steam manholes. Replacement of steam/condensate piping along with supports, expansion joints and all other related work. General construction, heating, ventilating and air conditioning and asbestos abatement construction. Plans deposit: \$105.00 per set. Payable to: Gannett Fleming, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, Pennsylvania 17011-2316. Telephone (717) 763-7211. Bid date: Wednesday, June 12, 1996 at 2:00 p.m.

Department: General Services
Location: Shippensburg University of Pennsylvania, Shippensburg, Cumberland County, PA
Duration: 200 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS 508-34 Project title: Upgrade Primary Electrical Feeders. Brief description: replace underground 5KV feeder cables for circuit No. 7 and No. 8. Electrical construction. Plans deposit: \$36.00 per set. Payable to: Santangelo & Lindsay, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Santangelo & Lindsay, Inc., 307 Eighth Street, new Brighton, PA 15066-1925. Telephone (412) 847-0407. Bid date: Wednesday, May 29, 1996 at 11:00 a.m. A pre-bid conference has been scheduled for Wednesday, May 8, 1996, 10:00 a.m. in the Dietary Conference Room, Mayview State Hospital, Bridgeville, PA. Contact person: Garry Lankey, telephone (412) 257-6232. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Mayview State Hospital
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 589-39 Project title: Installation of New Space Conditioning System. Brief description: furnish and install new high velocity air conditioning and hearing systems in the attic spaces for wings "B" and "C" including air handlers, ductwork systems, electric duct heaters, outdoor heat pumps, electrical circuits and new lighting fixtures. Mechanical construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 11:00 a.m.

Department: General Services
Location: Youth Development Center, New Castle, Lawrence County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 972-5 Project title: Replace Electrical Wiring and Furnace. Brief description: replace electrical wiring and boiler. Construct boiler room and repair damaged beam. Heating, electrical and asbestos abatement construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m.

Department: General Services
Location: Isaac Landis House, Landis Valley Museum, Lancaster, Lancaster County, PA
Duration: 140 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

090-000206 On an "as needed" basis, furnish equipment, personnel, and materials necessary to complete electrical repairs, maintenance, and/or service (as required) at the Fulton County Rest Area Sites "B" and "3", along I-70 in Bethel and Brush Creek Townships.

Department: Transportation
Location: 9-0 Fulton County, I-70 Rest Area Sites "B" and "3"
Duration: 10-01-96 through 09-30-97
Contact: Robert Noll or Mark Lingenfelter, (717) 485-3816

0830-96-1 Boiler and heating system maintenance for the Franklin County Maintenance Building.

Department: Transportation
Location: 619 North Franklin Street, Chambersburg, PA 17201
Duration: 12 months
Contact: Glenn Campbell, (717) 264-4171

IN-722.4 Rewiring Old Main Punxsutawney Branch. Remove existing panels, wiring, conduit, receptacles, etc., furnish and install new electric panels, conduit, wiring, receptacles, light switches, circuit breakers, etc. Notice to Contractors may be requested from IUP. Phone: (412) 357-2289. FAX (412) 357-6480.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705-1087
Duration: Indeterminate 1995-96
Contact: Ronald E. Wolf, Procurement Specialist, (412) 357-4851

JC-9-96 To provide janitorial service in a one floor building (13,300 square feet). Includes general cleaning of office and rest rooms, sweeping and mopping floors, dusting, washing walls, partitions, woodwork and cleaning windows. More detailed specifications will be supplied with bid packages.

Department: Labor and Industry
Location: Hatboro Job Center, 471 East County Line Road, Hatboro, Montgomery County, PA 19040
Duration: 10/1/96 to 9/30/98
Contact: Edward Zale, Manager, (215) 443-2896

JC-10-96 Janitorial services: daily cleaning of office which includes mopping, vacuuming, cleaning, dusting and removal of trash to outside receptacle. Work to be done five days per week between 4 p.m. and 8 p.m. Building has an area of 12,250 square footage. Detailed specifications will be provided upon request. Attendance at an on-site pre-bid inspection is mandatory.

Department: Labor and Industry
Location: Job Center Field Operations, 55-61 West Walnut Street, Bethlehem, Northampton County, PA 18018
Duration: October 1, 1996 through September 30, 1997
Contact: Theodore L. Colarusso, Jr., (610) 861-2050

JC-11-96 Janitorial services: to be performed five nights a week (Monday-Friday) after normal working hours. Services include daily emptying, wiping clean and washing waste receptacles; spot cleaning walls, glass doors and electric switch plates; dust mopping floors with treated mops; vacuuming rugs nightly, etc. Restrooms will be cleaned daily; weekly spot cleaning of interior partition glass, etc. Monthly services including scrubbing and applying of anti-slip finish to all floors; cleaning all venetian blinds, etc.

Department: Labor and Industry
Location: Downtown Job Center, 930 Washington Avenue, Philadelphia, Philadelphia County, PA 19147
Duration: 10/01/96—09/30/98 (Two Years)
Contact: Frank DeFlavia, Jr., Manager, (215) 952-1143

Janitorial Services—23

SP288467 Provide janitorial services for the Cherrywood Building No. 33, located on the grounds of the Harrisburg State Hospital. Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Room 233 Health and Welfare Building, P. O. Box 2675, Harrisburg, PA 17105-2675
Duration: 07-01-96—06-30-97
Contact: Lori Vessella, (717) 783-9281

304-06953 Contractor to furnish labor and equipment to remove trash and rubbish from the loading dock of the Scranton State Office Building each day of the week Monday through Friday no later than 8:00 a.m. Recyclable items are to be removed from the dock once a week. The awarded contractor shall clear the loading dock of all disposable debris during trash removal operations at the building.

Department: General Services
Location: Buildings and Grounds, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18502
Duration: July 1, 1996 through June 30, 1999
Contact: Joseph Barret, (717) 963-4817

304-07342 Contractor shall furnish the required labor, material, equipment, tools and supervision to thoroughly clean and wash all interior and exterior windows and entrance glass partitions, and interior/exterior skylights and dome in the East Wing Building, Commonwealth Avenue, Harrisburg, PA 17125

Department: General Services
Location: Buildings and Grounds, East Wing Building, Commonwealth Avenue, Harrisburg, PA 17125
Duration: July 1, 1996 through June 30, 1999
Contact: Fritz Smith, (717) 787-2155

SP 312736 Janitorial services for approximately 1,703 square feet of office space for approximately nine (9) employees.

Department: Board of Probation and Parole
Location: Greensburg Sub-Office, R. D. 12, Box 6, Old 30 Plaza, Greensburg, PA 15601
Duration: 07/01/96 to 06/30/98
Contact: Michelle Carl, Office Services Division, (717) 787-8879

SP 312737 Janitorial and rubbish removal services for approximately 5,100 square feet of space and for approximately 42 employees.

Department: Board of Probation and Parole
Location: Allentown District Office, 2703 West Emaus Avenue, Allentown, PA 18103
Duration: 07/01/96 to 06/30/98
Contact: Michelle Carl, Office Services Division, (717) 787-8879

SP 312738 Janitorial services for approximately 1,400 square feet of space for approximately 10 employees.

Department: Board of Probation and Parole
Location: York Sub-Office, York Office Building, 130 North Duke Street, York, PA 17401
Duration: 07/01/96 to 06/30/98
Contact: Michelle Carl, Office Services Division, (717) 787-8879

SP 312739 Janitorial services for approximately 4,849 square feet of space and for approximately 20 employees.

Department: Board of Probation and Parole
Location: Williamsport District Office, 450 Little League Boulevard, Williamsport, PA 17701
Duration: 07/01/96 to 06/30/98
Contact: Michelle Carl, Office Services Division, (717) 787-8879

Lodging/Meeting Facilities—27

003 Hotel meeting room in Pittsburgh, PA area. Meeting hours will be 9:00 a.m.—6:00 p.m., but we request a 24 hour hold be put on the room. We may have to cancel the room on short notice and not be charged. We will require 2 short tables and seating for 29 people. We will not need a meeting room every week, only when hearings are scheduled. We may require a meeting room on short notice. Bids must be received by May 24, 1996.

Department: Board of Claims
Location: Fulton Building, 200 North Third Street, Harrisburg, PA 17101-1501; Pittsburgh, PA area
Duration: July 1, 1996—June 30, 1997
Contact: Connie G. Rode, (717) 787-3325

Mailing Services—28

SP288462 Provide courier services between Department of Public Welfare Complex 2 located on the grounds of the Harrisburg State Hospital and the Capitol Complex consisting of computer-generated material (e.g. MA/ID cards, Food Stamp ATPs). Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Room 233 Health and Welfare Building, P. O. Box 2675, Harrisburg, PA 17105-2675
Duration: 07-01-96—06-30-97
Contact: Lori Vessella, (717) 783-9281

Medical Services—29

3500-001 Perform specified polychlorinated biphenyl (PCB) and asbestos analyses, and report results to PennDOT within designated turn-around times. Also, the laboratory will provide specified sampling/collection materials, and provide for the delivery of samples from testing locations to the laboratory. The laboratory must be accredited by the U. S. EPA and OSHA for the specified applications. Technical specifications and associated bid documents will be available beginning May 6, 1996. FAX requests to Dorothy Irvin at (717) 783-7971.

Department: Transportation
Location: Bureau of Office Services, 9th Floor, State Street Building, 500 North Third Street, Harrisburg, PA 17101
Duration: July 1, 1996 through December 31, 1996
Contact: Dorothy Irvin, (717) 787-7997

9974 Hearing aid services for Warren State Hospital indigent patients. Contract period: 08/15/96—08/14/99. Complete specifications and other terms and conditions may be obtained by contacting the Hospital.

Department: Public Welfare
Location: Warren State Hospital, 33 Main Drive, North Warren, Warren County, PA 16365-5099
Duration: 08/15/96—08/14/99
Contact: BD Muntz, (814) 726-4496

MS-1-96 Consultant to provide training courses for hospital emergency departments on the evaluation and treatment of radiological contaminated injured individuals and training courses for Emergency Medical Services personnel who recover, provide initial first aid to, and transport radiation contaminated injured persons to designated medical treatment facilities.

Department: Pennsylvania Emergency Management Agency
Location: Various locations within the Commonwealth
Duration: 7/1/96—6/30/97 (Optional 2nd and 3rd years)
Contact: Maurice G. Hilliard, (717) 783-3966

PHYS-96 The Southeastern PA Veterans Center wishes to contract for an "on-call" physician to perform services in the absence of the Facility Physician due to sickness, vacations, etc.

Department: Military Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: 10/1/96—6/30/97
Contact: Theresa Barthel, Purchasing Agent, (610) 948-2493

Photography Services—32

A-2 The Pennsylvania Higher Education Assistance Agency is soliciting qualified vendors to provide raw microfilm, ink cartridges, cartridge ink refills, imprint ribbons, Kodak IMT-350 reader/printer toner, Kodak IMT-350 reader printer lamps and the processing and duplication of microfilm—16mm, 215' rolls. Vendors are required to provide a 24—48 hour turn around. Interested parties should contact the Purchasing Office at (717) 720-2702 for detailed requirements by no later than 12:00 noon, May 7, 1996.

Department: Higher Education Assistance Agency
Location: 1200 North Seventh Street, Harrisburg, PA 17102-1444
Duration: (2) Two years
Contact: Donna Orris, (717) 720-2702

Property Maintenance—33

FM-17429506 Contractor will furnish all labor, materials, equipment and appliances and perform all operations for the complete installation of new water filters as explained in these specifications for the Cherry Wood Building located on the campus of Harrisburg State Hospital, Harrisburg, PA. Complete specifications and drawings can be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Cherry Wood Building, Harrisburg State Hospital, Harrisburg, PA 17105
Duration: 06/01/96—09/30/96
Contact: Ed Blandy, (717) 772-4883

FM-17429505 Contractor will supply all labor, scaffolding, tools, equipment, and appurtenances to repair the brick and cornice at the Cherry Wood Building No. 33 Annex located at the campus of Harrisburg State Hospital, Harrisburg, PA. Service to include repointing brick mortar joints, installing new caulking in the stone coping joints, and installation of aluminum fascia and soffit. Complete specifications and drawings can be obtained by contacting the Procurement Office. Complete specifications and drawings can be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Cherry Wood Building No. 33, Harrisburg State Hospital, Harrisburg, PA 17105
Duration: 06/01/96—09/30/96
Contact: Ed Blandy, (717) 772-4883

Project No. DGS A 251-348 Project title: Roof Replacement. Brief description: reroofing of a one story PennDOT garage with a complete tearoff to metal deck and new flex membrane roof system, including 1/2 rigid insulation, metal edge, gutter and downspout. Removal of three rooftop items. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Bid date: Wednesday, May 22, 1996 at 11:00 a.m.

Department: General Services
Location: PennDOT Maintenance Garage, Pittsburgh, Allegheny County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 999-89 Project title: ADA Improvements—Railroad Museum of Pennsylvania. Brief description: alter existing Visitors' Center to comply with ADA requirements. Alterations include new doors, drinking fountain, sales counter and unisex toilet facility. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m.

Department: General Services
Location: Railroad Museum of Pennsylvania, Strasburg, Lancaster County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

FM-159 Furnish all labor, materials to remove snow, salting and cindering for the driveways and parking areas at the PA State Police, Milesburg Headquarters, I-80, Exit 23 on US-220 2.5 miles, Milesburg, PA 16853. Dates: 11/01/96 to 06/30/97; 11/01/97 to 06/30/98. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Milesburg Headquarters, I-80, Exit 23 on US-220 2.5 miles Milesburg, PA 16853
Duration: 11/01/96 to 06/30/98
Contact: Deshawn Lewis or Joan Berkoski, (717) 783-5484

KU 96-08 Kutztown University is interested in obtaining bids for the renovations in the basements of three buildings on campus: J. B. White House, Education and Communication Design. Scope of work includes but is not limited to: replacing shower and bathroom fixtures, new finished, new lighting and HVAC work. Interested contractors can obtain plans/specifications from: H2L2—Architects/Planners, Attn: Mr. Rudy Schaar, 714 Market Street, Philadelphia, PA 19106, telephone: (215) 925-5300 for a non-refundable fee of (\$50.00) fifty dollars. Specifications are available May 6, 1996. There will be a pre-bid meeting on May 16, 1996 at 10:00 a.m. Bids are due on May 29, 1996 by 2:00 p.m. and will be opened May 31, 1996 at 2:00 p.m. Late submissions will be returned un-opened.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: Approximately four (4) months after notice to proceed
Contact: Barbara Reitz, (610) 683-4132

Project No. 730 Installation of an oil/water separator to the effluent line from a washpad and the connection to an existing sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 1501 Allen Street, Allentown, Lehigh County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 731 Replacement of an oil/water separator on the effluent line from a washpad connecting to a sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 740 Avenue, Carbondale, Lackawanna County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 732 Installation of an oil/water separator to the effluent discharge line from a washpad and the connection to an existing sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 315 West Confederate Avenue, Gettysburg, Adams County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 733 Installation of an oil/water separator and connection of an effluent pipe to an existing sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, West College and North Central Avenue, Canonsburg, Washington County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 734 Installation of an oil/water separator and the connection of floor drains in an Organizational Maintenance Shop, and connection into existing sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 340 Harding Boulevard, Norristown, Montgomery County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 735 Installation of an oil/water separator to an effluent discharge line from a washpad and floor drains in an Organizational Maintenance Shop, and connect the effluent line to an existing sanitary sewer line.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 327 Frankstown Road, Altoona, Blair County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. 736 Installation of an oil/water separator to an existing effluent pipe running from a washpad to an existing sanitary sewer.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 490 East Main Street, Nanticoke, Lawrence County, PA
Duration: 1 July 96—30 June 97
Contact: Emma Schroff, (717) 861-8518

Project No. DGS A 199-58 Project title: Vehicle Storage Building. Brief description: construction of a four (4) bay garage building. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m.

Department: General Services
Location: Maintenance Area No. 4, Elm, Lancaster County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

Project No. DGS A 963-11 Project title: Roof Replacement. Brief description: remove existing shingle roofing down to existing deck and North and South clerestory windows, window sills, fascia and flashing at window sills as required. Install new underlayment wood decking, framing and shingle roofing, windows, gutters, downspouts, soffits, fascia, and sills, as required. Repoint and water proof brick areas as indicated. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m.

Department: General Services
Location: Scranton National Guard Armory, Scranton, Lackawanna County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Project No. DGS A 999-86 Project title: Restoration and Site Improvements. Brief description: exterior wood repairs including log replacements, new shingle roof and reconstructing existing corduroy road and new wood siding on storage building. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 29, 1996 at 11:00 a.m. A pre-bid conference has been scheduled for Thursday, May 9, 1996 at 1:00 p.m. in the Visitors' Center, Morton Homestead, Prospect Park, PA. Contact person: John Callan, telephone (717) 787-6242. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Morton Homestead, Prospect Park, Delaware County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

038 Site preparation and installation for 6 strand high tensile electric fencing around all or a portion of each timber sale at 5 locations located on the Wyoming State Forest. The sites are located (1) off Bear Wallow Road, Fox Township, Sullivan County, approximately 4620 ft. perimeter; (2) off Shanerburg Road, Shrewsbury Township, Sullivan County, approximately 4800 ft. perimeter; (3) off Shanerburg Road, Forks Township, Sullivan County, approximately 3960 ft. perimeter; (4) off Shanerburg Road, Forks Township, Sullivan County, approximately 6800 ft. perimeter; (5) off Camel Road, Fox Township, Sullivan County, approximately 6900 ft. perimeter. Prebid inspection May 14, 1996.

Department: Conservation and Natural Resources
Location: Wyoming Forest District No. 20, R. R. 2, Box 47, Bloomsburg, PA 17815
Duration: Beginning 5/1/96 through June 30, 1997
Contact: Richard Torsell, (717) 387-4255

SP039 Site preparation and installation of a fence around a timber sale located on the Sproul State Forest. The vendor will supply all materials necessary to construct the fence. The approximate perimeter distance is 7000 feet. The site is located in Burnside Township, Centre County. A second site has a perimeter of 5000 feet and is located in Chapman Township, Clinton County.

Department: Conservation and Natural Resources
Location: Sproul State Forest, Burnside Township, Centre County and Chapman Township, Clinton County
Duration: 6-1-96 to 9-30-96
Contact: Jeff Prowant, (717) 923-6011

204979 Provide bowling facility: vendor to provide as many bowling lanes as necessary to meet the quantities of residents that would be participating on the days and times specified. Bowling alley must be open to the public at the time of our attendance.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1996 through June 30, 1999, a period of three years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

204966 Window cleaning services: contract includes cleaning inside and outside surfaces of all exterior windows, all doors, storm windows, and front and rear entranceway glass. Vendor must visit site prior to bid opening.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: August 26, 1996 through September 30, 1996, a period of 5 weeks
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

204980 Provide swimming facility: vendor is to provide a swimming facility for approximately twelve (12) residents and three (3) staff on Wednesdays from 2:45 p.m. to 4:00 p.m., also provide one (1) certified lifeguard to be on duty throughout the residents' visit.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1996 through June 30, 1999, a period of three years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

Project No. DGS A 962-1 Project title: Exterior Renovations. Brief description: line gutters with rubber, replace deteriorated wood/stucco at dormers, repair soffits, replace wood windows. Paint exterior wood trim, windows and fire escapes. Work is limited to renovation to existing building. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m.

Department: General Services
Location: PA National Guard Armory, 14th and Caulder Streets, Harrisburg, Dauphin County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

Project No. DGS A 948-296 Project title: Improvements to Capitol Cafeteria. Brief description: install new flooring, new condiments station and new cash register stations. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for Wednesday, May 1, 1996 at 10:00 a.m. in the dining room, Room C-421, East Wing of the Capitol Building, Harrisburg, Pennsylvania. Contact person: Brendan Duffy, telephone (717) 783-1162. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Capitol Building, East Wing, Harrisburg, Dauphin County, PA
Duration: Physical construction start date—July 29, 1996; Proposed date of completion—August 30, 1996
Contact: Bidding Unit, (717) 787-6556

Sanitation—36

090-000205 To provide refuse and trash removal services from Fulton County Rest Area Sites "B" and "3" along I-70 in Bethel and Brush Creek Townships. Vendor to provide two (2) three-cubic-yard containers.

Department: Transportation
Location: 9-0, Fulton County, I-70 Rest Area Sites "B" and "3"
Duration: 10-01-96 through 09-30-97
Contact: Robert Noll or Mark Lingenfelter, (717) 485-3816

0450-001 To provide 9 portable toilets at various locations in Susquehanna County. Rental for one year period plus possible renewal or until Statewide contract is established.

Department: Transportation
Location: 4-5, Various Locations
Duration: 6/1/96—5/31/97 with renewals
Contact: William Benedict, (717) 278-1171

Security Services—37

304-005 Contractor to furnish security at the Reading State Office Building, 625 Cherry Street, Reading, PA. All work to be performed in a first-class manner in accordance with standards of the trade.

Department: General Services
Location: Buildings and Grounds, Reading State Office Building, 625 Cherry Street, Reading, PA 19602
Duration: July 1, 1996 through June 30, 1999
Contact: Marc Waxman, (717) 378-4185

Vehicle, Heavy Equipment and Powered Machinery Services—38

CD-31 Vendor to supply services for repairs and maintenance on five (5) forklifts and two (2) hand trucks for the Commodity Distribution Center for Fiscal Year July 1, 1996 and ending June 30, 1997. Vendor will indicate hourly rate for labor and cost for parts.

Department: General Services
Location: Bureau of Supplies and Surplus Operations, 2221 Forster Street, Harrisburg, PA
Duration: July 1, 1996 to June 30, 1997
Contact: Larry M. Davis, (717) 787-6148, ext. 3210

CF-12FS Vendor to supply services for repairs and maintenance on nine (9) forklifts and seven (7) hand trucks for the State and Federal Surplus Property Distribution Centers for the fiscal year July 1, 1996 and ending June 30, 1997. Vendor will indicate hourly rate for labor and cost for parts.

Department: General Services
Location: Bureau of Supplies and Surplus Operations, 2221 Forster Street, Harrisburg, PA
Duration: July 1, 1996 to June 30, 1997
Contact: Larry M. Davis, (717) 787-6148, ext. 3210

SP 140888 Provide rental of John Deere 490D excavator or Caterpillar 312 excavator with bucket capacity of at least .75 cubic yards with teeth compatible with digging in highly compacted and rocky soils.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Forest District 10, Sproul State Forest, Renovo, PA
Duration: Approximately 60 days
Contact: Corinna Gaiski, (717) 783-0760

1200-95-005 Fork lifts, tandem axle trucks, trailer mounted man lift device and portable mill mixer. All equipment and/or trucks will be leased with operators except forklifts. All information bid packets, specs are available from DOT, Room 110, North Gallatin Avenue, Extension, Uniontown, PA 15401 until May 16, 1996 at 10 a.m. 1996 Rental Equipment.

Department: Transportation
Location: District 12-0: Fayette, Greene, Washington and Westmoreland Counties
Duration: 7-1-96 to 12-31-96
Contact: Liberty Hill, (412) 439-7361

Project No. DGS A 997-9 Project title: ADA Improvements. Brief description: alter existing museum to comply with ADA requirements. Alterations include doors, metal gate, new unisex toilet room, gift shop and new concrete patio. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of Pennsylvania, Room 107, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, May 22, 1996 at 11:00 a.m.

Department: General Services
Location: Drake Well Museum, Titusville Vicinity, Venango County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Miscellaneous—39

X101393 Provide delivery of bulk water to a 1300 gallon tank for a residence located in Corsica, PA.

Department: Environmental Protection
Location: Corsica, PA
Duration: Through 6/30/97
Contact: Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

SWIF-4-96 Supply drinking water and hot/cold water coolers to State Workmen's Insurance Fund. Deliveries on a weekly or bi-weekly basis, as determined by SWIF.

Department: Labor and Industry

Location: State Workmen's Insurance Fund, 100 Lackawanna Avenue, Scranton State Office Building, Scranton, Lackawanna County, PA 18503

Duration: 07/01/96 to 06/30/97

Contact: Anne Kearney, Purchasing Agent, (717) 963-4614

204981 Provide piano maintenance: to provide maintenance service for eleven (11) upright and one (1) baby grand piano throughout the hospital complex. The maintenance service includes: the tuning of all eleven (11) upright and one (1) baby grand pianos and repairs if necessary. The service shall be done annually in the month of October for the shut-in months (November through March) use.

Department: Public Welfare

Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300

Duration: July 1, 1996 through June 30, 1999, a period of three years

Contact: Jack W. Heinze, Purchasing Agent, (717) 772-7435

[Pa.B. Doc. No. 96-752. Filed for public inspection May 3, 1996, 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 Maintenance: 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 #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
1015156-01	04/23/96	Central Lincoln Mercury, Inc.	21,867.00	2276115-02	04/23/96	Carman Supply and Equip. Co.	5,512.00
1103215-01	04/23/96	Aegis Floor Systems, Inc.	10,662.40	2280135-01	04/17/96	Seco/Therma Systems Corp.	81,856.18
1271115-01	04/23/96	Advanced Training Systems, Inc.	91,926.00	2280135-02	04/17/96	Todd Devin	3,744.00
1437215-01	04/23/96	Eastman Kodak	487,710.72	2281235-01	04/23/96	Webbs Super-Gro Prod., Inc.	18,984.70
1449115-01	04/23/96	Advanced Training Systems, Inc.	79,991.00	2285115-01	04/23/96	Deister Electronics USA, Inc.	16,890.00
1867215-01	04/17/96	Diskriter, Inc.	32,322.00	2312135-01	04/23/96	Heron Home Health	18,855.00
1889075-01	04/23/96	Abbott Laboratories	8,248.00	2327115-01	04/23/96	Mayer Industries, Inc.	97,606.00
2085115-01	04/23/96	Carnegie Equipment, Inc.	15,000.00	2355235-01	04/23/96	Advanced Training Systems	14,070.00
2110235-01	04/23/96	Deerfield Ag. and Turf Center, Inc.	17,999.00	2381125-01	04/23/96	Telesensory	5,669.00
2110235-02	04/23/96	ABC Groff, Inc.	22,995.00	2394115-01	04/17/96	Unisource Worldwide, Inc.	20,976.00
2130215-01	04/23/96	Tyson Fence Co., Inc.	101,318.00	2414225-01	04/23/96	Trumbull Industries	10,475.00
2166355-01	04/23/96	Phillips Ford Sales	51,384.00	2416315-01	04/23/96	Aerotron-Repro Systems, Inc.	5,064.00
2170355-01	04/23/96	Wayne Dodge/Ozzie's Ford	21,754.05	2476225-01	04/23/96	A. C. Miller	14,287.00
2178115-01	04/17/96	The Baase Company, Inc.	34,629.00	2487225-01	04/23/96	Moore's Lumber and Bldg. Sply.	7,888.68
2194215-01	04/23/96	McKesson Drug Company	43,722.78	2500235-01	04/17/96	Journal Publishing Co.	109,283.51
2211225-01	04/23/96	Phillips Ford Sales	42,240.00	2526155-01	04/23/96	Television Parts Co., Inc./dba/Micromax Business Systems	27,763.00
2212385-01	04/23/96	Philips Electronic Instruments Company	32,825.00	2529115-01	04/23/96	Sonco Fence	11,809.10
2213355-01	04/23/96	Wayne Dodge/Ozzie's Ford	109,105.25	2579155-01	04/23/96	Highland Gardens	2,095.00
2253215-01	04/23/96	Trew Company, Inc.	18,671.00	6850-04	05/01/96	Monarch Oil Co.	104,443.57
2276115-01	04/23/96	Telematic Co., Inc.	10,533.00	6850-04	05/01/96	Pitt Penn Oil Co.	64,252.76
				7313010-01	04/23/96	Bill Frederick	4,300.00
				7313350-01	04/17/96	Bunzl Reading, Inc.	220,680.00
				7530-13	05/01/96	PIBH	205,824.80
				8084980-01	04/23/96	Calico Industries, Inc.	6215.00
				8158880-01	04/23/96	Akzo Salt, Inc.	92,604.24

STATE CONTRACTS INFORMATION

2155

Requisition or Contract #	Awarded On	To	In the Amount Of
8231050-01	04/17/96	Walsh Equip- ment, Inc.	90,629.82
9905-09	05/01/96	Traffic Signal Co. of Wis- consin	31,875.50
9905-09	05/01/96	Stimsonite Corp.	1,915.00
9905-09	05/01/96	Circle Nut and Bolt Co.	4,800.00

Requisition or Contract #	Awarded On	To	In the Amount Of
9905-09	05/01/96	Carsonite In- ternational Corp.	290,590.00
9905-09	05/01/96	Green Line Products GARY E. CROWELL, <i>Secretary</i>	11,396.00

[Pa.B. Doc. No. 96-753. Filed for public inspection May 3, 1996, 9:00 a.m.]