



Volume 29 (1999)

Pennsylvania Bulletin
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PENNSYLVANIA BULLETIN

Volume 29

Number 20

Saturday, May 15, 1999 • Harrisburg, Pa.

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Workers' Compensation Special Funds
Assessments

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(Master Transmittal Sheet):**

No. 294, May 1999

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

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

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

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ISBN 0-8182-0004-9

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

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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PENNSYLVANIA BULLETIN

Volume 29

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Part II

This part contains the
Department of Labor and Industry's
Workers' Compensation Special Funds Assessments

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 5]

[EXECUTIVE ORDER NO. 1998-3, AMENDED]

Pennsylvania Greenways Partnership Commission

April 7, 1999

Whereas, under Article I, Section 27 of The Pennsylvania Constitution, the people have the right to the preservation of the natural, scenic, historic and aesthetic value of the environment; and

Whereas, Pennsylvania is blessed with a scenic beauty, a rich cultural heritage, and an environment of waterways, forests, farms, natural areas and open space lands; and

Whereas, a network of greenways across the State will help to preserve environmental values and protect these natural, cultural, historic and scenic assets for future generations; and

Whereas, a network of greenways across the State will enhance outdoor recreation opportunities; provide wildlife corridors and habitat; provide intermodal transportation options; stimulate our tourism industry; contribute to environmentally sensitive growth strategies; and improve the quality of life and livability of our neighborhoods, communities and regions; and

Whereas, developing a network of greenways requires the formulation of partnerships which include government agencies, nonprofit organizations, business interests and property owners; and

Whereas, the concept of creating greenway connections through public and private partnerships was addressed at the Governor's Conference on Greenways and Trails in April 1997 and creation of a Greenways Commission was a high priority of conference attendees.

Now, Therefore, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish The Pennsylvania Greenways Partnership Commission (hereafter referred to as "Commission") as hereinafter set forth:



Governor

Fiscal Note: GOV 99-3. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter QQQ. PENNSYLVANIA GREENWAYS PARTNERSHIP COMMISSION

§ 5.982. Composition and appointments.

(a) The Pennsylvania Greenways Partnership Commission (Commission) consists of 22 individuals who are appointed by and serve at the pleasure of

the Governor. The membership of the Commission shall reflect a cross section of greenway interests and the geographic diversity of the Commonwealth.

(1) The Commission shall be comprised of the Secretary of the Department of Conservation and Natural Resources (DCNR), the Secretary of the Department of Transportation (PennDOT), the Secretary of the Department of Environmental Protection (DEP) and one representative from each of the following organizations:

- (i) The Pennsylvania Environmental Council.
- (ii) The Conservation Fund.
- (iii) The Pennsylvania Rails-to-Trails Conservancy.
- (iv) The Pennsylvania Recreation and Parks Society.
- (v) The Pennsylvania Planning Association.
- (vi) The Pennsylvania Chamber of Business and Industry.
- (vii) The Pennsylvania Land Trust Association.
- (viii) The Pennsylvania Heritage Parks Association.
- (ix) The Pennsylvania Recreational Trails Advisory Board.
- (x) The National Parks Service.

(2) The remaining nine members of the Commission will be selected from a diversity of greenway interests.

(b) The Secretary of DCNR and the Secretary of PennDOT shall serve as the Commission's chairs for 1 year, after which time, the Governor will select a chair or cochairs or extend the term of the existing cochairs.

(c) DCNR, PennDOT and DEP shall be the primary State agencies for the planning and coordination of the Commission and shall provide administrative support services.

(d) Each Commission member may designate an alternate to represent him on the Commission.

§ 5.983. Functions and scope.

The Pennsylvania Greenways Commission (Commission) will advise and assist the Secretaries of the Department of Conservation and Natural Resources, Department of Transportation and Department of Environmental Protection in carrying out the following responsibilities:

(1) Developing an action plan for advancing a Pennsylvania greenways partnership program into the 21st century. This action plan will include related recommendations from the 21st Century Environment Commission.

(2) Pursuing the creation of partnership opportunities to plan, implement, maintain and fund a greenways network for this Commonwealth.

(3) Maintaining an inventory, catalog and map of the network of greenways and trails in this Commonwealth.

(4) Exploring creative financial and technical assistance programs and strategies to benefit the creation and sustainability of State and local greenway efforts.

(5) Researching and identifying "best practices" of existing greenways efforts within this Commonwealth and other states.

(6) Creating a Statewide clearinghouse system for collecting, maintaining and disseminating materials on greenways and trails legal, design and mapping information.

(7) Developing a public education, outreach and coalition building strategy (including local government) for greenways and trails.

(8) Developing strategies for incorporating greenways opportunities into Federal, State and local planning efforts dealing with issues such as land use/smart growth, open space preservation, watershed protection, natural areas protection, heritage conservation, recreation, tourism development, intermodal transportation systems and brownfields development.

(9) Coordinating existing State agency initiatives dealing with the Pennsylvania Public Utility Commission, disposition of crossing structures and existing funding programs.

§ 5.984. State agency coordination.

All State agencies shall cooperate with and provide assistance as needed to the Pennsylvania Greenways Partnership Commission (Commission) in performing its mission and functions. The following State agencies shall designate a liaison to the Commission who will serve as the coordinator of greenway-related activities and primary contact for the Commission:

- (1) Department of Agriculture.
- (2) Department of Community and Economic Development.
- (3) Department of Education.
- (4) Fish and Boat Commission.
- (5) Game Commission.
- (6) Department of Health
- (7) Historical and Museum Commission.
- (8) Pennsylvania Public Utilities Commission.

[Pa.B. Doc. No. 99-779. Filed for public inspection May 14, 1999, 9:00 a.m.]

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 1992-2]

Pennsylvania Rural Development Council

March 29, 1999

Whereas, maintaining and expanding opportunities for rural communities and their residents is of great importance to all Pennsylvanians and is vital to the Commonwealth; and

Whereas, the formation of State rural development councils has been encouraged by the Federal government in order to improve the coordination and effectiveness of Federal, State, local and other programs, services and actions affecting rural areas under Section 607(b) of the Rural Development Act of 1972 as amended by Section 759A of the Federal Agriculture Improvement and Reform Act of 1996; and

Whereas, the Pennsylvania Rural Development Council was originally constituted on April 6, 1992, through the execution of a Memorandum of Understanding between the Commonwealth of Pennsylvania and the United States Department of Agriculture (the April 6, 1992, Memorandum of Understanding was subsequently superseded by an additional Memorandum of Understanding dated November 11, 1994); and

Whereas, the Pennsylvania Rural Development Council was constituted to serve as a neutral forum where representatives of the private and nonprofit sectors and of all government agencies—local, State and Federal—can address issues of concern to the rural areas of the Commonwealth.

Now, Therefore, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby formally create within the Governor's Executive Offices, the Pennsylvania Rural Development Council (hereinafter referred to as the "Council") as an

advocate for rural Pennsylvanians and do hereby order and direct as follows:



Governor

Fiscal Note: GOV 99-2. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter B. PENNSYLVANIA RURAL DEVELOPMENT COUNCIL

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6.15.	Relationship with other agencies.

§ 6.11. Purposes and goals.

The purposes and goals of the Pennsylvania Rural Development Council (Council) are to:

(1) Build and foster inclusive, collaborative partnerships and networks of diverse individuals and organizations to improve the coordination and effectiveness of Federal, State and other programs, services and actions affecting rural areas in this Commonwealth. To this end, the Council will serve as a liaison to Federal, State and local government agencies to ensure that programs affecting rural Pennsylvanians are effectively utilized and that benefits are available to all rural citizens.

(2) Foster expanded economic and social opportunities for this Commonwealth's rural residents. In this regard, the Council and its partners will identify opportunities for and impediments to the expansion and develop strategies for taking advantage of opportunities and overcoming impediments. The Council will develop, review and recommend policies to the Governor to promote expanded economic and social opportunities for rural Pennsylvania.

(3) Serve as a vehicle for collective advocacy on behalf of this Commonwealth's rural communities and their residents.

(4) Promote intergovernmental cooperation.

(5) Promote community-based problem-solving strategies which include the ideas, resources and expertise without regard to traditional distinctions among units, agencies or levels of government. Further, these strategies anticipate inclusion in the problem-solving process, individuals, organizations and agencies with contributions to make for the advancement of the common good.

(6) Advise the Governor, agencies, organizations and other entities on issues affecting rural communities and their residents.

(7) Serve as a resource for private and nonprofit organizations on rural issues, programs and available sources of technical and financial assistance.

§ 6.12. Composition.

(a) The Pennsylvania Rural Development Council (Council) will be governed by a Board of Directors comprised of 30 members, with six each representing the private sector, the nonprofit sector, local government agencies, State government agencies and Federal government agencies. The

Governor will consult with the Board of Directors prior to appointing an individual to serve as Executive Director of the Council. Members of the Board of Directors and the Executive Director will be appointed by and serve at the pleasure of the Governor. Members of the Board of Directors may continue to serve in their positions only so long as they are a member of the group from which they were chosen.

(b) The Executive Director will supervise and direct the staff of the Council and prepare an annual report on the Council's activities.

§ 6.13. Responsibilities.

(a) The Board of Directors is authorized to:

(1) Recommend and implement the Pennsylvania Rural Development Council's (Council's) annual budget.

(2) Adopt an annual work plan.

(3) Adopt procedures and guidelines, consistent with the Commonwealth's Management Directives and policies, as may be necessary for the effective operation of the Council.

(4) Adopt statements on issues of concern to rural Pennsylvanians.

(5) Direct the work of the Executive Director and of the Council's committees, task forces and working groups.

(6) Take other actions necessary to carry out the purposes and goals of the Council.

(b) The Board of Directors is authorized to establish subcommittees, rules and procedures for the effective implementation of its functions consistent with this subchapter and with Commonwealth policy and procedure.

(c) The Council may conduct other activities necessary to carry out its purposes and goals.

§ 6.14. Compensation.

Members of the Pennsylvania Rural Development Council do not receive compensation for their services. The members may be reimbursed for actual travel and related expenses in accordance with Commonwealth policy.

§ 6.15. Relationship with other agencies.

(a) The Pennsylvania Rural Development Council (Council) will seek to develop good working relationships with Federal and local government agencies so that the Council's mission to promote intergovernmental cooperation and coordination may be achieved to the greatest extent possible.

(b) Agencies under the Governor's jurisdiction shall fully cooperate with and provide assistance as needed by the Council in performing its functions.

[Pa.B. Doc. No. 99-780. Filed for public inspection May 14, 1999, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

YORK COUNTY

Rule 6035, Termination of Inactive Cases; No. 99 MI 00125

Administrative Order

And Now, to wit, this 30th day of April, 1999, it is Ordered that Rule 6035 Termination of Inactive Cases suspended by Administrative Order dated June 9, 1998, is hereby rescinded and the following adopted and promulgated effective June 1, 1999 as: Rule 6035 Termination of Inactive Cases:

(a) All civil cases filed in this court, except as provided in (a) (1), (2), and (3), which shall not have been reduced to judgment or final order, and in which no action has been taken for a continuous period of two (2) years or more and which lack any docket activity for the same period of time or more, preceding the end of each calendar year, shall be terminated as herein provided, in accordance with Pa.R.J.A. 1901.

(1) In condemnation proceedings in which payment of damages into court by the condemnor has been made, the proceedings shall not be terminated for a period of six (6) years, commencing from the date of such payment;

(2) In all divorce proceedings, the cases shall not be terminated for a period of five (5) years, commencing from the date of last docket activity;

(3) All support and custody proceedings shall be governed by the provisions set forth in Rule 1915.1, et seq.

(b) On a quarterly basis throughout the calendar year, the Prothonotary shall furnish to the District Court Administrator a list of all cases which have become inactive cases as herein defined as of the close of the preceding quarter.

(c) Such list shall set forth for each such case:

(1) The docket number, and type of action;

(2) The name and address of counsel of record for each party;

(3) The name and address of each party for whom there is no counsel of record; and

(4) The date of the last action taken of record therein.

(d) The District Court Administrator shall give notice of all such cases by ordinary mail, postage prepaid, to the last address of record of counsel of record for each party; the parties for whom there is no counsel of record; the Prothonotary's office; and all opposing counsel. Service of this notice by publication will only be utilized if the attempted mailing was returned undelivered.

(e) The parties of record shall have 30 days from the date of the notice of termination to file a written objection with the Prothonotary setting forth the due diligence of prosecution during the two years of docket inactivity and all compelling reasons for the delay. The objecting party shall also serve a copy of the objection upon all opposing counsel. All other parties of record shall have 30 days to file a reply to the objection to termination, averring that prejudice has occurred and that the matter should be terminated, by serving a copy upon the Prothonotary and all parties.

(f) The matter will be disposed of as follows:

(1) If no written objection to the termination notice is filed within 30 days, the matter will be summarily dismissed in accordance with Pa.R.J.A. 1901.

(2) If an objection to termination is filed, and no reply is filed within 30 days by any party of record, the matter shall be returned to active status for a period of one year.

(3) If an objection to termination is filed, and a reply is filed by any party, the parties are directed to proceed in accordance with Local Rule 6034.

By the Court

JOHN C. UHLER,
President Judge

[Pa.B. Doc. No. 99-781. Filed for public inspection May 14, 1999, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 260a]

Hazardous Waste

[Correction]

An error occurred in the Department's hazardous waste amendments published at 29 Pa.B. 2367, 2385 (May 1, 1999). The date in § 260a.30(2) (relating to variances from classification as a solid waste) was listed incorrectly).

The correct version of § 260a.30(2) appears in Annex A, with ellipses referring to the existing text of the regulation.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VII. HAZARDOUS WASTE MANAGEMENT

CHAPTER 260a. HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

§ 260a.30. Variances from classification as a solid waste.

The coproduct transition scheme is as follows:

* * * * *

(2) To qualify under paragraph (1), a person producing, selling, transferring, possessing or using a material as a coproduct not exempt from regulation under other provisions of this article shall submit by August 13, 1999, a written notification to the Department that the exemption in paragraph (1) applies to the person's activity.

[Pa.B. Doc. No. 99-744. Filed for public inspection April 30, 1999, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 139]

Deer Damage Areas

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 9, 1999, meeting, adopted the following changes:

Add § 139.16 (relating to deer damage areas) which provides regulatory language for the enrollment and participation of certain landowners in the Deer Damage Areas Program as designated by the Executive Director.

This amendment is adopted under the authority of 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

1. Introduction

To more effectively manage the wildlife resources of this Commonwealth, the Commission at its January 12, 1999, meeting proposed, and at its April 9, 1999, meeting finally adopted adding § 139.16. The adopted section establishes conditions and procedures for designating deer damage areas where antlerless deer may be taken during the antlered deer season. Currently, the authorization to take an antlerless deer during the antlerless deer season on designated deer damage areas is established as part of the seasons and bag limits, § 139.4 (relating to seasons and bag limits for the license year), with no formal procedures for designating these areas. The provision, which was adopted under authority contained in section 2102 of the code (relating to regulations), would remedy this defect.

2. Purpose and Authority

Some years ago, the Commission authorized as part of the seasons and bag limits the taking of an antlerless deer during antlered deer season with the appropriate license on areas suffering severe agricultural damage. Requirements and procedures to be followed to establish deer damage areas were never promulgated as regulations. Since the program has been accepted by the agricultural and hunting communities, the current adoption remedies this situation.

Section 2102 of the code authorizes the Commission to promulgate regulations relating to seasons and bag limits and game and wildlife. This section provides the authority for the current adoption.

3. Regulatory Requirements

The adopted regulation formally establishes qualifications and procedures which have been informally followed for some time. The main requirement for land to be designated as a deer damage area is that it be enrolled in the Commission cooperative farm game program or safety zone program.

4. Persons Affected

Landowners or lessees of farmland and hunters who wish to hunt on this land would be affected by this adoption.

5. Comment and Response Summary

No written comments were received with regard to the adopted provision.

6. Cost and Paperwork Requirements

Application to be designated as a deer damage area can be made either in writing or by telephone. Signs furnished by the Commission shall be posted on lands so designated. Because of low volume, the Commission anticipates that the cost of application and signs will be fairly small.

7. Effective Dates

The adopted regulation will be effective on publication of final adoption in the *Pennsylvania Bulletin* and will remain in effect until modified or rescinded by the Commission.

8. Contact Person

For further information or to comment on the adopted regulation contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

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

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

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by adding § 139.16 to read as set forth at 29 Pa.B. 1397 (March 13, 1999).

(b) The Executive Director of the Commission shall submit this order and 29 Pa.B. 1397, and deposit them with the Legislative Reference Bureau as required by law.

(c) This order adding § 139.16 shall become effective upon final publication in the *Pennsylvania Bulletin*.

DONALD C. MADL,
Executive Director

Fiscal Note: Fiscal Note 48-107 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 99-782. Filed for public inspection May 14, 1999, 9:00 a.m.]

**[58 PA. CODE CH. 143]
Hunting and Furtaker Licenses**

[Correction]

An error appeared in 58 Pa. Code § 143.84 as it appeared at 29 Pa.B. 2458, 2459 (May 8, 1999). The correct version appears in Annex A.

Annex A

**TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 143. HUNTING AND FURTAKER
LICENSES**

**Subchapter E. FLINTLOCK (MUZZLELOADER)
DEER LICENSES**

§ 143.84. Application.

(a) Application may be made when purchasing a regular hunting license, or any time prior to August 31, upon presentation of the regular hunting license.

(b) A collector may, upon completing an application, purchase a muzzleloading firearm deer season license only after the close of the special flintlock season and is not bound by the procedures in this section.

[Pa.B. Doc. No. 99-750. Filed for public inspection May 7, 1999, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 175]

**Vehicle Equipment and Inspection; Postponement
of Effective Date for Recent Amendments**

The Department of Transportation, Bureau of Motor Vehicles, originally adopted amendments to Chapter 175 (relating to vehicle equipment and inspection) at 28 Pa.B. 5670 (November 14, 1998).

The effective date for these amendments is May 13, 1999. The Department of Transportation, at 29 Pa.B. 2460 (May 8, 1999), postponed indefinitely portions of the regulations relating to use and inspection of mirrors and bumpers on passenger cars and light trucks and mirrors, bumpers and exhaust systems on medium and heavy trucks.

Additionally, sections which will be postponed indefinitely are:

§ 175.105(b)(5)(ii) and (iii)

§ 175.110(d)(6)(viii)(B) and (C)

The effective date of the amendment to § 175.110(d)(7) which deleted the following language:

“It is not necessary to remove the wheel and front assembly if there is a removable braking plate that allows an examination of the brake system.”

All other provisions of the equipment and inspection regulations that were scheduled to go into effect on May 13, 1999, will continue to do so.

Interested persons are invited to submit written comments, suggestions or objections regarding the changes in effective dates to Thomas J. Zamboni, Vehicle Inspection Division, 1101 South Front Street, Harrisburg, PA 17104, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-783. Filed for public inspection May 14, 1999, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CHS. 131 AND 135]

Field Acknowledgment of Guilt; Controlled Goose Hunting

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 9, 1999, meeting proposed the following amendments:

Add § 131.7 (relating use of the field acknowledgment of guilt in Philadelphia County) to allow district wildlife conservation officers to accept penalties for guilty pleas with the field acknowledgment of guilt, therefore assuring that the penalties will be deposited in the Game Fund.

Amend Chapter 135, Subchapter F (relating to special wildlife management areas) to allow the administration of special wildlife management areas at Middle Creek and Pymatuning to more efficiently manage these areas as well as provide more opportunities to hunters and trappers.

These proposed amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa. Code (relating to Game and Wildlife Code) (code).

These proposals were made public at the April 9, 1999, meeting of the Commission, and comments on these proposals can be sent to the Executive Director of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until May 31, 1999.

Proposed Addition of § 131.7

1. Introduction

To more effectively administer the code, the Commission at its April 9, 1999, proposed adding § 131.7. This addition was necessitated by and proposed as a result of changes to section 926 of the code (relating to acknowledgment of guilt and receipt for payment) made by the act of December 21, 1998 (P. L. 1274, No. 166) (Act 166).

2. Purpose and Authority

Act 166 added a subsection (d) to section 926 of the code which reads as follows:

(d) *Limitations of acknowledgments of guilt.* On and after June 30, 1999, acknowledgments of guilt pursuant to this section shall be used only in such counties as the commission may designate by regulation for such use. The commission shall only designate such counties for continued use of field acknowledgment as it finds to have summary offense procedures that differ from Statewide summary offense procedures.

The Commission has determined that there is only one county that currently fits that description—Philadelphia County. As a result, the Commission has proposed to designate Philadelphia County for continued use of field acknowledgments of guilt on and after June 30, 1999.

3. Regulatory Requirements

The proposed designation does not change anything from what currently exists in Philadelphia County.

4. Persons Affected

Individuals violating the code in Philadelphia County could be affected by the proposed designation.

5. Cost and Paperwork Requirements

None, over what currently exists.

6. Effective Date

This proposed change would be effective June 30, 1999, and would remain in effect until changed by the Commission.

Proposed Amendment of Chapter 135, Subchapter F

1. Introduction

To better administer the special wildlife management areas at Middle Creek and Pymatuning, the Commission at its April 9, 1999, proposed making several changes to Subchapter F. The changes include a provision for the issuance of trapping permits by drawing in addition to the current first-come issuance; provisions changing the application deadlines and drawing dates for controlled goose hunting area blinds, a reduction in the goose limit in the controlled goose hunting areas at the Middle Creek Wildlife Management Area (MCWMA); a reduction in the number of controlled duck hunting area blinds at Pymatuning Wildlife Management Area (PWMA); and a provision for a designee to set dates for drawings of permits for special rabbit and squirrel hunts. This proposal is made under the authority contained in section 721(a) of the code (relating to control of property).

2. Purpose and Authority

The administration of the special wildlife management areas at MCWMA and PWMA is a dynamic process which sometimes requires adjustments to procedures. The providing of an option for the random drawing of names of applicants for trapping permits and adjustment of timing of the random drawing of applications for goose blinds should make the processes more efficient and fairer. It has also been decided that the bag limit in the controlled goose hunting areas at MCWMA should be reduced from two to one and that the number of permits to hunt in the controlled duck hunting areas PWMA should be reduced from 185.

Finally, the Commission is proposing that the Executive Director be authorized to delegate the setting of the dates for drawing of applications for permits to participate in special rabbit and squirrel hunts in controlled hunting areas of MCWMA. These changes are being proposed under authority contained in section 721(a) of the code which requires the Commission to promulgate regulations necessary to properly manage State game lands.

3. Regulatory Requirements

For the most part, the proposals involve changes to procedures with no additional requirements. The bag limit in the controlled goose hunting areas at the MCWMA and the number of permits to hunt ducks in the controlled duck hunting area of the PWMA will be reduced.

4. Persons Affected

Persons wishing to engage in the specified activities at the PWMA and MCWMA may be affected by the proposed changes.

5. Cost and Paperwork Requirements

The proposed changes would not result in any additional cost or paperwork.

6. Effective Date

These proposed changes would be effective on final publication in the Pennsylvania Bulletin and would remain in effect until changed by the Commission.

Contact Person

For further information on the proposed changes, contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

DONALD C. MADL, Executive Director

Fiscal Note: 48-110. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 55. RECREATION

PART III. GAME COMMISSION

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.7. Use of the field acknowledgment of guilt in Philadelphia County.

The field acknowledgment of guilt may be used by district wildlife conservation officers to accept penalties on guilty pleas for summary violations of the act and its attendant regulations in Philadelphia County for both resident and nonresident offenders.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

§ 135.102. Controlled goose and controlled duck hunting areas.

The registration for controlled goose hunting areas:

* * * * *

(b) Trapping.

(1) General. Trapping permits will be issued on a first-come, first-served basis or by drawing until the quota, established by the Director or a designee, has been filled.

* * * * *

§ 135.103. Registration for controlled goose hunting areas.

The registration for controlled goose hunting areas:

* * * * *

(2) Reservation requests on official application forms shall be submitted by mail. [An application received later than September 10 will be rejected.] An application shall contain requested information, including the applicant's current valid hunting license back tag number, including letter.

(i) Middle Creek Wildlife Management Area. Applications shall be received by the close of business on the second Tuesday in August. Applications received later than the close of business on the second Tuesday in August will be rejected.

(ii) Pymatuning Wildlife Management Area. Applications shall be received by the close of business on

the second Saturday in September. Applications received later than the close of business on the second Saturday in September will be rejected.

* * * * *

(4) Selections of mailed application forms will be made by random drawing from all eligible applications submitted. [The drawing will be held on the first Saturday following September 10 at the registration center and shall be open to the public.] The Director will establish, no later than 20 days prior to the drawing, the number of applications to be drawn.

(i) Middle Creek Wildlife Management Area. The drawing will be held on the second Wednesday in August and shall be open to the public.

(ii) Pymatuning Wildlife Management Area. The drawing will be held on the third Saturday in September and shall be open to the public.

(iii) * * *

[(ii)] (iv) * * *

* * * * *

§ 135.104. Restrictions on controlled goose hunting areas.

It is unlawful to:

* * * * *

(9) Take more than one goose per person [except at the Middle Creek Wildlife Management Area where the limit will be two as provided in § 141.26 (relating to early Canada goose hunting season on Middle Creek Wildlife Management Area)]. Duck limits shall conform with Chapter 139 (relating to seasons and bag limits) and 50 CFR Part 20 (relating to migratory bird hunting).

§ 135.106. Pymatuning Wildlife Management Area.

* * * * *

(b) The following apply to reservations for the controlled duck hunting area:

(1) Reservations will be made on each designated shooting day at the registration center. Hunting is limited to [100] 85 hunters at one time on the two areas combined. Reservations will be issued on a first-come, first served basis if there are [100] 85 hunters or less [making application] applying at the registration center and 1 1/2 hours prior to the opening hunting hour. If there are more than [100] 85 applicants present, a drawing shall be held to determine to whom the [100] 85 permits are issued.

* * * * *

§ 135.107. Middle Creek Wildlife Management Area.

* * * * *

(c) The following apply to special rabbit and squirrel hunts on the controlled hunting areas:

* * * * *

(2) A drawing will be conducted at the visitor center to determine successful applicants on dates designated by the Director or a designee.

* * * * *

[Pa.B. Doc. No. 99-784. Filed for public inspection May 14, 1999, 9:00 a.m.]

[58 PA. CODE CH. 141]**Hunting Hours**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 9, 1999, meeting, proposed the following amendments:

Amend § 141.4 (relating to hunting hours) to allow the hunting of mourning doves the entire day during the 1999-2000 hunting season; and § 141.26 (relating to early Canada goose hunting season on Middle Creek Wildlife Management Area) to allow the controlled area at Middle Creek to be opened during both an early and regular season.

These proposed amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposal is 34 Pa.C.S. (relating to Game and Wildlife code) (code).

This proposal was made public at the April 9, 1999, meeting of the Commission, and comments on this proposal can be sent to the Executive Director of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until May 31, 1999.

*Proposed Amendment to § 141.4***1. Introduction**

To more effectively manage the wildlife resources of this Commonwealth, the Commission, at a meeting held on April 9, 1999, proposed a change to § 141.4 to expand the hunting hours for hunting mourning doves. This change was proposed under sections 322(c)(1) and 2102(a) of the code (relating to powers and duties of the Commission; and regulations).

2. Purpose and Authority

The current § 141.4(1) provides that mourning doves may be hunted from noon to sunset during the first season. It appears that mourning dove populations are sufficient to permit full hunting days during the first season. The proposed change would allow this.

Section 322(c)(1) of the code empowers the Commission to fix daily shooting or taking hours. Section 2102(a) of the code authorizes the Commission to promulgate regulations relating to the hunting of game or wildlife in this Commonwealth. The proposed change would be adopted under this authority.

3. Regulatory Requirements

The proposed change would not result in any additional regulatory requirements but rather would relax current requirements.

4. Persons Affected

Individuals wishing to hunt mourning doves would be affected by the proposed change.

*Proposed Amendment to § 141.26***1. Introduction**

To effectively manage the wildlife resources of this Commonwealth, the Commission at its April 9, 1999, meeting proposed changing § 141.26 to provide for goose hunting in both the early and regular seasons in the controlled area of Middle Creek Wildlife Management Area (MCWMA). This change was proposed under sections 322(c)(1) and 2102(b)(1) of the code.

2. Purpose and Authority

The Commission is required to set hunting and furtaking seasons and bag limits on an annual basis. Section 322 of the code specifically empowers the Commission to fix seasons for any species of game or wildlife. Section 2102(b) of the code mandates that the Commission promulgate regulations relating to seasons and bag limits.

Because of concerns about the migratory populations of Canada geese, the United States Fish and Wildlife Service will probably approve a very short regular Canada goose season in this Commonwealth. At the same time, the population of resident Canada geese has dramatically increased, resulting in numerous nuisance geese complaints. Authorizing goose hunting during both the regular and early seasons in the controlled goose hunting area of MCWMA should help to resolve this dilemma.

3. Regulatory Requirements

The proposed change will relax current regulatory requirements.

4. Comment and Paperwork Requirements

Persons wishing to hunt geese at MCWMA would be affected by the change.

5. Cost and Paperwork Requirements

The proposed changes will not result in any additional cost or paperwork, either to the Commission or to hunters.

6. Effective Date

The proposed changes would be effective on final publication in the *Pennsylvania Bulletin* and would remain in effect until changed by the Commission.

7. Contact Person

For further information on the proposed changes contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

DONALD C. MADL,
Executive Director

Fiscal Note: 48-111. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART III. GAME COMMISSION****CHAPTER 141. HUNTING AND TRAPPING****Subchapter A. GENERAL****§ 141.4. Hunting hours.**

During open hunting seasons, wild birds and animals may be taken 1/2 hour before sunrise to sunset unless further restricted.

(1) [**Mourning doves may be hunted from 12 noon to sunset from the first opening date through the first closing date.**

(2)] * * *

[(3)] (2) * * *

[(4)] (3) * * *

Subchapter B. SMALL GAME**§ 141.26. Early Canada goose hunting season on Middle Creek Wildlife Management Area.**

[**In lieu of fall season**] During an early Canada goose season, the following apply:

(1) *Opening of controlled hunting area.* In years when the United States Fish and Wildlife Service [**does not authorize**] **authorizes** a regular fall Canada goose hunting season, [**but does authorize**] **and** an early Canada goose hunting season, the Director may open the controlled hunting area at Middle Creek Wildlife Management Area for **early** Canada goose hunting. When the controlled hunting area is open during an early Canada goose hunting season, the closed areas in Lebanon and Lancaster Counties, as defined in § 141.25(a)(2) (relating to early and late goose hunting seasons) do not apply.

(2) *Registration for Middle Creek controlled goose hunting area, early season and description.*

(i) Section 135.103 (relating to registration for controlled goose hunting areas) [**applies, except that applications will be accepted through the second Saturday in August and a public drawing will be held at the registration center at 10 a.m. on the second Saturday in August**] **applies.**

* * * * *

(3) *Bag limits.* The bag limit in the controlled area of Middle Creek Wildlife Management Area is [**two geese**] **one goose.**

[Pa.B. Doc. No. 99-785. Filed for public inspection May 14, 1999, 9:00 a.m.]

**[58 PA. CODE CH. 135]
Use of ATVs on State Game Lands**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 9, 1999, meeting, proposed the following amendment to Chapter 135, Subchapter C (relating to State game lands) by adding eight new sections to allow the use of all-terrain vehicles (ATVs) on designated State game land roads for persons who hold a valid disabled person permit to hunt from a vehicle.

These proposed regulations will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposal is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposal was made public at the April 9, 1999, meeting of the Commission, and comments on this proposal can be sent to the Executive Director of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until May 31, 1999.

Proposed Amendments to Chapter 135, Subchapter C

1. *Introduction*

To expand recreational opportunities for sportsmen holding disabled permits, the Commission at a meeting held on April 9, 1999, proposed to add §§ 135.49—135.56. This proposed action would be taken under the authority in section 721(a) of the code (relating to control of property).

2. *Purpose and Authority*

As a result of meetings held between representatives the Commission and representatives of disabled sportsmen, the Commission has decided to propose limited use of ATVs on designated game lands roads by holders of disabled person permits. This would expand accessibility

for disabled sportsmen and provide them with more recreational opportunities. The use of ATVs would be restricted to protect wildlife responses. Section 721(a) of the code requires the Commission to promulgate regulations necessary to properly manage State game lands.

3. *Regulatory Requirements*

This proposal would expand opportunities for hunters with disabilities.

4. *Persons Affected*

Persons holding disabled person permits would have expanded hunting opportunities. Because of limitations, it is anticipated that impact on other hunters would be minimal.

5. *Cost and Paperwork Requirements*

A towing vehicle placard would be required and issued free of charge. This would be the only additional requirement.

6. *Effective Date*

These proposed regulations would be effective on final publication in the *Pennsylvania Bulletin* and would remain in effect until changed by the Commission.

7. *Contact Person*

For further information on the proposed regulations, contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

DONALD C. MADL,
Executive Director

Fiscal Note: 48-112. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.49. Scope.

Sections 135.50—135.56 regulate the use of ATVs on State game lands by disabled persons.

§ 135.50. Definitions.

The following words and terms, when used in this section and §§ 135.49 and 135.51—135.56, have the following meanings, unless the context clearly indicates otherwise:

ATV—All-terrain vehicle—A motorized vehicle as defined in 75 Pa.C.S. § 7702(1)—(3) (relating to definitions).

Designated roads—State game land access or maintenance road that have been declared open to disabled persons using ATV's by the Director.

Permitted person—A person who qualifies for and is in possession of a permanent Disabled Person Permit to use a vehicle as a blind issued by the Commission and who possesses a valid hunting license.

Universal access symbol—A placard on which is displayed a wheelchair, generally blue and white in color that is recognized worldwide as evidence that the person who is displaying the symbol is disabled.

Towing vehicle placard—A placard provided by the Commission to permitted persons that shall be displayed on the dashboard or in a window of a vehicle.

§ 135.51. Designated roads on State game lands open to ATVs.

State game land roads that will be open for use by permitted persons operating ATVs will be designated by the Director. The Commission will make a list of these open roads available to the permittee, and will provide the list by mail to a permitted person that has applied for a towing vehicle placard.

(1) The Director, or a designee, may close State game lands or portions thereof, to recreational or other uses, when the specified uses may be or has become detrimental to those lands or the flora or fauna thereon, or where the uses conflict with legal hunting, furtaking or fishing activities or the Commission's management or administration of State game lands. The closure may be seasonal or year-round and shall remain in effect until the Director, or a designee, removes the restrictions.

(2) Designated roads shall be open for use by permitted persons from 14 days prior to the opening day of the archery season to the closing day of the late muzzleloader/archery season and during the spring turkey season.

§ 135.52. Towing vehicle placard.

(a) A permitted person may apply for a towing vehicle placard on a form provided by the Commission.

(b) The towing vehicle placard shall be displayed on the dashboard or in a window of the towing vehicle when the towing vehicle is parked on State game lands.

§ 135.53. Operation of ATVs on designated state game land roads by permitted persons.

Permitted persons may operate an ATV on designated State game land roads under the following conditions:

(1) The ATV is operated at a speed not to exceed 10 mph.

(2) A universal access symbol for the disabled, at least 3 inches by 3 inches in size is displayed in a prominent place on the ATV while on State game lands.

(3) The ATV is registered with the Department of Conservation and Natural Resources and is displaying the valid decal as required under 75 Pa.C.S. § 7712(a) and (b) (relating to registration of snowmobiles and registration and issuance of certificates of title for ATVs).

(4) The ATV is equipped with a fully functional spark arrestor while operating on State game lands.

§ 135.54. Areas of operation and passengers.

(a) A permitted person may traverse a maximum of 100 yards perpendicular from the nearest road edge to establish a hunting location but may not traverse streams, springs, wet areas or food plots or other areas posted against travel.

(b) When a permitted person is incapable of operating an ATV, the person may be accompanied by one other person who is the operator, if the ATV is designed to carry a passenger.

(c) Except as provided in subsection (b), a permitted person may not carry another person as a passenger on an ATV.

§ 135.55. Penalties.

A person who violates this subchapter shall be subject to the penalties as provided in the act.

[Pa.B. Doc. No. 99-786. Filed for public inspection May 14, 1999, 9:00 a.m.]

STATE BOARD EXAMINERS OF NURSING HOME ADMINISTRATORS

[49 PA. CODE CH. 39]

Fees

The State Board of Examiners of Nursing Home Administrators (Board) proposes to amend § 39.72 (relating to fees) by revising certain fees to read as set forth in Annex A.

A. Effective Date

The proposed amendment would be effective upon publication of the final-form regulation in the *Pennsylvania Bulletin*.

B. Statutory Authority

The proposed amendment is authorized under section 7.1(a) of the Nursing Home Administrators License Act (act) (63 P. S. § 1107.1(a)).

C. Background and Purpose

Section 7.1(a) of the act requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses of the Board are funded through biennial license renewal fees. Expenses related to applications or services which are provided directly to applicants are excluded from general operating revenues and are funded through fees in which the cost of providing a service forms the basis for the fee.

In a recent systems audit of the operations of the Board within the Bureau of Professional and Occupational Affairs, the fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual costs are based upon the following formula:

$$\begin{array}{r} \text{Number of minutes to perform the function} \\ \times \\ \text{Pay rate for the classification of personnel performing the} \\ \text{function} \\ + \\ \text{A proportionate share of administrative overhead} \end{array}$$

The analysis determined that current fees do not accurately reflect the actual cost of processing license applications, or the cost of the National Association of Examiners of Long Term Care Administrators (N.A.B.) examination or the complete licensing examination. Current fees do not reflect the actual costs of issuing temporary permits, certification of examination scores, verification of licensure, verification of temporary permits, continuing education provider applications and continuing education individual program applications. Fees for temporary permits, certification of examination scores, verification of licensure, continuing education provider

applications and continuing education program applications have not been revised since July 23, 1988. While the fee for license applications has not been revised since December 22, 1990, fees for the N.A.B. examination and the complete licensing examination were last revised on January 27, 1996. The Board fee for verification of temporary permits is a new fee. The fee charged to continuing education providers exceeded the actual cost of the service provided, but all other fees fell short of the cost to provide the service.

In this proposal, fees for the services identified would be adjusted to allocate costs to those who use the service or application. The Board would continue to apportion the enforcement and operating costs to the general licensing population when the Board makes its biennial reconciliation of revenues and expenditures.

D. Compliance with Executive Order 1996-1

In accordance with Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the proposed amendment, the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants.

E. Fiscal Impact and Paperwork Requirements

The proposed amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The proposed amendment will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

F. Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

G. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 30, 1999, the Board submitted a copy of this proposal to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee (Committees). In addition to submitting the proposal, the Board has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposal, it will notify the Board within 10 days of the close of the committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the

regulation, by the Board, the General Assembly and the Governor, of objections raised.

H. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposal to Melissa Wilson, Board Administrator, State Board of Examiners of Nursing Home Administrators, 116 Pine Street, Post Office Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-626 (Fees), when submitting comments.

ROBERT H. MORROW,
Chairperson

Fiscal Note: 16A-626. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 39. STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

FEES

§ 39.72. Fees.

The following is a schedule of fees charged by the Board:

	* * * * *	
License application fee		\$ [30] 40
N.A.B. examination fee		\$170
Effective January 1, 2000		\$235
	* * * * *	
Complete nursing home administration examination		\$212
Effective January 1, 2000		\$322
Temporary permit fee		\$ [150] 145
Certification of examination scores		\$ [15] 25
Verification of licensure or temporary permit		\$ [10] 15
Continuing education provider application fee		\$ [50] 40
Continuing education program application fee per credit		\$ [10] 15
	* * * * *	

[Pa.B. Doc. No. 99-787. Filed for public inspection May 16, 1999, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Referendum on Creation of the Pennsylvania Christmas Tree Marketing and Research Program

The Pennsylvania Christmas Tree Marketing and Research Program Referendum is being conducted under the provisions of the Agricultural Commodities Marketing Act (act). The act empowers the Secretary of Agriculture to conduct a referendum to establish a marketing program if the Secretary finds that the program will tend to effectuate the purposes of the act.

Referendum Period: The referendum period shall be June 1, 1999, until 4 p.m. on June 15, 1999. Completed ballots shall be mailed or hand delivered to the Office of the Secretary of Agriculture, Room 211, 2301 North Cameron Street, Harrisburg, PA 17110-9408. Hand delivered ballots must be received by 4 p.m. on June 15, 1999. Ballots that are mailed must be postmarked no later than June 15, 1999, and received no later than June 21, 1999.

Notice of Referendum: This referendum order and an official ballot shall be mailed no later than June 1, 1999 to all affected producers whose names appear on the list of Pennsylvania Christmas tree producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same materials shall be made available at the Office of the Secretary of Agriculture.

Eligible Voters: The rules governing the eligibility of a producer for voting are as follows: The record date for

determination of whether a producer is eligible to vote is December 31, 1998. All Christmas tree producers with 10 or more acres of Christmas trees who cut and sell trees during the marketing season of October 1 through December 31 of any year, as of December 31, 1998, are entitled to vote.

Counting of Ballots: The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., June 22, 1999, in the State Agriculture Building, Harrisburg, PA. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and disseminated to the news media.

Reporting Irregularities: Any irregularities or disputes concerning the referendum procedures must be reported in written form to the Secretary of Agriculture not later than 7 calendar days from the end of the referendum period.

Publication: This referendum order shall be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot-News*.

Effective Date: The foregoing order shall be effective from and after the 26th day of March, 1999.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 99-788. Filed for public inspection May 14, 1999, 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 May 4, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-28-99	BT Financial Corporation, Johnstown, to acquire 100% of the voting shares of First Philson Financial Corporation, Berlin	Johnstown	Filed
5-4-99	First Leesport Bancorp, Inc., Leesport, to acquire 100% of the voting shares of Merchants of Shenandoah Ban-corp, Shenandoah	Leesport	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-24-99	Main Street Bank Reading Berks County	3900 Hamilton Center 3900 Hamilton Blvd. South Whitehall Twp. Lehigh County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-30-99	Prime Bank Philadelphia Philadelphia County	1430 Walnut Street Philadelphia Philadelphia County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-28-99	Southwest Bank Greensburg Westmoreland County	<i>Into:</i> 5 Fourth Street Youngwood Westmoreland County <i>From:</i> Route 119 South Greensburg Westmoreland County	Filed
4-28-99	Southwest Bank Greensburg Westmoreland County	<i>Into:</i> 331 East Sixth Avenue Tarentum Allegheny County <i>From:</i> 1121 Brackenridge Avenue Brackenridge Allegheny County	Filed

SAVINGS ASSOCIATIONS**Branch Applications**

<i>Date</i>	<i>Name of Savings Association</i>	<i>Location</i>	<i>Action</i>
5-3-99	Ambler Savings and Loan Association Ambler Montgomery County	Fort Washington Estates 1264 Fort Washington Ave. Fort Washington Montgomery County (Limited Service Facility)	Filed

Voluntary Liquidation

<i>Date</i>	<i>Name of Association</i>	<i>Action</i>
5-4-99	Hometown Building and Loan Association Philadelphia Philadelphia County	Certificate of Election for Voluntary Dissolution filed. Effective as of the close of business May 4, 1999.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-789. Filed for public inspection May 14, 1999, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council; Meeting Notice

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Wednesday, May 26, 1999. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

RANDY COOLEY,
Chairperson

[Pa.B. Doc. No. 99-790. Filed for public inspection May 14, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

Following the 30-day comment period, the Water Management Program 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 received and other information are on file and may be inspected and arrangements made for copying at the Field Office that has been indicated above the application.

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

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

PA 0063924. Sewerage, Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Delaware Canal State Park, 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540.

This proposed action is for issuance of an NPDES permit to discharge treated sewage into the Delaware River in Williams Township, **Northampton County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is at the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0008 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	50.0
Total Suspended Solids	30.0	60.0
NH ₃ -N	20.0	
Fecal Coliform	200/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	1.2	

The EPA waiver is in effect.

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

PA 0086703. Industrial waste, SIC: 9999, **NGK Metals Corporation**, 150 Tuckerton Road, P. O. Box 13367, Reading, PA 19612.

This application is for amendment of an NPDES permit for a new discharge of treated industrial waste to Laurel Run, in Muhlenberg Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.36 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0—9.0 s.u. at all times	
TSS	30	60	75
Total Dissolved Solids	2,000	4,000	5,000
Osmotic Pressure		129 mos/kg	
Total Fluoride	6.6	33	33
Total Beryllium	0.027	0.054	0.067
Total Cadmium	0.003	0.006	0.007
Total Copper	0.013	0.026	0.032
Chromium, VI	0.033	0.066	0.082
1,1-Dichloroethylene (Interim)	monitor and report	monitor and report	
(Final)	0.0008	0.002	0.002
1,1,1-Trichloroethane	monitor and report		

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

The EPA waiver is in effect.

Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.

PA0010651. Industrial waste, SIC: 3399, **GKN Sinter Metals, Inc.**, R. R. 2, Box 47, Emporium, PA 15834-9797.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Sinnemahoning Portage Creek in Shippen Township, **Cameron County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton approximately 120 river miles downstream.

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

<i>Parameter</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	50		100
Oil and Grease	15	30	30
Temperature	monitor °F		
Total Copper	report		report
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA0008036. Industrial waste, SIC: 3546, **Ingersoll-Rand Company**, 101 Main Street, Athens, PA 18810-1799.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Chemung River in Athens Borough, **Bradford County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Water Authority located at Danville.

Outfall 001

The proposed effluent limits, based on a design flow of 0.1 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
Oil and Grease	15		30		
pH	6.0—9.0 at all times				

Outfall 002

The proposed effluent limits, based on a design flow of 0.25 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
Oil and Grease	15		30		
pH	6.0—9.0 at all times				

The EPA waiver is in effect.

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

PA0091791. Sewage, **Joseph Argiro**, 402 Breakiron Road, Connellsville, PA 15425.

This application is for renewal of an NPDES permit to discharge treated sewage from the Argiro Mobile Home Park STP in Bullskin Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Breakneck 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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of .013 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0094790. Sewage, **Pleasantview, Inc.**, 112 Pleasantview Park Road, South Fork, PA 15956.

This application is for issuance of an NPDES permit to discharge treated sewage from the Pleasantview Mobile Home Park Sewage Treatment Plant in Adams Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Sandy Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Waterworks located on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.014 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.8			5.6
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0098345. Sewage, **Connellsville Area School District**, Administrative Building, 125 North Seventh Street, Connellsville, PA 15425.

This application is for renewal of an NPDES permit to discharge treated sewage from Saltlick Township Elementary School STP in Saltlick Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Indian Creek, which are classified as a high quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland Municipal Authority.

Outfall 001: existing discharge, design flow of .007735 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	20,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0092819-Amendment No. 1. Sewage. **Fairwinds Manor, Inc.**, 327 North Main Street, Punxsutawney, PA 15767.

This application is for an existing NPDES permit to discharge treated sewage to the Unnamed Tributary to Buffalo Creek in Winfield Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: high quality-trout stocking 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 New Kensington Municipal Water Company and the Allegheny River located at City of Kensington, approximately 21 miles below point of discharge.

The proposed effluent limits, based on a design flow of .013 mgd, are:

Outfall No. 001

Interim Limits

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	.5	1.2
Phosphorus	XX	XX
NO ₂ -NO ₃	XX	XX
Dissolved Oxygen	minimum of 6 mg/l at all times	
pH	6.0—9.0 at all times	

Outfall No. 001

Final Limits

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	10	20
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	.28	.65
Phosphorus	1.0	2.0
NO ₂ -NO ₃		25
	12.5	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	minimum of 6 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding 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 Manager will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time this determination may be appealed to the Environmental Hearing Board.

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0031267	Tri-Valley School District Hegins-Hublely Elementary School 1801 West Main Street Valley View, PA 17983	Schuylkill County Hegins Township	Pine Creek	TRC

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0085634	Fisherman's Paradise P. O. Box 113 Boyertown, PA 19521	Berks County Douglass Township	Ironstone Creek	TRC
PA 0053333	Barry L. Beiler 1125 Pine Grove Road Fredericksburg, PA 17026-9612	Berks County Bethel Township	Crosskill Creek	TRC
PA 0085910	Beth Dorsey 1050 Drager Rd. Columbia, PA 17512	Lancaster County Rapho Township	Little Chickies Creek	TRC

**DISCHARGE OF CONTROLLED INDUSTRIAL
WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean
Streams Law**

(Part II Permits)

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

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

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

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

A. 5499402. Sewerage. **Foster Township**, 19 Lower Beechwood Avenue, Pottsville, PA 17901. Application for construction and operation of a sanitary sewage pumping station, located in Foster Township, **Schuylkill County**. Application received in the Regional Office—April 12, 1999.

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

A. 2899403. Sewerage, submitted by **Kenneth E. and Mary M. Heckman**, 265 West Burkhart Avenue, Chambersburg, PA 17201, in Hamilton Township, **Franklin County** to construct a small flow sewage treatment plant to serve their single family residence was received in the Southcentral Region on February 22, 1999.

A. 3699201. Industrial waste, submitted by **H. R. Ewell, Inc.**, P. O. Box 8, 4635 Division Highway, East Earl, PA 17519-0008, in East Earl Township, **Lancaster County** to continue to utilize their subsurface application of food grade rinsate was received in the Southcentral Region on April 22, 1999.

A. 3699402. Sewerage, submitted by **Robert C. Gardner**, 2520 Ironville Pike, Columbia, PA 17512, in West Hempfield Township, **Lancaster County** to construct a

small flow sewage treatment system to serve their single family residence was received in the Southcentral Region on April 22, 1999.

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

WQM Permit No. 4399409. Sewerage, **Donna Martin, SRSTP**, 353 Buckeye Dr., Sharpsville, PA 16150. This project is for the construction of a single residence sewage treatment plant in Lackawannock Township, **Mercer County**.

WQM Permit No. 6299406. Sewerage, **Todd Zimmerman, SRSTP**, 1071 Peterson Hollow Rd., Russell, PA 16345. This project is for the construction of a single residence sewage treatment plant in Pine Grove Township, **Warren County**.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

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

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

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

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

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

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

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

NPDES Permit PAS10-G363. Stormwater. **Robert Sweeney, Jr.**, P. O. Box 159, Thorndale, PA, has applied to discharge stormwater from a construction activity located in West Caln Township, **Chester County**, to West Brandywine Creek.

NPDES Permit PAS10-G364. Stormwater. **Morgan Brothers, Inc.**, 288 Lancaster Avenue, P. O. Box 1074, Frazer, PA 19355, has applied to discharge stormwater from a construction activity located in East Vincent Township, **Chester County**, to Unnamed Tributary to French Creek.

NPDES Permit PAS10-G365. Stormwater. **Brandywine Realty Service**, 16 Campus Boulevard, Newtown Square, PA 19073, has applied to discharge stormwater from a construction activity located in Tredyffrin Township, **Chester County**, to Little Valley Creek.

NPDES Permit PAS10-G366. Stormwater. **Timberlake Townes**, 55 Country Club Drive, Suite 200, Downingtown, PA, has applied to discharge stormwater from a construction activity located in Upper Uwchlan Township, **Chester County**, to Unnamed Tributary to March Creek.

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

Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES Permit PAS10U112. Stormwater. **Kemmerer Corp.**, 3220 Valley View Dr., Bath, PA 18014, has applied to discharge stormwater from a construction activity located in Moore Township, **Northampton County**, to Monocacy Creek.

Schuylkill County Conservation District, District Manager, 1206 Ag Center Drive, R. R. 5, Box 5810, Pottsville, PA 17901, (570) 622-3742.

NPDES Permit PAR105782. Stormwater. **Thomas Manor Subdivision**, Thomas E. Daubert, R. D. 2, Box 591, Pine Grove, PA 17963, has applied to discharge stormwater from a construction activity located in Pine Grove Township, **Schuylkill County**, to Upper Little Swatara Creek.

NPDES Permit PAR105783. Stormwater. **Penn DOT District 5-0**, S. R. 0924 Sect. 015, 1713 Lehigh St., Allentown, PA 18103, has applied to discharge stormwater from a construction activity located in West Mahanoy Township, **Schuylkill County**, to Mahanoy Creek.

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

Lancaster County Conservation District, District Manager, 1383 Arcadia Road, Room 6, Lancaster, PA 17601, (717) 299-5361.

NPDES Permit PAS-10-O-078. Stormwater. **Mechanic Grove Church of Brethern**, 1392 Robert Fulton Highway, Quarryville, PA 17566, has applied to discharge stormwater from a construction activity located in East Drumore Township, **Lancaster County**, to UNT of Conowingo Creek.

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

Columbia County Conservation District, 702 Sawmill Road, Suite 105, Bloomsburg, PA 17815.

NPDES Permit PAS02103. Stormwater. **Transcontinental Gas Pipeline Corp.**, 2800 Post Oak Blvd., Houston, TX 77251, has applied to discharge stormwater from a construction activity located in Jackson, Benton, Sugarloaf Townships in **Columbia County** and Salem, Fairmont, Huntington Townships and Columbus Borough in **Luzerne County** to various streams.

Lycoming County Conservation District, 2130 County Farm Rd., Suite 4, Montoursville, PA 17754, (570) 433-3003.

NPDES Permit PAS103915. Stormwater. **Transcontinental Gas Pipeline Corp.**, 2800 Post Oak Blvd., Houston, TX 77251, has applied to discharge stormwater from a construction activity located in Loyalsock, Fairfield, Upper Fairfield, Wolf and Penn Townships, **Lycoming County** to various streams.

SAFE DRINKING WATER

Applications received for a construction permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

A. 4999502. The Department has received a permit application from the **Merck & Co. Inc.**, Cherokee Plant, P. O. Box 600, Danville, PA 17821, Riverside Borough, **Northumberland County**. Application for a major modification to construct a new clarifier and associated appurtenances to be added to the existing water treatment plant to balance plant capacity.

Application No. MA. The Department has received a construction permit application from **Tiadaghton View MHP**, Box 278, King of Prussia, PA 19406, Upper Fairfield Township, **Lycoming County**. The proposal is for construction of an additional 4,000 gallon storage tank to existing system.

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

3286501-T1. EME Homer City Generation LP, Suite 1700, Irvine, CA 92612. Transfer of public water supply permit formally held by GPU Generation, Inc., **Indiana County**.

2699501. Pennsylvania American Water Company, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317. Installation of a chemical feed station between the Brownsville and Uniontown operating systems serving Menallen Township, **Fayette County**.

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

A. 4399501. Public water supply. **Amsterdam Estates MHP**, 39 Amsterdam Road, Grove City, PA 16127. This proposal involves the permitting of existing well PWS-2A as the primary source and existing well PWS-1 as secondary source in Liberty Township, **Mercer County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(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 standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager, in the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

3600 Reed Street Property, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soils contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on April 3, 1999.

Katz & Katz, Hilltown Township, **Bucks County**. Michael A. Christie, P.G., Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Notice of Intent to Remediate site soils contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Intelligencer* on April 8, 1999.

Parkesburg Manufactured Gas Plant Site, PECO Energy Co., Parkesburg Borough, **Chester County**. Frederick C. Gloeckler, PECO Energy, 2301 Market Street, S21-2, Philadelphia, PA 19101, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Local News* on April 14, 1999.

Weisser Residence, Bristol Borough, **Bucks County**. Todd Murphy, 42 Sequoia Drive, Newtown, PA 18940, has submitted a Notice of Intent to Remediate site soils contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier* on April 15, 1999.

Brandywine Realty, II, Inc. Property, UST Area, Concord Township, **Delaware County**. Carl J. Bones, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soils contaminated with polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on April 20, 1999.

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

Keystone Distribution Center, Penn Township and Hanover Borough, **York County**. Keystone Distribution Center, 118 Carlisle Street, Hanover, PA 17331, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hanover Evening Sun* during the week of April 4, 1999.

Hilltop Laundry, Lewistown Borough, **Mifflin County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Sentinel* on May 1, 1999.

Sunoco Quentin Terminal, West Cornwall Township, **Lebanon County**. Sunoco, Inc., Attn: Carl G. Borkland, 10 Penn Center, 20th Floor, 1801 Market Street, Philadelphia, PA 19103, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the site-specific requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on April 14, 1999.

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

Nicholas Cianci, 70 Hadley Road, Greenville, PA 16125, Hempfield Township, **Mercer County**, has submitted a Notice of Intent to Remediate soil and groundwater. The site has been found to be contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in the *Record Argus* on April 3, 1999.

SOLID AND HAZARDOUS WASTE

BENEFICIAL USE DETERMINATIONS

Application received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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

General Permit Application No. WMGM006. Organic Control Industries, LLC, 407 NW 17th Street, Portland, OR 97209. An application to process sewage sludge from municipal wastewater treatment plants to produce an enriched fertilizer.

Comments on the general permit application may be submitted to Ronald C. Hassinger, Chief, General Permits Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in examining the application may make arrangements by calling the Division of Municipal and Residual Waste at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Arrangements can also be made for persons with disabilities who wish to inspect the application. Public comments must be submitted to the Department within 60 days of the date of this notice and may recommend revisions to, and approval or denial of the application.

Received an application from Organic Control Industries, LLC, 407 NW 17th Street, Portland, OR 97209, for a general permit to process sewage sludge from municipal wastewater treatment plants prior to its beneficial use as

a fertilizer. The Department accepted the application as administratively complete on April 13, 1999.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

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

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

OPERATING PERMITS

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

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

01-310-031A: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), for operation of a fabric collector controlling sources at the coloring plant at the Charmian facility in Hamiltonban Township, **Adams County**.

01-310-033A: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), for operation of two fabric collectors controlling sources at the coloring plant at the Charmian facility in Hamiltonban Township, **Adams County**.

01-310-026B: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), for operation of two finishing screens at the intermediate crushing plant at the Charmian facility in Hamiltonban Township, **Adams County**.

06-302-171A: Premium Beverage Packers, Inc. (1055 Cross Roads Blvd., Reading, PA 19605), for two boilers controlled by low NOx burners in Muhlenberg Township, **Berks County**. The boilers are subject to 40 CFR Part 60, Subpart Dc, Standards of Performance for New Stationary Sources.

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

14-313-037: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801), for operation of a chemical process facility (Naxan ABL/AAL) and associated air cleaning devices (various condensers and a packed column scrubber) in College Township, **Centre County**.

OP-17-0001: Pennsylvania Electric Co. (owner) and GPU Generation, Inc., (operator) (1001 Broad Street, Johnstown, PA 15907), for operation of four pulverized bituminous coal-fired electric utility boilers, three diesel-fired generators, two emergency generators, two firepump diesel engines and 15 space heaters subject to the Department's Reasonably Available Control Technology (RACT) regulations at the Shawville Generating Station in Bradford Township, **Clearfield County**.

OP-59-0004: Ward Mfg., Inc. (P. O. Box 9, Blossburg, PA 16912-0009), for operation of various gray iron foundry operations subject to the Department's Reasonably Available Control Technology (RACT) regulations in Blossburg Borough, **Tioga County**.

59-304-006B: Ward Mfg., Inc. (IRS Employer Identification No. 25-0466130) (P. O. Box 9, Blossburg, PA 16912-0009), for operation of various iron castings grinders, sanders and spin blasters and associated air cleaning devices (two fabric collectors) previously owned and operated by Ward Mfg., Inc. (IRS No. 13-3544500) at Plant No. 1 in Blossburg Borough, **Tioga County**.

59-304-007A: Ward Mfg., Inc. (IRS Employer Identification No. 25-0466130) (P. O. Box 9, Blossburg, PA 16912-0009), for operation of a galvanizing dip tank, parts spinner and five spin blast machines and associated air cleaning devices (one cartridge collector and one fabric collector) previously owned and operated by Ward Mfg., Inc. (IRS No. 13-3544500) at Plant No. 3 in Blossburg Borough, **Tioga County**.

59-304-001D: Ward Mfg., Inc. (IRS Employer Identification No. 25-0466130) (P. O. Box 9, Blossburg, PA 16912-0009), for operation of an iron cupola and associated air cleaning devices (two afterburners, a wet cap and a venturi scrubber) previously owned and operated by Ward Mfg., Inc. (IRS No. 13-3544500) at Plant No. 1 in Blossburg Borough, **Tioga County**.

59-304-002I: Ward Mfg., Inc. (IRS Employer Identification No. 25-0466130) (P. O. Box 9, Blossburg, PA 16912-0009), for operation of various pieces of foundry shakeout, etc. equipment and associated air cleaning devices (four hydrofilter scrubbers and one fabric collector) previously owned and operated by Ward Mfg., Inc. (IRS No. 13-3544500) at Plant No. 1 in Blossburg Borough, **Tioga County**.

59-323-001: Ward Mfg., Inc. (IRS Employer Identification No. 25-0466130) (P. O. Box 9, Blossburg, PA 16912-0009), for operation of a burnoff oven previously owned

and operated by Ward Mfg., Inc. (IRS No. 13-3544500) at Plant No. 3 in Blossburg Borough, **Tioga County**.

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

OP-65-00798: Mon-70 Transloading (212 State Street, P. O. Box 256, Belle Vernon, PA 15012), for operation of coal preparation plant at Mon 70 site in Rostraver Township, **Westmoreland County**.

Notice of Intent to Issue Title V Operating Permits

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

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

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

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

Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.

09-00066: PECO Energy Co. (South Pennsylvania Avenue, Fairless Works, Fairless Hills, PA 19030), located in Falls Township, **Bucks County**. The facility's major emission points include boilers which emit major levels of NOx, SOx, VOC, PM-10 and CO.

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

01-05009: Fort Detrick—Site R (1500 Porter Street, Fort Detrick, MD 21702-5000), for a National Security facility in Liberty Township, **Adams County**. The facility is a major source of NOx emissions.

06-05085: New Morgan Landfill Co., Inc. (P. O. Box 128, Mineview Road, Morgantown, PA 19543), for a municipal solid waste landfill in New Morgan Borough, **Berks County**. The operation primarily emits volatile organic compounds, carbon monoxide, sulfur dioxide and nitrogen dioxide.

31-05011: U. S. Silica (R. D. 1, Box 1885, Mapleton Depot, PA 17052), in Brady Township, **Huntingdon**

County. Silica sand is quarried or mined, processed for industrial use and shipped. The operation primarily emits particulate matter.

36-05001: Armstrong World Industries, Inc. (P. O. Box 169, Marietta, PA 17547), in East Donegal Township, **Lancaster County.** The facility manufactures ceiling tile products and is a major source of particulate matter, VOC and NOx emissions.

67-05005: Pennsylvania Power & Light Co. (P. O. Box 221, York Haven, PA 17370), for the Brunner Island Steam Electric Station in East Manchester Township, **York County.** The electrical power generating facility is a primary emitter of nitrogen oxides (NOx), sulfur oxides (SOx), particulate matter (PM) and carbon monoxide (CO).

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.

OP-04-00227: Koppel Steel Corp., Ambridge Plant (P. O. Box 750, Beaver Falls, PA 15010), in Beaver Falls, **Beaver County.** The facility's major sources of emissions include various heat treating furnaces, several gas space heaters and two spray booths. The facility has the potential of emitting more than 100 tons of oxides of nitrogen (NOx) and is considered to be major for the emissions of greater than 25 tons of hazardous air pollutants.

56-00151: Fleetwood Folding Trailers, Inc., Plant 72 (258 Beacon Street, P. O. Box 111, Somerset, PA 15501), in Somerset Borough, **Somerset County.** The facility's major source of emissions include four spray coating booths, an adhesive spray booth and miscellaneous manual operations which emit volatile organic compounds.

Notice of Intent to Issue Title V Operating Permits Including Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators

The Department of Environmental Protection (Department) intends to issue Title V operating permits under the Air Pollution Control Act and the section 111(d)/129 Emission Guidelines (EG) specified in 40 CFR Part 60, Subpart Cc. These Emission Guidelines, incorporated by reference in 25 Pa. Code § 122.3, apply to all existing hospital/medical/infectious waste incinerators (HMIWIs) that commenced construction on or before June 20, 1996. The following Title V facilities are subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Article III including Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permit requirements).

TVOP 41-00027. Muncy Valley Hospital. Muncy Borough, **Lycoming County.** *Primary Emissions:* Sulfur oxides (SO₂), nitrogen oxides (NO_x), carbon monoxide (CO), hazardous air pollutants (HAPS) and particulate matter. *Affected HMIWI Unit:* Source ID. 001, Pennram ESS hospital/medical/infectious waste incinerator, 160 pounds/hr. *Other Sources:* 3 boilers and 4 generators.

TVOP 60-00014. Evangelical Community Hospital. Kelly Township, **Union County.** *Primary Emissions:* Sulfur oxides (SO₂), nitrogen oxides (NO_x), carbon monoxide (CO), hazardous air pollutants (HAPS) and particulate matter. *Affected HMIWI Unit:* Source ID. 001, Econo-Therm, hospital/medical/infectious waste incinerator, 125 pounds/hr Type 4 waste. *Other Sources:* 3 boilers, 2 chillers, 1 space heater, 1 sprinkler pump engine, 3 generators and 2 sterilizers.

TVOP 41-00024. Divine Providence Hospital. Williamsport, **Lycoming County.** *Primary Emissions:* Sulfur oxides (SO₂), nitrogen oxides (NO_x), carbon monoxide (CO), hazardous air pollutants (HAPS) and particulate matter. *Affected HMIWI Unit:* Source ID. 001, Penn Industrial, hospital/medical/infectious waste incinerator, 150 pounds/hr. *Other Sources:* 5 boilers and 4 generators.

TVOP 49-00032. Sunbury Community Hospital. Sunbury, **Northumberland County.** *Primary Emissions:* Sulfur oxides (SO₂), nitrogen oxides (NO_x), carbon monoxide (CO), hazardous air pollutants (HAPS) and particulate matter. *Affected HMIWI Unit:* Source ID. 001, ECP hospital/medical/infectious waste incinerator, 50 pounds/hour infectious waste. *Other Sources:* 2 boilers and 1 emergency generator.

Copies of the Title V applications, proposed permits and other relevant information are available for public inspection at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. An appointment to review the documents must be made by calling (570) 327-3693, between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V operating permit to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701 (570) 327-0512, within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the corresponding permit number of the proposed Title V operating permit. The commentator should include a concise statement of objections to the issuance of the permit and the relevant facts upon which the objections are based.

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

The final Title V operating permits will contain all of the applicable requirements that apply to stationary air contamination sources at each facility. The applicable requirements include the section 111(d)/129 requirements for HMIWI facilities.

PLAN APPROVALS

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

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

NMOP-09-00120: ChemRex, Inc. (Route 13 and Beaverdam Road, Bristol, PA 19007), for construction of a natural minor operating permit in Bristol Township, **Bucks County.**

NMOP-46-00158: Colorcon (415 Moyer Boulevard, West Point, PA 19486), for construction of a natural minor operating permit in Upper Gwynedd Township, **Montgomery County.**

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

67-05026A: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368), for installation of two foundry core-making machines at the Wrightsville Foundry in Wrightsville Borough, **York County**.

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

19-317-007F: Wise Foods, Inc. (228 Raseley Street, Berwick, PA 18063), for construction of a 36,600,000 BTU per hour natural gas/no. 2 oil fired boiler equipped with a low NOx burner in Berwick Borough, **Columbia County**. This boiler is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

OP-18-0004B: CNG Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 16046), for installation of air cleaning devices (screw-in prechambers) on two natural gas-fired reciprocating internal combustion engines (Engines 12 and 13) at the Leidy Compressor Station in Leidy Township, **Clinton County**.

OP-53-0003C: CNG Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 16046), for installation of air cleaning devices (screw-in prechambers) on four natural gas-fired reciprocating internal combustion engines (Engines 1 through 4) at the Greenlick Compressor Station in Stewardson Township, **Potter County**.

55-302-005B: Wood-Mode, Inc. (One Second Street, Kreamer, PA 17833), for installation of an air cleaning device (a two stage multiclone) on a wood waste-fired boiler (Boiler No. 1) in Middlecreek Township, **Snyder County**.

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

PA-63-028D: Cerdec Corp. (P. O. Box 519, Washington, PA 15301), for installation of intensive mixer at Drakenfeld Products in Canton Township, **Washington County**.

PA-63-565B: Washington Penn Plastics Co., Inc. (2080 North Main Street, P. O. Box 236, Washington, PA 15301), for installation of extruder line no. 2 at Arden Facility in South Strabane Township, **Washington County**.

City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 823-7584.

Thermo-Depolymerication Process, LLC (Philadelphia Naval Business Center, 3601 Broad Street, Building 772, Philadelphia, PA 19112), for construction and operation of a food waste refining pilot plant and two 75 KW combustion generators in the City of Philadelphia. The allowable annual emissions are 24 tons of nitrogen oxides, 20 tons of carbon monoxide, 8 tons of sulfur oxides, 8 tons of volatile organic compounds and 3 tons of particulate matter.

Notice of Intent to Approve

Plan Approval Application 04-307-094A

Notice is given, under 25 Pa. Code, § 127.44(a)(4) for sources located at a Title V facility, that the Department of Environmental Protection (Department) intends to issue a Plan Approval to J&L Specialty Steel for the construction of the Direct Roll Anneal and Pickle Line (DRAPL) sources at the plant located in Midland, PA as described in its application.

Copies of the application, the Department's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

In order for the Department to assure compliance with all applicable standards, the Department proposes to place the following conditions on the Plan Approval:

Special Conditions:

3. This Plan Approval is for the construction of Direct Roll Anneal and Pickle Line (DRAPL) sources at the J&L Specialty Steel facility located in Midland, Beaver County.

4. NOx emissions from the sources in the DRAPL shall be limited to 39.7 tons in any 12 month consecutive period.

5. PM₁₀ emissions from the sources in the DRAPL shall be limited to 14.7 tons in any 12 month consecutive period.

6. Each source in the DRAPL is limited to 8,320 hours of operation in any 12 month consecutive period.

7. The following short term emission limits apply:

Source	NO _x limits (lbs/hr)	PM ₁₀ limits (lbs/hr)
Reduction Mill	—	2.1
Annealing Furnace	5.1	1.1
Pickle Line	4.3	—

8. J&L Specialty Steel shall submit a yearly report to this office which demonstrates compliance with the emission limits in Condition Nos. 4 and 5, above. This report shall include, but is not limited to, the following information:

- The total amount of 300 series steel processed in the DRAPL for the year.
- The total amount of steel processed in the DRAPL for the year.
- The amount of natural gas used in the annealing furnace when running 300 series steel.
- The total amount of natural gas used in the annealing furnace for the year.
- Calculations of the actual emissions for each source for the year.
- Annual natural gas usage for the process boiler.

9. Visible emissions into the outdoor atmosphere from each source in the DRAPL shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any hour.

10. The applicant shall perform stack testing no later than 180 days after startup of the DRAPL to determine compliance with the emission limits in Condition No. 7.

11. Stack tests shall be conducted at maximum capacity under a worst case emissions scenario.

12. J&L Specialty Steel shall perform annual stack tests on the Annealing Furnace and the Reduction Mill to determine the emission rate of PM₁₀.

13. J&L Specialty Steel shall perform annual stack tests on the Annealing Furnace and the Pickle Line to determine the emission rate of NOx as NO₂.

14. All stack testing shall be performed in accordance with 25 Pa. Code Chapter 139 regulations and the Department's Source Testing Manual.

15. Two copies of a pretest protocol shall be submitted to the Department for review at least 60 days prior to the performance of the stack test.

16. The Department shall be notified at least 2 weeks prior to the stack test of the date and time of the test so that an observer may be present.

17. Two copies of the stack test results shall be supplied to the Department for review within 60 days of completion of the testing.

18. Stack test data shall be submitted to this office within 30 days of obtaining the data.

19. Emission limits set forth above may be revised based on the results of the required stack testing.

20. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

a) The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when operator expects to commence operation.

b) Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an operating permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the owner/operator under subpart (a), above.

d) The owner/operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

e) The notice submitted by the owner/operator under subpart (a), above, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department at the address shown. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval. A public hearing may be held, if the Department,

in its discretion, decides that such a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines the notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Joseph Pezze, Regional Air Quality Program Manager, Commonwealth of Pennsylvania, Department of Environmental Protection, Southwest Region—Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

- For additional information persons may contact Thomas J. Joseph, Air Pollution Control Engineer III, Commonwealth of Pennsylvania, Department of Environmental Protection, Southwest Region—Field Operations, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

**REASONABLY AVAILABLE CONTROL
TECHNOLOGY**

(RACT)

**Proposed Revision to the State Implementation
Plan for**

Volatile Organic Compounds (VOC)

**Approval of a Reasonably Available Control
Technology (RACT)**

Plan and Operating Permit

Blair County

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP). This determination and amendment is for a copper and brass tubing cold working redraw mill owned and operated by Small Tubes Products Co., Inc. located in Allegheny Township, Blair County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 07-02010 for the existing facility to comply with current regulations.

The preliminary RACT determination, when approved, will be incorporated into an Operating Permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP.

A VOC RACT determination is being made for the copper and brass tubing manufacturing facility. The preliminary VOC RACT determination for the facility will limit the total VOC emissions along with the VOC emissions per ton of tubing produced and require various work practices to minimize the emissions of VOCs. Upon final approval of the company's case-by-case analysis, the operating permit will include conditions requiring record-keeping and reporting of operational data to verify VOC emissions.

An appointment to review the pertinent documents at the Altoona District Office at 615 Howard Avenue, Altoona may be scheduled by contacting Kathy Ciampoli at (814) 946-7290 between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held June 30, 1999, at the Department's Altoona District

Office, located at 615 Howard Avenue, Altoona, PA 16601, from 10 a.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Those wishing to comment are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Steve Weyandt, Air Pollution Control Engineer, 615 Howard Avenue, Altoona, PA 16601, during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for June 30, 1999, at the Altoona District Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on

the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Coal Applications Received

03860111. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Application received to revise permit to allow for an insignificant boundary correction, addition of 43.2 acres (9.9 coal removal and 35.4 support), erosion and sedimentation control measures, and a stream encroachment at a bituminous surface/auger mining site located in East Franklin Township, **Armstrong County**, currently affecting 624.2 acres. Receiving streams: ten unnamed tributaries to Allegheny River to Allegheny River. Application received: April 26, 1999.

30823015R. Boyle Land and Fuel Company (Box 576, Fredericktown, PA 15333). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Cumberland Township. Receiving streams: unnamed tributaries to Neel Run and Pumpkin Run to the Monongahela River. Renewal application received: April 20, 1999.

03960105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application received to revise permit to allow for a stream reconstruction at an existing bituminous surface/auger mining site located in Cowanshannock Township, **Armstrong County**, affecting 501 acres. Receiving streams: unnamed tributary to Huskins Run. Application received: April 28, 1999.

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

17960117. Thunder Coal Company (P. O. Box 283, Grampian, PA 16838), revision to an existing bituminous surface mine permit for a change in permit acreage from 133.1 to 134.8 acres, Pike Township, **Clearfield County**. Receiving streams: Hartshorn Run and Welch Run. Application received April 22, 1999.

17663136. EnerCorp, Inc. (R. D. 2, Box 236, Morrisdale, PA 16858), renewal of an existing bituminous surface mine permit in Graham Township, **Clearfield County** affecting 202 acres. Receiving streams: Flat Run and Mons Run both to Alder Run to West Branch Susquehanna River to Susquehanna River. Application received April 22, 1999.

17803150. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine-coal refuse disposal-biosolids utilization per-

mit in Penn Township, **Clearfield County** affecting 434.5 acres. Receiving streams: unnamed tributary to Bell Run, unnamed tributary to Poplar Run, to Bell Run to West Branch Susquehanna River, to Susquehanna River. Application received April 26, 1999.

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

16940104. Cookport Coal Co., Inc. (425 Market Street, Kittanning, PA 16201). Revisions to an existing bituminous surface strip operation in Toby Township, **Clarion County**, affecting 28.4 acres. Receiving streams: One unnamed tributary to Cherry Run to Licking Creek to the Clarion River. Revision to include a postmining land use change from minedland and forestland to pastureland and/or land occasionally cut for hay on lands of Ray E. and Shirley Mortimer. Application received April 26, 1999.

10980108. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revision to an existing bituminous surface strip operation in Eau Claire Borough and Allegheny Township, **Butler County**, affecting 45.2 acres. Receiving streams: Unnamed tributaries to South Fork Little Scrubgrass Creek to Little Scrubgrass Creek to the Allegheny River. Revision to include blasting. Application received April 26, 1999.

16840104. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254). Renewal of an existing bituminous surface strip and auger operation in Perry and Toby Townships, **Clarion County** affecting 116.7 acres. Receiving streams: Unnamed tributary to Black Fox Run, Black Fox Run and the Allegheny River. Application for reclamation only. Application received April 26, 1999.

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

54860206T. CinCap VI, LLC (1100 Louisiana Street, Suite 4950, Houston, TX 77002), transfer of an existing coal refuse reprocessing operation in Frailey and Porter Townships, **Schuylkill County** affecting 441.4 acres, receiving stream—Lower Rausch Creek. Application received April 21, 1999.

54840105R3. Coal Contractors (1991), Inc. (Gowen Mine, Fern Glen, PA 18241), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 272.2 acres, receiving stream—Schuylkill River. Application received April 23, 1999.

49851605R3. Twin Creek Coal, Inc. (R. R. 2, Box 267, Paxinos, PA 17860-9704), renewal of an existing coal preparation plant operation in Ralpho and Shamokin Townships, **Northumberland County** affecting 9.0 acres, receiving stream—none. Application received April 26, 1999.

40940205C3. Northampton Fuel Supply Co., Inc. (7500 Old Georgetown, 13th Floor, Bethesda, MD 20814), correction to an existing coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 124.0 acres, receiving stream—Nanticoke Creek. Application received April 26, 1999.

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

Noncoal Applications Received

26920401R. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401). NPDES renewal application received (PA0203441) for an existing large noncoal surface mine affecting 60.6 acres located in North Union Township, **Fayette County**. Receiving streams: unnamed

tributaries to Coolspring Run to Shutes Run to Cove Run to Redstone Creek to the Monongahela River. NPDES Renewal application received: April 23, 1999.

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

Large Industrial Mineral Permits Received

1479401. Graybec Lime, Inc. (P. O. Box 448, Bellefonte, PA 16823), renewal of an existing NPDES permit, Spring Township, **Centre County** affecting 250 acres. Application received February 10, 1999. Permit issued April 29, 1999.

Bureau of Deep Mine Safety

Request for Variance

Rayne Energy, Inc.

The Bureau of Deep Mine Safety has received a request for variance from the Rayne Energy, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Trader by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702) (act), provides a mechanism for operations to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Rayne Energy, Inc. requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Rayne No. 1 Mine.

Keystone Coal Mining Corporation

The Bureau of Deep Mine Safety has received a request for variance from the Keystone Coal Mining Corporation. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Trader by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702) (act), provides a mechanism for opera-

tions to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Keystone Coal Mining Corporation requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Emilie Mine.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

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

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

E46-838. Encroachment. **Lapio Partners**, 104 Mill Road, Sellersville, PA 18960. To perform the following activities associated with the proposed Abrams Mill Road extension and the proposed Glenn Rose residential subdivision.

1. To construct, operate and maintain a road crossing of an unnamed tributary of the Schuylkill River (WWF-MF) and 0.59 acre of adjacent wetlands (PFO). The structure includes 120 linear feet of 43-inch by 68-inch HERCP culvert with concrete endwalls, riprap energy dissipater at the downstream end and placement of fill in the roadway approaches to the culvert.

2. To construct, operate and maintain a sewage pump station within the 100-year floodway and utility line stream crossing of an unnamed tributary to the Schuylkill River.

3. To place and maintain fill impacting 0.02 acre wetlands for the construction of lots 161 and 162.

The proposed work is located 800 feet north of the junction of Beidler Road (S. R. 3029) and Caley Road (Valley Forge, PA Quadrangle N: 20.5 inches; W: 1.9 inches) in Upper Merion Township, **Montgomery County**. The applicant proposed to construct approximately 0.62 acre of wetland replacement.

E15-617. Encroachment. **Columbia Transmission Company**, P. O. Box 10146, Fairfax, VA 22030-0146. To install and maintain a fiber optic utility line communication system across the following streams:

1. Broad Run (EV, MF) located approximately 1,300 feet south of the intersection of Broad Run Road and Chestnut Lane (Unionville USGS Quadrangle N: 15.5 inches; W: 15.95 inches) in West Bradford Township, Chester County.

2. Unnamed tributary of Broad Run (EV, MF) located approximately 3,300 feet northeast of the intersection of Broad Run Road and Beacon Hill Road (Unionville, USGS Quadrangle N: 18.1 inches; W: 15.3 inches) in West Bradford Township, Chester County.

3. Unnamed tributary of Broad Run (EV, MF) located approximately 1,800 feet north-northeast of the intersection of Strasburg Road (S. R. 0162), Romansville Road and Shadyside Road (Unionville, USGS Quadrangle N: 15.15 inches; W: 16.55 inches) in West Bradford Township, Chester County.

This application also includes the installation and maintenance of 53 utility line stream crossings and/or wetland crossings, which qualify for authorizations by General Permit 5, Utility Line Stream Crossings. This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along an existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through **Lancaster, Chester, Montgomery, Bucks, Lehigh and Northampton Counties**. Wetland disturbance will be temporary and minimized. This is a linear project which occurs in the following townships in **Chester County**: West Nottingham, East Nottingham, Lower Oxford, Upper Oxford, Londonderry, Highland, East Fallowfield, West Bradford, Caln, East Brandywine, Upper Uwchlan, West Vincent, East Vincent and East Coventry.

E46-840. Encroachment. **Columbia Transmission Company**, P. O. Box 10146, Fairfax, VA 22030-0146. To install and maintain a fiber optic utility line communication system across the Green Lane Reservoir (TSF) located approximately 2,400 feet southwest of the intersection of Gravel Pike (S. R. 0029) and Knight Road (Perkiomenville USGS Quadrangle N: 18.00 inches; W: 15.8 inches) in Upper Frederick and Marlborough Townships.

This application also includes the installation and maintenance of 22 utility line stream crossings and/or wetland crossings, which qualify for authorizations by General Permit 5, Utility Line Stream Crossings. This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along an existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through **Lancaster, Chester, Montgomery, Bucks, Lehigh and Northampton Counties**. Wetland disturbance will be temporary and minimized. This is a linear project, which occurs in the following townships in **Montgomery County**: Upper Frederick, Limerick and Marlborough.

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

E64-166A. Encroachment. **Wal-Mart Stores, Inc.**, 2001 SE 10th Street, Bentonville, AR 72712-6489. To (1) place fill and/or excavate in 2.06 acres of wetlands, (2) maintain approximately 680 linear feet of channel change in a tributary to Holbert Creek and (3) maintain three stormwater outfall structures (42-inch, 24-inch and 18-inch) along a tributary to Holbert Creek, for the purpose of constructing a commercial/retail store. This application requests an amendment to Permit No. D64-166 as amended May 16, 1997, to reflect 0.74 acre of additional wetland impacts due to project modifications made during construction. The application includes a proposed temporary road crossing of wetlands, utilizing the Department's General Permit BDWM-GP-8, for construction of replacement wetlands. The project is located along Old Willow Avenue (T-405), on the west side of Holbert Creek (White Mills, PA Quadrangle N: 10.4 inches; W: 14.4 inches), Texas Township, **Wayne County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E14-343. Encroachment. **Department of Conservation and Natural Resources**, P. O. Box 8552, Harrisburg, PA 17105-8552. To remove, construct and maintain a single span bridge utilizing the existing stone abutments with a clear span of 30.7 feet and an underclearance of 6.25 feet over Big Poe Creek located 10 miles northeast of Route 322 in Poe Valley State Park (Coburn, PA Quadrangle N: 15.3 inches; W: 5.9 inches) in Haines Township, **Centre County**. This project proposes to impact 25 linear feet of Big Poe Creek which is designated a high quality—cold water fishery and does not propose to impact any wetlands.

E53-327. Encroachment. **Independence Pipeline Company**, 500 Renaissance Center, Detroit, MI 48243-1904. To install, operate and maintain a 36-inch diameter high pressure pipeline beneath Hunting Shanty Brook (High Quality-Cold Water Fishery); an unnamed tributary to Hunting Shanty Brook (High Quality-Cold Water Fishery); Bailey Run (Exception Value); First Fork, Sinnemahoning Creek (High Quality-Cold Water Fishery); Right Branch, Lushbaugh Run (Exceptional Value); four unnamed tributaries to Right Branch, Lushbaugh Run (Exceptional Value); Calhoun Branch, Trout Run (Exceptional Value); Summerson Branch, Trout Run (Exceptional Value); and wetlands associated with these respective streams for the conveyance of natural gas. The 36-inch natural gas pipeline shall be installed within the stream in the dry and at a minimal depth of 3.0-feet that will impact 110 linear feet of waterway and temporarily impact 0.4-acre of wetland. The project is located along the eastern and western right-of-way of S. R. 0872 approximately 1,500-feet north of East Fork Road and S. R. 0872 intersection (Wharton, PA Quadrangle N: 6.1 inches; W: 3.8 inches) in Portage Township and Wharton Township, **Potter County**. All impacts to the 0.40-acre of wetland shall be temporary and no mitigation will be required.

E59-328. Encroachment. **Adelphia Communications Corporation**, Main at Water Street, Coudersport, PA 16915-1141. To place fill in 0.07 acre of palustrine emergent wetland for the purpose of constructing an

office building with an attached parking garage. The applicant proposes to meet the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement project. The project site is located at the corner of Second and Water Streets (Coudersport, PA Quadrangle N: 4.5 inches; W: 3.1 inches) in the Borough of Coudersport, **Potter County**.

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

E32-404. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a 50-foot long box culvert having a normal clear span of 14 feet and an underclearance of 4.5 feet (invert depressed 1.0 feet) in Whites Run (CWF) located on S. R. 286 (Oakland Avenue) at a point between Washington and Maple Streets (Indiana, PA Quadrangle N: 21.1 inches; W: 5.4 inches) in Indiana Borough, **Indiana County**.

E02-1270. Encroachment. **Township of O'Hara**, 325 Fox Chapel Road, Pittsburgh, PA 15238. To remove approximately 2,600 cubic yards of sand, gravel and other debris deposits from 39 sites within a 1.4 mile area in Little Pine Creek (TSF) for the purpose of restoring the stream channel. The project is located along the southeast side of Saxonburg Boulevard for its entire length within O'Hara Township (Glenshaw, PA Quadrangle project starts at N: 4.0 inches; W: 8.7 inches and ends at N: 6.6 inches; W: 6.3 inches) in O'Hara Township, **Allegheny County**.

E02-1271. Encroachment. **Public Auditorium Authority of Pittsburgh and Allegheny County**, Regional Resource Center, 425 Sixth Avenue, Suite 1410, Pittsburgh, PA 15219-1819. To construct and maintain a new NFL stadium for the Pittsburgh Steelers Football Team within the floodway fringe of the Ohio River (WWF). The stadium will be located on the north side of North Shore Drive between Stadium Drive West and Allegheny Drive, on the right bank side of the Ohio River at the confluence of the Allegheny River and the Monongahela River (Pittsburgh West, PA Quadrangle N: 13.0 inches; W: 2.2 inches) in the City of Pittsburgh, **Allegheny County**.

E65-723. Encroachment. **BAR Development Company**, 772 Pine Valley Drive, Pittsburgh, PA 15239. To construct and maintain a 179-foot long, 6-foot diameter CMP stream enclosure in an unnamed tributary to Turtle Creek (TSF) on a proposed street located in Lake Ridge Estates at a point approximately 450 feet north of Cline Hollow Road (T-913); and to place and maintain fill in .03 acre of a de minimis area of wetlands (PEM) (Murrysville, PA Quadrangle N: 10.6 inches; W: 3.6 inches) in the Borough of Murrysville, **Westmoreland County**.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

E10-297. Encroachment. **Butler County**, P. O. Box 1208, Butler, PA 16003-1208. To remove the existing Kocher Bridge County No. 147, and to construct and maintain a steel beam bridge having a clear span of 42 feet and an underclearance of 3 feet across Breakneck Creek on Church Street (Mars, PA Quadrangle N: 12.8 inches; W: 1.1 inches) located in Mars Borough, **Butler County**.

E10-301. Encroachment. **PA Department of Transportation**, Route 286 South, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a precast reinforced concrete box culvert with a normal span of 20 feet and an underclearance of 4 feet (culvert has a rise of 5 feet, but invert will be depressed 1 foot below streambed elevation) on S. R. 1010 across a tributary to South Branch Bear Creek (WWF). This project will also have a permanent de minimis (0.003 acre) wetland impact. The project is located on S. R. 1010 across a tributary to South Branch Bear Creek approximately 350 feet west of the intersection of S. R. 1010 and S. R. 0028 (Chicora, PA Quadrangle N: 21.5 inches; W: 14.2 inches) located in the Borough of Karns City, **Butler County**.

E20-463. Encroachment. **City of Titusville**, 107 North Franklin Street, Titusville, PA 16354. To place fill, construct buildings and perform other site modifications within a 1-acre wetland and within the 100-year floodplain of Oil Creek at the Ed Myer Recreation Complex. The project is located approximately 4,000 feet east of the intersection of S. R. 0008 (Franklin Street) and Bloss Street in the City of Titusville. This project will also include the construction of a 1.21-acre replacement wetland area on this property adjacent to existing wetlands and Oil Creek (Titusville South, PA Quadrangle N: 22.0 inches; W: 4.5 inches) located in the City of Titusville, **Crawford County**.

E20-476. Encroachment. **Pennsylvania Electric Company d/b/a GPU Energy**, 2800 Pittsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To install and maintain an aerial fiber optic line and maintain existing aerial electric lines across French Creek at the following locations in Hayfield and Woodcock Townships, **Crawford County**.

1) Crossing 1: located immediately upstream of the McGuffintown Bridge (S. R. 6/19) (Meadville, PA Quadrangle N: 12.4 inches; W: 4.5 inches).

2) Crossing 2: located approximately 1,400 feet upstream of the S. R. 0198 Bridge (Meadville, PA Quadrangle N: 16.6 inches; W: 4.5 inches).

3) Crossing 3: located immediately upstream of the Broadford Bridge (S. R. 6/19) (Meadville, PA Quadrangle N: 21.2 inches; W: 0.8 inch).

E25-585. Encroachment. **Pennsylvania Department of Conservation and Natural Resources**, Division of Design, P. O. Box 8451, Harrisburg, PA 17105-8451. To authorize removal and maintenance dredging of accumulated sand located within Thompson Bay in Presque Isle State Park. This project will include excavation of accumulated sand to an elevation of 567.0 feet and removal of approximately 60,000 cubic yards of sand which will be placed along 2,500 linear feet of Beach No. 10 for beach replenishment. This project is located in Presque Isle State Park within Thompson Bay between Gull Point and Horseshoe Pond approximately 2,200 feet southwest of the intersection of Thompson Drive and Coast Guard Road (Erie North, PA Quadrangle N: 6.5 inches; W: 10.5 inches) located in Millcreek Township, **Erie County**.

E33-194. Encroachment. **Jefferson County Commissioners**, 155 Main Street, Jefferson Place, Brookville, PA 15825. To remove the existing County Bridge No. JC-18 and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 20.5

meters and minimum underclearance of 3.22 meters on an 80 degree skew across Coder Run (CWF) on T-567 immediately west of its intersection with T-394 (Brookville, PA Quadrangle N: 4.2 inches; W: 1.2 inches) in Rose Township, **Jefferson County**.

DAM SAFETY

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D65-188. Dam. **BAR Development Company** (772 Pine Valley Road, Pittsburgh, PA 15239). To construct, operate and maintain a dam across a tributary to Turtle Creek (TSF; Delete PWS), impacting a de minimis area of wetland (less than 0.01 acre) (PFO) and 1,150 feet of stream for the purpose of providing recreation and stormwater detention for the proposed Lake Ridge Estates residential development (Murrysville, PA Quadrangle N: 10.2 inches; W: 3.9 inches) in Murrysville Borough, **Westmoreland County**.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

WA56-535A. Water Allocation. **Citizens Water Company**, 513 Dean Street, P. O. Box 26, Confluence, PA 15424. The applicant is requesting the right to withdraw 200,000 gallons per day of water from Drake Run, **Somerset County**.

WA63-83C. Water Allocation. **Charleroi Borough Municipal Authority**, PA 15. The applicant is requesting a service area expansion to serve Somerset Township, **Washington County**. The applicant is not requesting an increase to its current maximum allocated 9 mgd of water from the Monongahela River.

WA65-090C. Water Allocation. **The Municipal Authority of the City of New Kensington, Westmoreland County**. The applicant is requesting a service area expansion with no increase in their existing allocation of 8 mgd from the Allegheny River.

WA56-808A. Water Allocation. **Seven Springs Municipal Authority**, R. D. 1, Helen Road, Champion, PA 15622-9602. The applicant is requesting the right to withdraw 470,000 gallons of water, peak day, from Trout Run Springs 1, 2, 3 and 4 and Hemlock Lodge Spring, **Somerset County**.

WA11-1005. Water Allocation. **Friends Co-Op**, 259 Friends Avenue, Sidman, PA 15955. The applicant is requesting the right to purchase 7,000 gallons of water, peak day, from the Highland Sewer and Water Authority.

ACTIONS

**FINAL ACTIONS TAKEN UNDER THE
PENNSYLVANIA CLEAN STREAMS
LAW AND THE FEDERAL CLEAN
WATER ACT**

[National Pollution Discharge Elimination System
Program (NPDES)]

**DISCHARGE OF CONTROLLED INDUSTRIAL
WASTE AND SEWERAGE WASTEWATER**
(Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

NPDES Permit No. PA0208558. Sewerage. **Shamokin Township Municipal Authority**, P. O. Box 64, Paxinos, PA 17860. Renewal granted to applicant to discharge treated sewage from treatment facility located at Shamokin Township, **Northumberland County**.

NPDES Permit No. PA0208736. Sewerage. **Mountaintop Area Municipal Authority**, P. O. Box 275, Snowshoe, PA 16874. Renewal granted to applicant to discharge treated sewage from treatment facility located at Snow Shoe Township, **Centre County**.

NPDES Permit No. PA0021814. Sewerage. **Mansfield Municipal Authority**, 19 East Wellsboro Street, Mansfield, PA 16933. Renewal granted to applicant to discharge treated sewage from treatment facility located at Borough of Mansfield, **Tioga County**.

NPDES Permit No. PA0113948. Sewerage Transfer. **Department of Corrections**, P. O. Box 598, Camp Hill, PA 17001-0598. The transfer of PA0113948 to the Department of Corrections has been granted and permit has been renewed for the facility located at Karthaus Township, **Clearfield County**.

WQM Permit No. 4999402. Sewerage. **Delaware Township Municipal Authority**, P. O. Box 80, Dewart, PA 17730. The Authority was granted a permit to upgrade their present sewage facility by adding a tertiary clarifier. The facility is located at Delaware Township, **Northumberland County**.

WQM Permit No. 6099401. Sewerage. **White Deer Township Municipal Authority**, P. O. Box 90, West Milton, PA 17886. The Department granted a permit and rerate the existing sewage treatment facility by conducting a review. This facility is located at White Deer Township, **Union County**.

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

WQM Permit No. 2599407. Sewage. **Mowery Development #1**, 4493 Steger Road, Erie, PA 16510. This project is for the construction and operation of a small flow treatment facility located in Greene Township, **Erie County**.

INDIVIDUAL PERMITS
(PAS)

The following approvals for coverage under NPDES Individual Permit for discharge of stormwater from construction activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by an aggrieved person under 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). Appeals must be filed with the 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.

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PAS-10-CO32. Individual NPDES. **Enrico Filippini, Exeter Public Golf Course**, R. R. 3, Reading, PA 19606. To implement an erosion and sedimentation control plan for the construction of the Exeter Golf Club Estates Subdivision on 78.8 acres in Exeter Township, **Berks County**. The project is located on the east side of Shelbourne Road, approximately 6,000 feet north of Route 422 (Birdsboro, PA Quadrangle N: 12.1 inches; W: 12.8 inches). Drainage will be to Antietom Creek.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10-G052-R	J. Loew and Associates, Inc. 55 Country Club Road, Suite 200 Downingtown, PA 19335	Charlestown and East Whitelands Townships	Unnamed Tributary to Valley Creek

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

The following parties have submitted Notice of Intent (NOIs) for Coverage under (1) General NPDES Permits(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specific General Permit.

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

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

List of NPDES and/or other General Permit Type

PAG-1	General Permit For Discharges From Stripped Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contract Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site.

General Permit Type—PAG-2

Facility Location

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bedminster Township Bucks County	PAR10D439	Paul Heck P. O. Box 722, Worcester, PA	Unnamed Tributary to East Branch Perkiomen Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Bensalem Township Bucks County	PAR10-D446	Christian Life Center 5918 Hulmeville Road Bensalem, PA	Tributary to Mill and Neshaminy Creeks	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Buckingham Township Bucks County	PAR10-D420	Orleans Corporation 1 Greenwood Sq., 3333 Stret Road Ste. 101 Bensalem, PA	Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Buckingham Township Bucks County	PAR10-D431	MTS Automation Performance Controls Inc. 433 Caredean Drive Horsham, PA	Pine Run Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Doylestown Township Bucks County	PAR10-D435	PA Department of Transportation 200 Radnor-Chester Rd. St. Davids, PA	Tributary to Cooks Run Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Falls Township Bucks County	PAR10-D419	Tri-Life Plastics, Inc. 7 Headley Place Fallsington, PA	Delaware River	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Falls Township Bucks County	PAR10-D430	LTL Color Compounders, Inc. 12 Headley Place Fallsington, PA	Delaware River	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Falls Township Bucks County	PAR10-D447	USX Realty Development 20 Steel Road South Morrisville, PA	Delaware River	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Makefield Township Bucks County	PAR10-D428	DeLuca Enterprises, Inc. 842 Durham Road Newtown, PA	Brock Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Makefield Township Bucks County	PAR10-D448	DeLuca Enterprises, Inc. 842 Durham Road Suite 200 Newtown, PA	Core Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Middletown Township Bucks County	PAR10-D402	Realen Limited Partnership, Inc. P. O. Box 2002 Ambler, PA	Mill Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Milford Township Bucks County	PAR10-D412	Dennis Schlosser P. O. Box 16, Township Line Rd. Hatfield, PA	Unnamed Tributary to Unami Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Milford Township Bucks County	PAR10-D432	Artistic Glass Products, Company P. O. Box 276 Trumbauersville, PA	Unnamed Tributary to Unami Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Milford Township Bucks County	PAR10-D441	Larry Geissinger 8389 Orchard Road Zionsville, PA	Unami and Tributary to Tohickon Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
New Britain Township Bucks County	PAR10-D401	Heritage Building Group, Inc. 3326 Old Yord Rd. Ste A100, Furlong, PA	Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Newtown Township Bucks County	PAR10-D404	Trafalgar House Property, Inc. 250 Phillips Blvd., Ste 260 Trenton, NJ	Unnamed Tributary to Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Northampton Township Bucks County	PAR10-D429	Legacy Oaks Development Assoc. 975 Easton Road, Suite 200 Warrington, PA	Ironworks Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Northampton Township Bucks County	PAR10-D433	Toll Brothers, Inc. 3103 Philmont Avenue, Huntingdon, PA	Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Richland Township Bucks County	PAR10-D396	Quakertown Christian School Board 143 Rocky Ridge Road Quakertown, PA	Morgan Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Makefield Township Bucks County	PAR10-D437	David S. Wolff 20 Briar Hollow Lane Houston, TX 77027	Pidcock Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Warrington Township Bucks County	PAR10-D426	TH Properties P. O. Box 159, Franconia, PA	Unnamed Tributary to Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Warrington Township Bucks County	PAR10-D440	Warrington Township 852 Easton Road Warrington, PA	Unnamed Tributary to Little Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Warwick Township Bucks County	PAR10-D388	Orleans Corporation One Street Road Bensalem, PA	Unnamed Tributary to Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Warwick Township Bucks County	PAR10-D444	Country Club Plaza Assoc., LP 3841 Mechanicsville Rd. Doylestown, PA	Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Kennett Township Chester County	PAR10-G302	Kennett Development 402 Bayard Rd., Suite 200 Kennett Square, PA	East Branch Red Clay Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Kennett Township Chester County	PAR10-G308	L. Vincent Ramunno 903 North Frenach Street Wilmington, DE	Red Clay Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Middletown Township Delaware County	PAR10-J155	Shephen Behrle 181 Damview Drive Media, PA	Unnamed Tributary to Chester Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lower Pottsgrove Township Montgomery County	PAR10-T390	Pietro Amoroso 1164 South Street Pottstown, PA	Branch of Swamp Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Montgomery Township Montgomery County	PAR10-T515	Grosse Development Company 762 East Main Street Lansdale, PA	Tributary to West Branch Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Skippack Township Montgomery County	PAR10-T502	Philomeno and Salamone 450 South Gravers Road Plymouth Meeting, PA	Perkiomen Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Dublin Township Montgomery County	PAR10-T514	Upper Dublin Township 801 Loch Alsh Avenue Fort Washington, PA	Rapp Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Merion Township Montgomery County	PAR10-T500	Pulte Home Corporation 1210 Northbrook Dr. Suite 150, Trevose, PA	Municipal Drainage Storm Sewer	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lycoming County Armstrong and South Williamsport Boro.	PAR103926	Lycoming County Water & Sewer Auth. Armstrong Twp. Wastewater Collection System P. O. Box 39 Montoursville, PA 17754	Unt. Susquehanna River	Lycoming County CD 2130 County Farm Rd., Suite 4 Montoursville, PA 17754
Erie County, Millcreek Township	PAR10K129	Flagstone Development 115 West Gore Road P. O. Box 3172 Erie, PA 16508	Mill Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Allegheny County Mt. Lebanon	PAR10A104	Remcor & Associates, Ltd. 1679 Washington Road Pittsburgh, PA 15228	UNT Saw Mill Run	Allegheny County CD (412) 241-7645
Allegheny County Mt. Lebanon	PAR10A248	Graziano Construction P. O. Box 10690 559 Rodi Road Pittsburgh, PA 15235-0690	Saw Mill Run	Allegheny County CD (412) 241-7645
Allegheny County Penn Hills	PAR10A295	Municipality of Penn Hills 12245 Frankstown Road Pittsburgh, PA 15235	Plum Creek	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAR10A318	Trammel Crow Company 707 Grant Street, Suite 300 Pittsburgh, PA 15219	Montour Run	Allegheny County CD (412) 241-7645
Allegheny County City of McKeesport	PAR10A320	Robert Marko Landscaping P. O. Box 3298 McKeesport, PA 15134	UNT Long Run	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAR10A322	Linmar Realty Company II 1800 Moler Road Columbus, OH 43207	Brush Creek	Allegheny County CD (412) 241-7645

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Hampton Township	PAR10A323	Three Oaks Land Development Co. 834 Country Club Drive Pittsburgh, PA 15228	Girtys Run	Allegheny County CD (412) 241-7645
Allegheny County Elizabeth Township	PAR10A324	Butler's Golf Course 800 Rock Run Road Elizabeth, PA 15037-2612	UNT Youghiogheny River	Allegheny County CD (412) 241-7645
Allegheny County Collier Township	PAR10A325	Kossman Development Company Eleven Parkway Center Suite 300 Pittsburgh, PA 15220	Chartiers Creek	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAR10A330	TrueLine Corporation 470 Old Frankstown Road Monroeville, PA 15146	Robinson Run	Allegheny County CD (412) 241-7645
Allegheny County Etna Borough Sharpsburg Borough Shaler Borough O'Hara Township	PAR10A332	PA Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Pine Creek	Allegheny County CD (412) 241-7645
Allegheny County City of Pittsburgh	PAR10A334	School District of Pittsburgh 1305 Muriel Street Pittsburgh, PA 15203	Saw Mill Road	Allegheny County CD (412) 241-7645
Allegheny County Richland Township	PAR10A335	Beau Jacob Builders and Designers, Inc. 406 Heights Drive Gibsonia, PA 15044	UNT Deer Creek	Allegheny County CD (412) 241-7645
Allegheny County Montour Run	PAR10A339	RCJ Corporation 1150 Brodhead Road Monaca, PA 15061-2000	Montour Run	Allegheny County CD (412) 241-7645
Allegheny County Greentree Borough	PAR10A341	The Sampson Group 100 Sandune Drive Pittsburgh, PA 15239	Whiskey Run	Allegheny County CD (412) 241-7645
Armstrong County Kiski Township	PAR10B029	The Spring Church Group 2867 Washington Road McMurray, PA 15317	UNT	Armstrong County CD (724) 548-3425
Beaver County Center Township	PAR100254	Ardex, Inc. 1155 Stoops Ferry Road Coraopolis, PA 15108	Raccoon Creek	Beaver County CD (724) 774-7090
Cambria County Reade Township	PAR101050	DEP—BAMR P. O. Box 149 Ebensburg, PA 15931	Bells Gap Run	Cambria County CD (814) 472-2120
Cambria County Richland Township	PAR101051	Northern Division Naval Facilities Engineering Command 10 Industrial Highway NS #82 Lester, PA 19113-2090	UNT Solomon Run	Cambria County CD (814) 472-2120
Washington County Fallowfield Township	PAR10W125	Fallowfield Township Municipal Authority 6 Memorial Drive Charleroi, PA 15022	Maple Creek	Washington County CD (724) 228-6774
Washington County Chartiers Township	PAR10W131	PA Trolley Museum One Museum Road Washington, PA 15301	Chartiers Creek	Washington County CD (724) 228-6774
Washington County South Strabane Township	PAR10W134	Penn Plastics Company 4839 Campbells Run Road Pittsburgh, PA 15205-1386	Chartiers Creek	Washington County CD (724) 228-6774

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Washington County Dunlevy Borough	PAR10W136	Matthew and Eileen Claybaugh 19 Euclid Avenue Monessen, PA 15062	UNT Monongahela River	Washington County CD (724) 228-6774
Washington County Cecil Township	PAR10W137	Robert Mistick 1300 Brighton Road Pittsburgh, PA 15233	UNT Chartiers Creek	Washington County CD (724) 228-6774
Washington County South Strabane	PAR10W139	Life Services Corporation 1625 Lowell Avenue Erie, PA 16505	UNT Chartiers Creek	Washington County CD (724) 228-6774
Washington County Peters Township	PAR10W140	Peters Township High School 631 East McMurray Road McMurray, PA 15317	UNT Chartiers Creek	Washington County CD (724) 228-6774
Washington County Union Township	PAR10W142	Equitrans, L.P. 175 Industry Road Waynesburg, PA 15370	Fruman Run	Washington County CD (724) 228-6774
East Providence Township Bedford County	PAR-10-0439	Richard Mitstifer All American Plaza, Inc. P. O. Box 302 State College, PA 19507	Tub Mill Run	Bedford County CD 702 West Pitt Street, Suite 4 Bedford, PA 15009 (814) 623-6706
Snake Spring Township Bedford County	PAR-10-0440	William Waltman 354 Penn Knull Road Everitt, PA 15537	Trib. to Raystown Branch Juniata River	Bedford County CD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Amity Township Berks County	PAR-10-C259	Proposed Wawa Development Wawa, Inc. 260 Baltimore Pike Wawa, PA 19063	UNT Schuylkill River	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Cumru Township Berks County	PAR-10-C268	Mifflin Soccer Club James Hutchinson Governor Mifflin Soccer Club, Inc. P. O. Box 371 Shillington, PA 19607	Wyomissing Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Lower Heidelberg Township Berks County	PAR-10-C274	Green Valley Estates Phases 5—12 Fiorino Grande Grande Construction 424 Miller Road Sinking Spring, PA 19608	Cacoosing Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Lower Paxton Township Dauphin County	PAR-10-I191	John and Mark DiSanto c/o Triple Crown Corp. 5351 Jacee Avenue Harrisburg, PA 17112	Paxton Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Middle Paxton Creek Dauphin County	PAR-10-I194	Texas Eastern Transmission Corp. 5444 Westheimer Street WT478 Houston, TX 77056	Susquehanna River	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Milford Township Juniata County	PAR-10-3504	Locust Grove Cottages Tressler Lutheran Services 960 Century Drive P. O. Box 2001 Mechanicsburg, PA 17055	UNT Licking Creek	Juniata County CD R. R. 3, Box 302 (Smith Road) Mifflintown, PA 17059 (717) 436-6919

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Rapho Township Lancaster County	PAR-10-O-365	Leon B. Koser 2016 Prospect Road Mt. Joy, PA 17552	Chickies Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Borough Lancaster County	PAR-10-O-375	Harrington Hoists & Cranes 401 West End Avenue Manheim, PA 17545	Chickies Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Dover Township York County	PAR-10-Y375	Scarlet Hills Gaylord Cumberledge 92 Haldeman Avenue New Cumberland, PA 17070	Fox Run	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Peach Bottom Township York County	PAR-10-Y379	Raymond Smith Subdivision Raymond Smith P. O. Box 573 Delta, PA 17314	Scott Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Windsor Township York County	PAR-10-Y374	Pleasant View Elementary School Red Lion Area School District 696 Delta Road Red Lion, PA 17356-9185	Pine Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Newberry Township York County	PAR-10-Y383	Grandview Acres Sanitary Sewer Judith Miller Newberry Township Municipal Auth. Etters, PA 17319	UNT to Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAR-10-Y382	Springettsbury Municipal Bldg. Springettsbury Township 1501 Mt. Zion Road York, PA 17402	UNT to Mill Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Lehigh County Upper Milford Township	PAR10Q122	Powder Valley Estates Partners Glenn Fretz 188 Jefferson St. Emmaus, PA 18049	Indian Cr.	Lehigh CD (610) 391-9583
Luzerne County Hazle Township	PAR10R178	Mericle Properties 600 Baltimore Dr. Wilkes-Barre, PA 18702	Tom Hicken Cr.	Luzerne CD (570) 674-7991

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
City of Erie Erie County	PAR118326	GE Appliances Appliance Park, AP1-108 Louisville, KY 40225	Lake Erie	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4**Facility Location
County and
Municipality*Bradford County
Sheshequinn Township*Permit No.*

PAG045063

*Applicant Name
and Address*Michael R. Giordano
R. R. 5, Box 5307
Towanda, PA 18848*Receiving Stream
or Body of Water*UNT of
Susquehanna
River*Contact Office and
Telephone No.*Northcentral
208 W. Third St.
Williamsport, PA 17701
(717) 327-3664*General Permit Type—PAG-7**Facility Location
County and
Municipality*Penn Township
Lancaster County*Permit No.*

PAG-07-3502

*Applicant Name
and Address*A & M Composting, Inc.
2022 Mountain Road
Manheim, PA 17545*Receiving Stream
or Body of Water*

N/A

*Contact Office and
Telephone No.*SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG-8**Facility Location
County and
Municipality*Monroe County
Middle Smithfield
Township*Permit No.*

PAG-08-2208

*Applicant Name
and Address*Middle Smithfield Twp.
Municipal Authority
25 Municipal Drive
East Stroudsburg, PA
18301*Receiving Stream
or Body of Water*

N/A

*Contact Office and
Telephone No.*Northeast Regional
Office
Water Management
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511Cumberland Township
Adams CountyPAG-08-3523
PAG-08-3524Cumberland Township
Auth.
1370 Fairfield Road
Coellysburg, PA 17325*Land Application
Site*Carl G. Woerner
Farm
Herrs Rd. and
Rt. 30
Cumberland
Township
Adams CountySCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG-9**Facility Location
County and
Municipality*Montgomery Township
Franklin County*Permit No.*

PAG-09-3522

*Applicant Name
and Address*Carl Gipe, Jr.
8014 Corner Road
Mercersburg, PA 17236*Receiving Stream
or Body of Water*

N/A

*Contact Office and
Telephone No.*SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707**SEWAGE FACILITIES ACT
PLAN APPROVAL****Plan approval granted under the Pennsylvania
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Regional Office: Water Management Program Manager,
Southcentral Region, 909 Elmerton Ave., Harrisburg, PA
17110.**Location: Napier Township, Bedford County, P. O. Box
49, Schellsburg, PA 15559. Approved plan provides for
extension of the public sewer service areas surrounding
New Paris Borough and Schellsville. The remainder of
the Township will utilize onlot disposal system manage-
ment. The Department's review of the sewage facilities
update revision has not identified any significant environ-
mental impacts resulting from this proposal.***SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drink-
ing Water Act (35 P. S. §§ 721.1—721.17).***Southcentral Regional Office: Sanitarian Regional
Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-
8200, (717) 705-4708.***Permit No. 0198502.** Public water supply, **Lit-
tlestown Borough Authority**, Littlestown Borough,
Adams County. *Responsible Official: Yvette Kreitz,
Manager, Littlestown Borough Authority, 46 E. King St.,
Littlestown, PA 17340. Type of Facility: Construction of a
0.216 mgd Zenon Zeeweed ultrafiltration membrane sys-
tem at Well No. 8. Gaseous chlorine will be used for
disinfection. Consulting Engineer: Scott M. Rights, P.E.,
HRG, Inc., 32 W. Middle St., Gettysburg, PA 17325.*

Application received: September 10, 1998. Permit to Construct Issued/Denied: April 27, 1999.

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

Permit No. 6599501. Public water supply. **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717.

Type of Facility: United Pump Station.

Permit for Construction Issued: April 21, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

James A. Stimmler, Inc., Loading Rack, AOC, Worcester Township, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Final Report concerning remediation of site soils contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

James A. Stimmler, Inc., UST, AOC, Worcester Township, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Final Report concerning remediation of site soils contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Staats Oil (Former), Malvern Borough, **Chester County**. Sean Grexa, The Tyree Organization, Ltd., 1350 S. US Highway 130, Burlington, NJ 08016, has submitted a Final Report concerning remediation of site soils contaminated with BTEX and polycyclic aromatic hydrocarbons and site groundwater contaminated with polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Brandywine Realty, II, Inc., Property, UST Area, Concord Township, **Delaware County**. Carl J. Bones, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site soils contaminated with polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Katz & Katz, Hilltown Township, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Final Report concerning remediation of site soils contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Hilltop Laundry, Lewistown Borough, **Mifflin County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, has submitted a Final Report concerning remediation of site soils contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide health standard.

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

Nicholas Cianci, 70 Hadley Road, Greenville, PA 16125, Hempfield Township, **Mercer County**, has submitted a Final Report concerning remediation of the site contaminated with BTEX and PHCs. The report intended to document remediation of the site to meet the Statewide health standard. A summary of the Final Report was published in the *Record Argus* on April 3, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial

investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

ACME Store No. 22-1764 (Former), East Nottingham Township, **Chester County**. Iain Bryant, Sovereign Consulting, Inc., 111-A North Gold Drive, Robbinsville, NJ 08691, has submitted a Final Report concerning remediation of site soils contaminated with BTEX and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 22, 1999.

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

Cecilia Kearns Residence, East Conemaugh Borough, **Cambria County**. David R. Crowther, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a final report concerning remediation of site soil contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on April 9, 1999.

Johnny Jones Building, City of Pittsburgh, **Allegheny County**. James Fleming, RECON/JRF Investments, 6550 Hamilton Avenue, Pittsburgh, PA 15232 and David R. Perry, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848, have submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, solvents and PHCs. The Baseline Environmental Report was approved by the Department on April 28, 1999. The report delineates contamination existing onsite and will be the basis for any site remediation necessary under a Consent Agreement using the special industrial area requirements.

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

Progress Park Lot 7, City of Lebanon, **Lebanon County**. Joanne and Barry McGee (t.d.b.a. Joanne M. McGee Cleaning and Janitorial Service, Inc.) 119 Buck Run, Lebanon, PA 17042, have submitted a baseline remedial investigation work plan concerning the remediation of site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX and PAHs. This report was approved by the Department on April 5, 1999.

SOLID AND HAZARDOUS WASTE

RESIDUAL WASTE PROCESSING FACILITIES

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.

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

Permit ID No. 300491. Homer City Station Ash Disposal Site, EME Homer City Generation, L. P., 18101 Von Karman Avenue, Irvine, CA 92612-1046. Operation of a captive residual waste landfill in Center and Black Lick Townships, **Indiana County**. Permit originally issued on March 26, 1997, to GPU Generation, Inc. is reissued in the Regional Office on April 27, 1999, to reflect a change in ownership of the site to EHE Homer City Generation, L.P.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

Permit No. 301297. Holtwood Ash Basin No. 2, PP & L, Inc. (Two North Ninth Street, Altoona, PA 18101). Application for permit modification for a closure plan for a site in Martic Township, **Lancaster County**. Permit issued in the Regional Office April 27, 1999

Permits revoked 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 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.

Permit No. 603225. Snell No. 1 Farm, Wrightsville Borough Municipal Authority (129 South Second Street, Wrightsville, PA 17368). This permit has been revoked at the request of the permittee for a site in Lower Windsor Township, **York County**. Permit revoked in the Regional Office April 14, 1999.

Permit No. 602752. Kenneth Zurin Farm, Kline's Services, Inc. (Five Holland Street, Salunga, PA 17538). This permit has been revoked at the request of the

permittee for a site in East Hempfield Township, **Lancaster County**. Permit revoked in the Regional Office April 14, 1999.

Permit No. 603387. Royer (Frederick England) Farm, Altoona City Authority (20 Greenwood Road, Altoona, PA 16602-7197). This permit has been revoked at the request of the permittee for a site in Woodbury Township, **Blair County**. Permit revoked in the Regional Office April 14, 1999.

Permit No. 603371. Rogers Farm, Dover Township (2480 West Canal Road, Dover, PA 17351). This permit has been revoked at the request of the permittee for a site in Dover Township, **York County**. Permit revoked in the Regional Office April 23, 1999.

Permit No. 630285. Levi A. Lapp Farm, Bio Gro Division (P. O. Box 266, Somerset, PA 15501). The permit has been revoked at the request of the permittee for a site in Little Britain Township, **Lancaster County**. Permit revoked in the Regional Office April 23, 1999.

Permit No. 603285. James A. Hess Farm, Bio Gro Division (P. O. Box 266, Somerset, PA 17351). This permit has been revoked at the request of the permittee, for a site in East Drumore Township, **Lancaster County**. Permit revoked in the Regional Office April 23, 1999.

AIR QUALITY

OPERATING PERMITS

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

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

TV-65-00720: Carbide Corp. (425 Arona Road, P. O. Box 509, Irwin, PA 15642), issued a Title V Operating Permit April 23, 1999, for operation of tool and die manufacturing at Arona Plant in Hempfield Township, **Westmoreland County**.

City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 823-7584.

S95-061: Angelica Textile Services (57th and Lindbergh Blvd., Philadelphia, PA 19143), issued April 22, 1999, for operation of a textile laundering facility which includes two <35 MMBTU/hr boilers in the **City of Philadelphia**.

S95-011: Caledonian Dye Works, Inc. (3300 Emerald Street, Philadelphia, PA 19134), issued April 22, 1999, for operation of a 600 HP boiler in the **City of Philadelphia**.

S95-093: General Services Administration—William J. Green Federal Building (600 Arch Street, Philadelphia, PA 19106), issued April 22, 1999, for operation of four <30 MMBTU/hr boilers and three emergency generators in the **City of Philadelphia**.

S95-056: Jowitt & Rodgers Co. (9400 State Road, Philadelphia, PA 19114), issued April 22, 1999, for operation of an abrasive grinding wheel manufacturing facility in the **City of Philadelphia**.

S96-017: Luithlen Dye Corp. (J and Tioga Streets, Philadelphia, PA 19134), issued April 22, 1999, for operation of two 400 HP boilers in the **City of Philadelphia**.

S96-025: Nazareth Hospital (2601 Holme Avenue, Philadelphia, PA 19152), issued April 22, 1999, for operation of three <=500 HP boilers and four emergency generators in the **City of Philadelphia**.

S96-004: Germantown Hospital and Community Health Services (One Penn Blvd., Philadelphia, PA 19144), issued April 22, 1999, for operation of three <=20 MMBTU/hr boilers and two emergency generators in the **City of Philadelphia**.

PLAN APPROVALS

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

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

07-310-025A: Grannas Bros. Stone & Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648), issued April 29, 1999, for construction of a limestone crushing and screening plant controlled by water sprays and a fabric collector at Ganister Quarry in Catherine Township, **Blair County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

32830113. Permit Renewal, Beilchick Brothers (P. O. Box 7, Heilwood, PA 15745-0007), commencement, operation and restoration of bituminous strip mine in Buffington Township, **Indiana County**, affecting 410.5 acres, receiving stream unnamed tributaries to Mardis Run and Mardis Run. Application received March 3, 1999; issued April 28, 1999.

56813050. Permit Renewal for reclamation only, Shade Mining Company (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), for continued restoration of a bituminous strip mine in Quemahoning, Shade and Stonycreek Townships, **Somerset County**, affecting 150.7 acres, receiving stream unnamed tributaries to Oven Run; and to unnamed tributary to Lamberts Run. Application received February 18, 1999; issued April 28, 1999.

11950103. SMP Boundary Revision, R.J.C. Kohl, Inc. (Box 299, Nicktown, PA 15762), to add 1.6 acres to the northern end of the existing Phase I SMP boundary for

additional mining of the Upper Freeport coal seam. Total SMP acres go from 75.0 to 76.6. And, SMP Revision to conduct mining activities within 100 feet of S. R. 4021. Receiving streams for this SMP continue to be unnamed tributaries to Fox Run in Susquehanna Township, **Cambria County**. Application received February 16, 1999; issued April 28, 1999.

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

03960104. Thomas J. Smith, Inc. (R. R. 1, Box 260D, Shelocta, PA 15774). Permit revised to allow for an insignificant boundary correction and stream variance at an existing bituminous surface/auger mining site located in South Bend Township, **Armstrong County**, affecting 155.6 acres. Receiving streams: Lindsay Run and unnamed tributary to Lindsay Run. Application received: November 20, 1998. Revision issued: May 3, 1999.

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

57830101. Bernice Mining & Contracting, Inc. (P. O. Box 208, Mildred, PA 18632), renewal of an existing bituminous surface mine permit in Cherry Township, **Sullivan County** affecting 880.1 acres. Receiving streams: Birch Creek and to unnamed tributaries of Loyalsock Creek, both to Loyalsock Creek and Loyalsock Creek to West Branch Susquehanna River. Application received February 12, 1999. Permit issued April 14, 1999.

17714022. A. W. Long Coal Company (1203 Presqueisle Street, Philipsburg, PA 16866), renewal of an existing bituminous surface mine permit in Morris Township, **Clearfield County** affecting 142.4 acres. Receiving streams: Hawk Run to Moshannon Creek, and Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received March 11, 1999. Permit issued April 29, 1999.

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

33820149. Rosio Coal Company (243 East Logan Avenue, DuBois, PA 15801). Renewal of a bituminous strip and limestone removal operation in Washington Township, **Jefferson County** affecting 54.0 acres. Receiving streams: One unnamed tributary of Mill Creek. Application received: January 13, 1999. Permit Issued: April 20, 1999.

37940103. Amerikohl Mining Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip operation in Hickory Township, **Lawrence County** affecting 256.0 acres. This renewal is issued for reclamation only. Receiving streams: Two unnamed tributaries to Neshannock Creek and three unnamed tributaries to Hottenbaugh Run. Application received: March 12, 1999. Permit issued: April 20, 1999.

33860109. Ed. Hanslovan Coal Co., Inc. (R. D. 2, Box 230, Morrisdale, PA 16858). Revision to an existing bituminous strip operation to add 10.0 acres in Washington Township, **Jefferson County**. Total permit acreage is 167.0 acres. Receiving streams: Unnamed tributaries to Rattlesnake Creek. Application received: February 8, 1999. Permit Issued: April 20, 1999.

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

40980201. Bonner Shale Company (RR 1, Box 410C, Humboldt, Hazleton, PA 18201), commencement, operation, and restoration of an anthracite coal refuse reprocessing and bank removal operation in Hazle Township,

Luzerne County affecting 92.0 acres, receiving stream—none. Permit issued April 28, 1999.

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

Noncoal Permits Issued

3076SM24. H & H Materials, Inc. (190 Canon Road, Stoneboro, PA 16153). Renewal of NPDES No. PA0212083, New Vernon Township, **Mercer County**. Receiving streams: Little Shenango River. Application received: March 8, 1999. Permit Issued: April 21, 1999.

33980305. Glenn Brothers Quarry (P. O. Box 281, Corsica, PA 15829). Commencement, operation and restoration of a sandstone operation in Clover and Union Townships, **Jefferson County** affecting 10.3 acres. Receiving streams: None. Application received: July 21, 1998. Permit Issued: April 23, 1999.

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

8074SM3C5. M & M Stone Co. (P. O. Box 189, 2840 West Clymer Avenue, Telford, PA 18969) renewal of NPDES Permit No. PA0118443 in Lower Salford Township, **Montgomery County**, receiving stream—East Branch Perkiomen Creek. Renewal issued April 26, 1999.

6476SM26T. Coldsmith Construction Company, Inc. (1555 Coldsmith Road, Shippensburg, PA 17257), transfer of an existing quarry operation in Hamilton Township, **Franklin County** affecting 4.2 acres, receiving stream—none. Transfer issued April 27, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

14990801. Ronald J. Seprish (104 E. Park Avenue, Snow Shoe, PA 16874), commencement, operation and restoration of a small industrial mineral (flagstone, sand, flat rock) permit in Snow Shoe Township, **Centre County**, affecting 1 acre. Receiving streams: Beech Creek North Fork, Beech Creek South Fork, tributary to Beech Creek. Application received March 9, 1999. Permit issued April 20, 1999.

08992802. E. A. Ward Excavating, Inc. (R. R. 3, Box 244, Troy, PA 16947), commencement, operation and restoration of a small industrial mineral (gravel, sand) 100,000 ton permit in West Burlington Township, **Bradford County** affecting 2 acres. Receiving streams: tributary to Sugar Creek, Sugar Creek. Application received March 29, 1999. Permit issued April 28, 1999.

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

25992801. Ray Showman Jr. Excavating, Inc. (12671 Route 19 South, P. O. Box 646, Waterford, PA 16441). Commencement, operation and restoration of a small noncoal sand and gravel operation in Waterford Township, **Erie County** affecting 5.0 acres. Receiving streams: None. Application received: January 29, 1999. Permit Issued: April 21, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The Department of Environmental Protection (Department) has taken the following actions on previously received 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)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental 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 Clean Streams Law (35 P.S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

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

EA40-005NE. Encroachment. **PA Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To backfill a 0.88 acre waterbody contained within an 8.4 acre abandoned strip mine pit in conjunction with Abandoned Mine Reclamation Project OSM 40 (2135) 102.1, Lee Park Southwest (Wilkes-Barre West, PA Quadrangle N: 17.25 inches; W: 7.12 inches), Hanover Township, **Luzerne County** (Baltimore District, U.S. Army Corps of Engineers).

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

E19-187. Encroachment. **PA Department of Transportation, District 3-0**, 715 Jordan Avenue, Montoursville, PA 17754. To replace and maintain an existing 72 inch diameter corrugated metal pipe culvert with 72 inch reinforced concrete pipe culvert and to construct a temporary diversion dam in an unnamed tributary to the Green Creek located 2 miles south of the intersection of SR-4041 (RT. 254) and SR-1022 along SR-4041 at the intersection with T-577 (Bloomsburg, PA Quadrangle N: 19.9 inches; W: 5.8 inches) in Orange Township, **Columbia County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-1261. Encroachment. **Public Auditorium Authority of Pittsburgh and Allegheny County**, Regional Resource Center, 425 Sixth Avenue, Suite 1410, Pittsburgh, PA 15219-1819. To construct and maintain a major league baseball stadium known as PNC Park within the flood plain of the Allegheny River (WWF) and

to construct and maintain a river bulkhead wall and its associated fill for a distance of approximately 1,100 feet within the channel and floodway of the Allegheny River. The stadium will be located on the south side of West General Robinson Street between Stadium Drive and Federal Street near River Mile 0.5 on the right bank side of the Allegheny River (Pittsburgh West PA Quadrangle N: 12.9 inches; W: 0.7 inch) in the City of Pittsburgh, **Allegheny County**.

E26-247. Encroachment. **James W. Faith and Dorothy J. Faith**, 101 Tanyard Hollow Road, Connellsville, PA 15425. To operate and maintain approximately 250 linear feet of fill and the associated residential building along the right bank of Breakneck Run (WWF) located at the corner of Breakneck Road (S. R. 1051) and Tanyard Hollow Road (S. R. 1034) (Connellsville, PA Quadrangle N: 5.9 inches; W: 8.7 inches) in Bullskin Township, **Fayette County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E56-288. Encroachment. **Somerset County Commissioners**, 111 East Union Street, Suite 100, Somerset, PA 15501-1543. To rehabilitate and maintain the Reading Mines Bridge (Somerset County Bridge No. 52) having a span of 39.9 feet and an underclearance of 10.1 feet across Beaverdam Creek (HQ-CWF-stocked) for the purpose of correcting a severe undermining problem along the south abutment by underpinning of concrete, placing a concrete toe wall and rock protection. This bridge is located on T-648 at a point approximately 2,500 feet north of intersection of T-648 and S. R. 281 (Stoystown, PA Quadrangle N: 16.5 inches; W: 12.19 inches) in Quemahoning Township, **Somerset County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

E42-261. Encroachment. **Hamlin Township**, P. O. Box 235, Hazel Hurst, PA 16733. To remove the existing structure and to construct and maintain an 81-inch-wide by 59-inch-high CM pipe arch culvert in Kane Creek on T-319 (Dewey Avenue) in the village of Hazel Hurst (Hazel Hurst, PA Quadrangle N: 14.8 inches; W: 11.6 inches) in Hamlin Township, **McKean County**.

SPECIAL NOTICES

Request for Proposal

Northumberland County Pennsylvania is currently revising its Municipal Solid Waste Plan in accordance with the requirements of Pennsylvania Act 101, the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988. The County of Northumberland is issuing this Request for Proposals (RFP) to obtain information which will form the basis for selecting a qualified vendor to provide long-term disposal capacity for county generated municipal solid waste (MSW), to include construction and demolition waste C/D and sewage sludge generated within the county. This RFP is issued to meet the requirements of Act 101, which mandates the utilization of a fair and competitive procurement process.

For a nonrefundable fee of \$100 U.S. currency a copy of the RFP may be obtained from the Northumberland County Planning Commission, 399 S. Fifth Street, Suite 207, Sunbury, PA 17801, or by calling (570) 988-4220. Proposals must be enclosed in a sealed envelope, clearly labeled as the "Proposal for Municipal Solid Waste Dis-

posal Capacity" and will be received until 10 a.m. in the office of the County Controller and opened in the Office of the County Commissioners at 10:30 a.m., June 15, 1999.

Proposals should be delivered to the office of the County Controller, Charles Erdman, Northumberland County Administration Center, 399 S. Fifth Street, (2nd Floor), Sunbury, PA 17801.

Northumberland County Non-Collusion Affidavit must be included with the proposal.

The sealed proposal will be publicly opened on Tuesday, June 15, 1999, at 10:30 a.m., prevailing time at the regularly scheduled meeting of the Northumberland County Board of Commissioners, Northumberland County Adm. Building, 399 S. Fifth Street, First Floor, Sunbury, PA 17801.

Recycling Grant Award Under the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) announces the following correction to the amount

of a grant to a municipality for its recycling program under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 902. The grant was previously announced in the March 13, 1999 *Pennsylvania Bulletin*.

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Municipalities Financial Recovery Act (53 P. S. §§ 11701.101—11701.501) are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by section 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offering should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101

Section 902 Recycling Development and Implementation Grant

Bureau of Land Recycling and Waste Management

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
Sullivan County	Computer Equipment for Recycling Education	\$13,320

Notice of Denial to Perform Radon-Related Activities in Pennsylvania

In the month of April 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code § 240.201, denied the person or persons listed from performing radon-related activities in Pennsylvania.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Nick Hindley	RR 1, Box 408 Honesdale, PA 18431	Testing

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of April 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Brian Bacchus	709 Sloop Road Pittsburgh, PA 15237	Testing
Michael Bednar	950 Sussex Boulevard Broomall, PA 19008	Testing
Chuck Berthoud HouseMaster	47 Brookside Avenue Hershey, PA 17033	Testing
G. Frank Burditt, Jr.	387 Winfred Manor Drive Bethel Park, PA 15102	Testing
Jimmie Camp	6006 Forest Drive Monaca, PA 15061	Testing
Richard Cuthbert	351 West 10th Street Erie, PA 16502	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
James Fleissner	4145 Valleyview Drive Ext. Gibsonia, PA 15044	Mitigation
David Grammer Northeast Environmental Testing	27 Ironia Road, Unit 2 Flanders, NJ 07836	Testing
Robert Grimwood	2536-110 Eastern Boulevard York, PA 17402	Testing
Susan Hetrick	766 Magaro Road Enola, PA 17025	Testing
Home Check, Inc.	317 McWilliams Road Trafford, PA 15085	Testing
Gene Kucharski	22163 Daisy Avenue Meadville, PA 16335	Testing
David Kutschbach	213 Keifer Drive Pittsburgh, PA 15241	Testing
Karl May, Jr.	19 Morris Lane Wellsboro, PA 16901	Mitigation
Patrick Moran	4601 Locust Lane Harrisburg, PA 17109	Testing
Ira Nerenberg Amerispec of Northeast PA	55 Indian Drive Greentown, PA 18426	Testing
Philip Parke, Sr.	3201 Addison Drive Wilmington, DE 19808	Testing
Precision Home Inspections, Inc.	6 Chestwood Drive Connellsville, PA 15425	Testing
Ronald Segada	425 3rd Street Cresson, PA 16630	Testing
Dennis Swindell	227 Locust Street, Box 12 Alum Bank, PA 15521	Testing
Joseph Wiggins Radon B-Gone	8 First Street Carnegie, PA 15106	Mitigation

**Notice of Action on First Land Application of Nonexceptional Value Sewage Sludge Under General Permit
PAG-8 or PAG-9**

The Department of Environmental Protection (Department) has previously approved coverage under General Permit PA-8 or PA-9 for the generators of nonexceptional quality sewage sludge listed as follows. General Permit PA-8 authorizes the beneficial use of nonexceptional quality sewage sludge by land application. General Permit PA-9 authorizes the beneficial use of residential septage by land application to agricultural land, forest or a reclamation site. The purpose of this notice is to advise the public that the Department has reviewed the Notices for First Land Application of Sewage Sludge for the following sites and determined that the sites are suitable for land application of nonexceptional quality sewage sludge.

These actions of the Department may be appealed to the Environmental Hearing Board (Board) at 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 by an aggrieved person 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 Administrative Agency Law). Appeals must be filed within 30 days of 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 Board's rules of practices and procedure may be obtained from the Board.

Final Actions Regarding Land Application of Nonexceptional Value Sewage Sludge Under Land Application General Permits

Northeast Region

Approval has been granted for the land application of nonexceptional value sewage sludge at the sites listed.

<i>Applicable GP No.</i>	<i>Generator Name and Address</i>	<i>Land Application Site</i>
PAG08-2205	Nazareth Borough Municipal Authority P. O. Box 872 Tatamy Rd. Nazareth, PA 18604	Peter Kiefer Farm Tatamy and Van Buren Rd. Easton, PA 18042 Northampton County

Applicable GP No.
PAG08-2207

Generator Name and Address
Yeska & Sons, Inc.
821 Georgetown
Nazareth, PA 18604

Land Application Site
Peter Kiefer
Tatamy and Van Buren Rd.
Easton, PA 18042
Northampton County

[Pa.B. Doc. No. 99-791. Filed for public inspection May 14, 1999, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Guidance

DEP ID: 250-3100-001 Title: Draft Guidance Document on Radioactivity Monitoring at Municipal and Residual Waste Processing and Disposal Facilities Description: The purpose of this guidance is to protect the environment and public health, safety and welfare from the possible dangers of radioactive material that is wrongly delivered to municipal and residential waste processing and disposal facilities.

This guidance provides operators of municipal and residual waste processing and disposal facilities with guidance on how to monitor for radioactive materials in incoming loads of waste and what steps to take in response to an alarm triggered by the monitoring. Some facilities will soon be required by regulation to monitor and inspect for radioactive materials. Facilities that are not required to monitor will be expected to follow this guidance document. Anticipated Effective Date: September 1, 1999 Comment Period Ends: June 15, 1999 Contact: William Kirk at (717) 787-3479

DEP ID: 562-5900-001 Title: Accident Investigation Description: The purpose of this guidance is to outline a standard operating procedure for investigating injuries on non-coal, anthracite and bituminous surface mine sites, and to define how the investigation will be jointly carried

out with the Federal Mine Safety and Health Administration (MSHA). Anticipated Effective Date: September 17, 1999 Comment Period Ends: June 15, 1999 Contact: Don Barnes at (814) 472-1898

DEP ID: 563-2112-616 Title: Effluent Limits for Postmining Discharges Description: This guidance describes procedures for applying effluent limitations to postmining pollutional discharges. Particular attention is given to the application of effluent limitations derived through a best professional judgment analysis. Anticipated Effective Date: September 4, 1999 Comment Period Ends: June 15, 1999 Contact: Evan Shuster at (717) 787-5103

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-792. Filed for public inspection May 14, 1999, 9:00 a.m.]

Storage Tank Advisory Committee; Cancellation of Meeting

The June 1, 1999 meeting of the Department of Environmental Protection's Storage Tank Advisory Committee (STAC) has been canceled.

Questions should be addressed to Glenn Rider at (800) 42TANKS (if calling within Pennsylvania) or (717) 772-5599 or e-mail at rider.glenn@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-793. Filed for public inspection May 14, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act, as amended, 42 U.S.C.A. §§ 241(a) and 247(b), will hold a public meeting on Wednesday, May 19, 1999, and Thursday, May 20, 1999.

The meetings will be held at the Sheraton Inn Harrisburg East, 800 East Park Avenue, Harrisburg, PA from 10 a.m. to 4 p.m.

For additional information contact Thomas M. DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0574.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, should also contact Thomas DeMelfi at (717) 783-0574, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-794. Filed for public inspection May 14, 1999, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Availability of Fiscal Year 1999-2000 Title XX Social Services Block Grant Planning Document

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year 1999-2000 Social Services Block Grant Plan. Comments on this document will be used to formulate the Department's final plan for using Title XX Social Services Block Grant funds in Fiscal Year 1999-2000.

Persons wishing to obtain a copy of the Plan may do so at their local County Assistance Office or by contacting the Department at the following address.

Persons wishing to submit written comments on this Plan must do so by June 14, 1999. Comments are to be addressed to John R. Gibble, Department of Public Welfare, Office of Social Programs, Bureau of Social Services, 2nd Floor, Bertolino Building, P. O. Box 2675, Harrisburg, PA 17105-2675.

Availability of Other Social Services Block Grant Documents

The Department, in accordance with the requirements of Title XX Block Grants to States for Social Services (42 U.S.C.A. § 1397) announces the availability of the following Social Services Block Grant documents:

- a. Social Services Block Grant Annual Report for Fiscal Year 1996-1997;
- b. Social Services Block Grant Annual Report for Fiscal Year 1997-1998;
- c. Fiscal Year 1998-1999 Social Services Block Grant Pre-Expenditure Report; and
- d. Responses to Comments on the Fiscal Year 1998-1999 Social Services Block Grant Plan.

These documents are available by written request to John R. Gibble at the previous address indicated.

Persons with a disability may request a copy of the Fiscal Year 1999-2000 SSBG Plan and/or provide comments by using the AT&T Relay Service. The Relay Service may also be used to request any of the other SSBG documents which are available.

The Relay Service may be accessed by calling (800) 654-5984 (TTD users) or (800) 654-5988 (Voice users).

Persons who require another alternative, should contact John Gibble at (717) 787-5756.

FEATHER O. HOUSTOUN,
Secretary

[Pa.B. Doc. No. 99-795. Filed for public inspection May 14, 1999, 9:00 a.m.]

Income and Resource Limits for Spouse Living in the Community When the Other Spouse is Institutionalized

(Editor's Note: This document was printed without its fiscal note at 29 Pa.B. 2336 (May 1, 1999). It is being reprinted here with its fiscal note.)

The Department of Public Welfare (Department) increased the income and resource limits described at 55 Pa. Code §§ 181.452(c)(2)(iv), 178.124(a)(3)(i) and (ii) effective January 1, 1999, as required by 42 U.S.C.A. § 1396r-5.

The regulations at 55 Pa. Code §§ 181.452(c)(2)(iv), 178.124(a)(3)(i) and (ii) establish the basis for determining the Monthly Community Spouse Maintenance Need Amount and the maximum and standard Community Spouse Resource Standard for the Categorically Needy Nonmoney Payment Medical Assistance (NMP-MA) and Medically Needy Only Medical Assistance (MNO-MA) Programs. These standards are required to be published in the *Pennsylvania Bulletin* annually and are available to the public upon request at the county assistance offices.

Effective January 1, 1999, the amounts are:

Maximum Community Spouse Resource Standard	\$81,960
Standard Community Spouse Resource Standard	\$16,392
Maximum Monthly Community Spouse Maintenance Need Amount	\$ 2,049

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-198. (1) General Fund; (2) Implementing Year 1998-99 is \$443,000; (3) 1st Succeeding Year 1999-00 is \$894,000; 2nd Succeeding Year 2000-01 is \$933,000; 3rd Succeeding Year 2001-02 is \$974,000; 4th Succeeding Year 2002-03 is \$1,017,000; 5th Succeeding Year 2003-04 is \$1,062,000; (4) 1997-98 \$617.252 Million; 1996-97 \$591.910 Million; 1995-96 \$648.549 Million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. The Department's budget contains sufficient funds to cover the cost of this increase.

[Pa.B. Doc. No. 99-722. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

Notice is hereby given that the Department of Transportation, pursuant to 71 P. S. § 513(e)(7), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel 2989 City of Pittsburgh, Allegheny County. This parcel contains approximately 329,600± square feet or 7.57± acres of vacant land situated along Howard Street, in the 23rd and 24th Ward of the City of Pittsburgh, Allegheny County.

It has been determined that the land is no longer needed for present or future Transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to: Raymond S. Hack, P.E., District Engineer, Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-796. Filed for public inspection May 14, 1999, 9:00 a.m.]

Retention of Engineering Firms

Allegheny County

Project Reference No. 08430AG2346

The Department will retain an engineering firm for a multi-phase, specific project agreement to perform preliminary engineering studies; final design, including preparation of bridge and roadway plans, specifications and estimates; and engineering services during construction. This project is for the I-4R rehabilitation of S.R. 0079, Section 35M, I-79 from a point just north of the Neville Island Bridge to the I-279 merge point in the Boroughs of Glenfield, Sewickley Hills and Franklin Park and in Aleppo and Ohio Townships, Allegheny County. The approximate length of the project is 9.1 km (5.6 miles). The estimate cost is \$42 million.

The selected firm will be required to perform a variety of services including the following: project administration; field surveys; utility coordination; geotechnical studies; preliminary right-of-way investigation; safety reviews; value engineering; environmental studies to aide the Department in environmental document preparation; alternative analyses; preliminary line, grade and typical section development; and preliminary line, type and location submissions. Final design activities include: Final Step 9 and type, size and location; drainage and highway lighting design; right-of-way plans; traffic control plans; erosion and sedimentation control plans; structure designs; and preparation of a Plans, Specifications and Estimates (PS&E) package. Engineering services during construction include shop drawing review and consultation services.

The design of this project will be developed using metric units.

Letters of interest will be evaluated at the Engineering District 11-0 office with emphasis on the following factors:

- a. Specialized experience and technical competence of firm.
- b. Experience and abilities of key personnel (project manager, bridge engineer, etc.) that will be assigned to the project.

c. Past record of performance with respect to cost control, work quality and ability to meet schedules.

d. Special requirements of the project; firm's experience in highway design, structure design and maintenance and protection of traffic on similar type interstate reconstruction projects.

e. Subconsultants assigned to this project.

f. Other factors, if any, specific to the project.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The District will announce the firms that have been shortlisted at an open public meeting to be held at Engineering District 11-0, 45 Thomas Run Road, Bridgeville, PA 15017. All candidates that have submitted a letter of interest will be notified of the date. Please specify a contact person in the Letter of Interest.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to: Mr. Raymond S. Hack, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention: Mr. Richard T. Curry, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements of this project should be directed to Mr. Robert M. Collins, P.E., District 11-0, at (412) 429-4928.

Cameron, Centre, Clearfield, Clinton, Elk, Juniata, McKean, Mifflin and Potter Counties

Project Reference No. 08430AG2347

The Department will retain three (3) engineering firms for three (3) separate Open-End Contracts for various engineering and/or environmental services on various projects located in Engineering District 2-0, that is Cameron, Centre, Clearfield, Clinton, Elk, Juniata, McKean, Mifflin and Potter Counties. These Contracts will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of each Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating three (3) Open-End Contracts based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Specialized experience and technical competence of firm.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals employed by the firm shall be considered.

c. Available staffing for this assignment and the ability to respond to the Department's needs.

The work and services required under these Contracts may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under these Contracts include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under these Contracts may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations. The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under these Open-End Contracts.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a

maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to: Mr. George M. Khoury, P.E., District Engineer, Engineering District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Vasco A. Ordonez, P.E., District 2-0, at (814) 765-0439.

Cameron, Centre, Clearfield, Clinton, Elk, Juniata, McKean, Mifflin and Potter Counties

Project Reference No. 08430AG2348

The Department will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 2-0, that is Cameron, Centre, Clearfield, Clinton, Elk, Juniata, McKean, Mifflin and Potter Counties. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of \$1.0 million (\$1,000,000) dollars.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.

b. Number of NICET certified inspectors in each payroll classification.

c. Number of available inspectors in each payroll classification.

d. Understanding of Department's requirements, policies, and specifications.

e. Past Performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	11 (7)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	4 (3)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; eleven (11) inspectors should be bituminous field certified and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	14

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to: Mr. George M. Khoury, P.E., District Engineer, Engineering District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Vasco A. Ordonez, P.E., District 2-0, at (814) 765-0439.

Crawford, Erie, Forest, Mercer, Venango and Warren Counties

Project Reference No. 08430AG2349

The Department will retain an engineering firm for an Open-End Contract for geotechnical services on various projects located in Engineering District 1-0, that is Crawford, Erie, Forest, Mercer, Venango and Warren Counties. The Contract will be for a sixty (60) month period with project assigned on an as-needed basis. The maximum amount of this Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Experience and effectiveness of proposed project managers.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience.
- c. Specialized experience and technical competence of key staff.
- d. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.
- e. Location of consultant with respect to Engineering District 1-0. This will include ability/provisions for quick response to District requests.
- f. Understanding of Department's requirements, design manuals, policies and specifications.

The primary services to be provided are geotechnically related (e.g. pavement cores, slope movements analysis, develop/administer subsurface boring sampling and testing contracts). The firm may also be required to perform any or all of the following environmental studies; surface

water and ground water hydrology; wetland; soils; and geology. The environmental studies will be conducted in accordance with Department policy and accepted techniques and methodologies.

The format and contents of all documents, plans, reports or other submissions will be consistent with applicable State and Federal regulations and guidelines.

The reports and other written graphic material to be prepared may include, but are not limited to, early coordination, attend project views and meetings and prepare minutes of same, prepare appropriate submissions for all project related meetings and field views, handouts and displays, technical basis reports.

The engineering services identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project related scope of work will be described for under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

In addition to the General Requirements and Information Section following this advertisement, respondents are not to include more than eight (8) pages of resumes under Item 7 of Standard Form 255 (SF-255).

The Letter of Interest submission shall be sent to: Mr. John L. Baker, P.E., District Engineer, Engineering District 1-0, 1140 Liberty Street, Franklin, PA 16323.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael L. McMullen, P.E., District 1-0, at (814) 437-4331.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that requests engineering services, the consulting firm is

certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-797. Filed for public inspection May 14, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (act) (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (I) of the act (75 P. S. § 745.5a(h)(I)).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-548	Department of State State Board of Pharmacy Application Fees	4/29/99	3/29/01

29 Pa.B. 1088 (February 27, 1999)

*State Board of Pharmacy Regulation No. 16A-548
Application Fees
April 29, 1999*

We have reviewed this proposed regulation from the State Board of Pharmacy (Board) and submit for consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to fiscal impact, consistency and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 27.91. Schedule of fees.—Fiscal Impact, Consistency and Clarity

Administrative overhead costs

In the proposed regulation's fee report forms, there are significant differences in the costs covered by different fees except for "Administrative Overhead" costs. We met and discussed this situation with staff from the Department of State and its Bureau of Professional and Occupational Affairs (BPOA). They indicated that each fee's overhead cost is calculated by dividing total overhead costs by the number of active licensees. On the other hand, the staff costs are based on the actual time BPOA staff spends performing the tasks covered by each fee.

Although their methodology is reasonable, there is no indication that the fees will recover the actual "overhead" costs. This is because there is no relationship to the service covered by the fees and because the costs are based on past expenditures rather than on projected expenditures. Hence, there is no certainty that the fees'

projected revenues "will meet or exceed projected expenditures" under section 8.2(a) of the Pharmacy Act (63 P. S. § 390-8.2(a)).

We question the use of a constant overhead cost that is unrelated to the actual costs of activities covered by different fees. Even though this process was used for other fees, why should BPOA maintain this approach? The Board and BPOA should thoroughly examine its cost allocation methodology for overhead expenses and itemize the overhead costs to be recouped by these fees.

Board duties for certification and verification

The House Professional Licensure Committee requested additional information from the Board in two areas. First, it questioned the Board's role in the certification of scores and intern hours. In addition, it noted that the description of Board staff functions in the fee report forms for certification and verification fees were the same. However, there was a significant difference in the staff time and costs for these fees. Staff time for certification equaled 45 minutes at a cost of \$15.23. Staff time for verification was 4.8 minutes at a cost of \$1.62.

Why does the Board certify scores? How much work is required to provide the services covered by these three fees? The Board should explain in detail the answers to these questions when it submits the final-form version of this regulation.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-798. Filed for public inspection May 14, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-181	Insurance Department Titles Approved for Use in Determining Minimum Nonforfeiture Standards and Minimum Standards for Valuation	4/28/99
11-175	Insurance Department Title Insurance Rebates	4/28/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-799. Filed for public inspection May 14, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws

Kelvin J. Baldwin; Doc. No. SC99-04-011

Notice is hereby given of the Order to Show Cause issued on May 4, 1999, by the Deputy Insurance Commis-

sioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Insurance Department Act of 1921, P. L. 789, as amended, 40 P. S. §§ 234(a) and 279, 31 Pa. Code §§ 37.46, 37.47, 37.48, 18 U.S.C.A. § 1033.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); General Rules of Administrative Practice and Procedure (1 Pa. Code §§ 31.1—35.251); Special Rules of Administrative Practice and Procedure (31 Pa. Code §§ 56.1—56.3) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-800. Filed for public inspection May 14, 1999, 9:00 a.m.]

Application and Request for a Continuing Care Retirement Community Certificate of Authority

The Fountains at Logan Square, L.L.C. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Fountains at Logan Square, in Philadelphia, PA. The initial filing was received on April 14, 1999, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act of June 18, 1984, P. L. 391, No. 82, as amended. Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department within 7 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, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-801. Filed for public inspection May 14, 1999, 9:00 a.m.]

Kristina Sullivan; Hearing

Appeal of Kristina Sullivan under the Pennsylvania Assigned Risk Plan; State Farm Insurance Companies; Doc. No. P99-04-024

Under the Pennsylvania Assigned Risk Plan, Section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741, notice is hereby given that Kristina Sullivan has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan Governing Committee concerning the amount of her policy premium.

The hearing will be held at the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102 on June 15, 1999, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); Section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e). Under 31 Pa. Code § 59.7(e), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.193, 35.225—35.251, unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an auxiliary aid service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-802. Filed for public inspection May 14, 1999, 9:00 a.m.]

Rate Filing; Highmark Blue Cross Blue Shield; Filing No. 1-DEM-99-HCBCS; Demographic Rating Methodology

On April 22, 1999, Highmark Blue Cross Blue Shield submitted a filing requesting to revise the rating methodology for groups with 50 or fewer contracts in the 29 county area of western Pennsylvania. The requested methodology would reflect demographic rating by area, industry and average age of the group. This methodology is requested for all group programs.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-803. Filed for public inspection May 14, 1999, 9:00 a.m.]

Rate Filing; Keystone Health Plan West; Filing No. 1-DEM-99-KHPW; Demographic Rating Methodology

On April 22, 1999, Keystone Health Plan West submitted a filing requesting to change the rating methodology for groups with 50 or fewer contracts in the western Pennsylvania plan area. The requested methodology would reflect demographic rating by area, industry and average age of the group. This methodology is requested for both KeystoneBlue and CommunityBlue group HMO programs.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-804. Filed for public inspection May 14, 1999, 9:00 a.m.]

Rate Filing; Pennsylvania Professional Liability Joint Underwriting Association

On May 3, 1999, the Insurance Department received from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) a filing proposing the following:

- Adjust rates for two medical specialties and reallocate territories for five counties;
- Implement a new rating rule for third party entities who provide professional medical services to inmates of prisons;
- Revise the surcharge plan;
- Add new rate classification descriptions for several physician medical specialties;
- Revise and delete some rate classification descriptions in order to adopt, with limited exceptions, approved classification changes for PMSLIC;
- Extend rate discounts to eligible part-time, nonsurgical podiatrists; and
- Revise the rate classification description for psychoanalysts.

Unless formal administrative action is taken prior to June 15, 1999, the subject filing may be deemed approved upon the requested effective date, January 1, 2000, by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, or by e-mail at cromberg@ins.state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-805. Filed for public inspection May 14, 1999, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

Executive Board

Resolution #CB-99-091, Dated, April 21, 1999. The Commonwealth of Pennsylvania entered into a side letters with the American Federation of State, County, and Municipal Employees; Pennsylvania Social Services Union; AFSCME/Forensic United; United Food and Commercial Workers; Pennsylvania State Park Officers Association; Pennsylvania Nurses Association; Pennsylvania Cultural Educational Professionals; Pennsylvania State Education Association; Correctional Institution Vocational Education Association; Independent State Store Union; Service Employees International Union; and United Plant Guard Workers of America; these side letters amend the respective collective bargaining agreements and memoranda of understanding to provide for travel expense mileage reimbursement allowance provisions for the period April 1, 1999, through May 1, 1999.

Governor's Office

Manual M315.1 Municipal Tax Rate Schedules—Revision No. 9—Dated March 26, 1999.

Management Directive No. 215.9—Contractor Responsibility Program—Amended April 16, 1999.

Management Directive No. 230.10—Travel and Subsistence Allowances—Revision No. 11, Dated March 29, 1999.

Management Directive No. 305.9—Use of Forms STD-419/419L, Refund of Expenditures, and STD-420/C420/

420L, Transmittal of Revenue, When Unaccompanied by Remittances—Revision No. 1, Dated April 8, 1999.

Management Directive No. 310.17—Accounting for Payments of Federal and State Funds to Subrecipients—Amended April 8, 1999.

Administrative Circular No. 99-12—Closing Instruction No. 2, 1998-99 Fiscal Year; Preclosing at May 28, 1999—Dated April 8, 1999.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 99-806. Filed for public inspection May 14, 1999, 9:00 a.m.]

MILK MARKETING BOARD

Expanded Hearing and Supplemental Presubmission Schedule for All Milk Marketing Areas

Notice is hereby given under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700k-10.1) that the Pennsylvania Milk Marketing Board will expand the purpose of the public hearing for all milk marketing areas scheduled for June 2, 1999, commencing at 9 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA. Notice of that hearing appeared at 29 Pa.B. 2350 (May 1, 1999) and was mailed to those on the Board's interested persons list on April 16, 1999 (Bulletin No. 1276). If necessary, the hearing will be continued on June 3.

Purposes of the hearing

In addition to receiving evidence concerning (1) adjusting the resale price structure in connection with Federal order consolidation and (2) current standards for butterfat ranges found on the Board's price sheets and in official general orders for the various milk marketing areas, as compared with standards issued by the U.S. Department of Agriculture, the Board will also receive evidence concerning issues directly related to producer pricing under the new Federal orders. Issues related to pooling are specifically excluded.

Entries of appearance

Board staff and persons who have requested party status under the previous hearing notice need take no further action. Other persons that may be affected by a Board order addressing the producer pricing may be included on the Board's list of parties by:

1. Having their counsel file with the Board, on or before May 19, 1999, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, on or before May 19, 1999, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

Witnesses, exhibits, presentation of evidence

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. On or before May 21, 1999, each party shall file with the Board 7 copies and serve on all other parties 1 copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. On or before May 28, 1999, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, 35.165, 35.167, or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests for data from Board staff

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office on or before May 21, 1999.

Board's filing address

The filing address for the Board is Pennsylvania Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA relay service for TDD users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 99-807. Filed for public inspection May 14, 1999, 9:00 a.m.]

PENNSYLVANIA COMMISSION FOR WOMEN

Hearing Notice

The Pennsylvania Commission for Women (Commission) will hold a child care hearing in Pittsburgh on Wednesday, May 26, 1999 at 9:30 a.m. to 12:30 p.m. at the Highmark Blue Cross/Blue Shield Auditorium, 2nd Floor, Penn Avenue Place, Pittsburgh, PA (corner of Penn and Stanwix Streets).

The Commission will be working with the Pennsylvania Bar Association's Commission on Women in the Profession, and hope to foster an informed public discussion on

child care issues that will contribute to the formulation of creative solutions to many child care problems.

The Commission is soliciting the views of parents, child care providers, legislators, policy makers, business owners, law enforcement officials and any other individuals interested in enhancing child care services throughout the State. Persons who need accommodations due to a disability and want to arrange to attend should contact Christine Anderson, PA Commission for Women, 205 Finance Building, Harrisburg, PA 17120 at (717) 787-8128, at least 24 hours in advance so arrangements can be made.

LOIDA ESBRI,
Executive Director

[Pa.B. Doc. No. 99-808. Filed for public inspection May 14, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Certificate of Public Convenience Without Hearing

A-110150 F0020. Duquesne Light Company. Application of Duquesne Light Company for a certificate of public convenience and for Commission approval of the transfer and acquisition of property used and useful in the Public Service Between Duquesne Light Company and First Energy Corporation.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before June 1, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Duquesne Light Company

Through and By Counsel: John S. Moot, Esquire, Kathleen L. Barron, Esquire, Skadden, Arps, Slate, Meagher & Flom, LLP, 1440 New York Avenue, N.W., Washington, D.C. 20005.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-809. Filed for public inspection May 14, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before June 7, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate

whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00115843. Penn Paratransit Service, Inc. (P. O. Box 394, Furlong, Bucks County, PA 18925), a corporation of the Commonwealth of Pennsylvania—persons, in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the city and county of Philadelphia, and from points in said city and county, to points in Pennsylvania, and return. *Attorney:* Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

A-00115842. Red Rose Limousine Service, Inc. (3633 North Hermitage Road, Transfer, Mercer County, PA 16154), a corporation of the Commonwealth of Pennsylvania—persons, in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the county of Mercer, and from points in said county, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00115844. Irene Rae Klein, t/d/b/a Amish Farmland Tours (9 Janis Road, P. O. Box 73, Gordonville, Lancaster County, PA 17529)—persons, in paratransit service, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania, and return, limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

A-00115845. Terry L. Hertlein (103 Clark Street, Clearfield, Clearfield County, PA 16830)—persons upon call or demand in the county of Clearfield.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00115858. Countryside Limousine Service, Inc. (R. D. 2, Box 45, Derry, Westmoreland County, PA 15627), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the county of Indiana, and from said county, to points in Pennsylvania, and return; which is to be a transfer of the limousine right authorized Rolling Hills Limousine Service, Inc., under the certificate issued at A-00109480, F. 1, subject to the same limitations and conditions. *Attorney:* Joseph R. Govi, 319 South Maple Avenue, Greensburg, PA 15601.

A-00115861. Tribute Transportation Company, t/d/b/a Profile Transportation Company (1869 Nicholas Drive, Huntingdon Valley, Montgomery County, PA 19006), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Bucks, Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and return; subject to the following condition: that no right, power or privilege is granted to provide service to points in the county of Delaware; which is to be a transfer of all of the rights authorized under the certifi-

cate issued at A-00110916 to Profile Limousine Service, Inc., t/d/b/a Limousines by Knights, a corporation of the State of New Jersey, subject to the same limitations and conditions. *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102-1890.

A-00115862. Michael Lee and Trudy Kay Bennett, Tenants by Entirety, t/d/b/a Bennett's Limousine Company (320 West Pine Avenue, Bloomsburg, Columbia County, PA 17815)—persons in limousine service, between points in the counties of Columbia, Montour and Sullivan, and from points in the said counties, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00110694 to Wayne H. Risch, t/d/b/a Glory Rides, subject to the same limitations and conditions.

Applications of the following for approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle for the transportation of persons as described under each application.

A-00096277, Folder 1, Am-B. Thomas L. Marks and Richard J. Marks Copartners, t/d/b/a Marks Brothers (R.D. 4, Box 167A, Huntingdon, Huntingdon County, PA 16652)—discontinuance of service—persons in group and party service: (1) from points in the borough of Mount Union, Mapleton, Shirleysburg, Orbisonia, Rockhill Furnace, Cassville, Galtillo, Three Springs and Shade Gap, and the townships of Shirley, Union, Cass, Cromwell, Clay, Springfield, Brady, Dublin, Tell and Todd, Huntingdon County, and the borough of Kistler, Mifflin County, to points in Pennsylvania; and (2) from points in the borough of Huntingdon, and the township of Smithfield, Huntingdon County, to the following destinations: (a) for the Girl Scouts of America to camps in the county of Huntingdon; and (b) for the Boy Scouts of America to points in the county of Huntingdon and to the city of Pittsburgh, Allegheny County; subject to the following restrictions: (A) that the service herein authorized is limited to the use of school bus type equipment; and (B) provided that no right, power or privilege is

granted to transport persons in tours, sight-seeing trips and special excursions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-810. Filed for public inspection May 14, 1999, 9:00 a.m.]

Telecommunications

A-310226F2000. Western Union Communications, Inc. Application for approval for abandonment of interexchange telecommunications services as a reseller of toll services.

On June 23, 1998, Western Union Communications, Inc. (Western Union) filed to abandon service as an interstate reseller. Concurrently, Western Union filed a tariff supplement to amend the expiration date of its *Historical Telegram Series* collector-series debit cards from 1 year after the date of first use to 1 year from the date of purchase.

The Pennsylvania Public Utility Commission has conditionally approved the tariff change and abandonment application subject to Western Union agreeing to provide public notice of the right of all cardholders to obtain a refund of the unused portion of any debit card affected by the tariff change.

Current owners of a Western Union *Historical Telegram Series* Phone Card, for a period of 45 days following newspaper publication as directed by the Commission, may mail the card to Western Union for a refund of an amount equal to the unused portion of the card. All cards have a maximum their of \$5.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-811. Filed for public inspection May 14, 1999, 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 A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340

Commodities

- 1305-01** Annual Contract—Ammunition.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 2306-01** Annual Contract—Police vehicle, pursuit/patrol/security—large size.
Department: Various
Location: Various
Duration: 11/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 2310-01** Annual Contract—Passenger and commercial motor vehicles (various types).
Department: Various
Location: Various
Duration: 11/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 2310-02** Annual Contract—Commercial motor vehicles (various types).
Department: Various
Location: Various
Duration: 11/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 3610-01** Annual Contract—Lease with purchase option of office copying machines.
Department: Various
Location: Various
Duration: 10/01—09/30
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 5610-25** Annual Contract—Antiskid material, District 1-12 (DOT).
Department: Transportation
Location: Various
Duration: 08/01—07/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 5625-01** Annual Contract—Materials, partitions and ceilings (DGS).
Department: General Services
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 5999-01** Annual Contract—Electrical supplies—catalog only.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 6515-06** Annual Contract—Gloves, surgical.
Department: Various
Location: Various
Duration: 11/01—10/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 6840-04** Annual Contract—Deodorizer odor counteractant.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 7350-07** Annual Contract—Serviceware/flatware/disposable and reusable.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 7930-04** Annual Contract—Dishwashing compound, machine.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 9120-04** Annual Contract—Electric generation service.
Department: Various
Location: Various
Duration: 09/01—12/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 9140-01** Annual Contract—Fuel oil No. 2.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 9140-04** Annual Contract—Fuel, diesel.
Department: Various
Location: Various
Duration: 09/01—08/31
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 9905-06** Annual Contract—Reflective/non-reflective sheeting and accessories.
Department: Various
Location: Various
Duration: 10/01—09/30
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 8055440** Communication equipment—5 each Powerbuilder 6.X Version new; 2 each Power Builder 6.X Version, upgrade; 6 each PB support; 12 each Powerdesigner Processanalyst 6.2 Version new; 16 each Powerdesigner DataArchitect 6.2 Version new; 16 each Powerdesigner support.
Department: Transportation
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199
- 7314210** Containers, packaging and packing supplies—1,600 bdl. pint size bag, paper, Kraft; 11,000 bdl. quart size bag, paper, Kraft; 23,000 bdl. gallon size bag, paper, Kraft.
Department: Liquor Control Board
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1751358 Laboratory instruments and equipment—All items bid as no substitute manufactured by Horizon Technology of Atkinson NH. 2 each SPE-DEX 4770 Controller Part No. 110-1000-03; 2 each Liquid Handling Kit 4770 Part No. 120-5000-03; 2 each Solven Delivery Manifold Assembly (7—8 extractors) Part No. 120-4000-08; 16 each SPE-DEX 4770 Extractor—designed for all SPE applications Part No. 100-30000; 2 each 5 gallon water recovery bottle—safety coated Part No. 180-0005-01; 2 each installation and training—one day Part No. 170-1000; 2 each Gast vacuum pump Part No. 190-0001; 16 each 89 x 400 bottle adapter for 1LJAR; 16 each 19/22 adapter for 40 ML VOA vessels Part No. 160-0001.

Department: Environmental Protection
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1757358 Laboratory instruments and equipment—1 each 20 station Midi-Distillation System with compatible glassware, tubing and clips.

Department: Environmental Protection
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1759388 Lumber, millwork, plywood and veneer—180,000 bf white oak lumber, rough green, shall be National Hardwood Lumber Association "Common Dimension" Grade or better, size 2" x 6" x 8"; 27,000 bf white oak lumber, rough green size 2" x 6" x 12"; 27,000 bf white oak lumber, rough green size 3" x 4" x 12"; 16,000 bf white oak lumber, rough green size 2" x 4" x 12"; 1,800 bf red oak lumber, rough green 2" x 10"; 2,000 bf red oak lumber, rough green size 2" x 8".

Department: Conservation and Natural Resources
Location: Spring Mills, Centre County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1741208 Motor vehicles, trailers and cycles—3 each 1999 model Chevrolet Tahoe 4x2 8 cylinder, 4 door, utility police package (no substitute).

Department: State Police
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1581218 Vehicular equipment and components or automotive repair and maintenance parts—1 each latest model van body truck with tailgate lift.

Department: Public Welfare
Location: Torrance State Hospital, Torrance, Westmoreland County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

CS-5909, 5919, 5949, 5967 Paper and printing—Envelopes, evidence, expanding 40 lb. brown Kraft, printed with black ink. Quantity/size as follows: 12,000 each—6" x 11"; 12,000 each—8" x 13 3/4"; 10,000 each—10" x 13". 50,000 each—envelopes, fingerprint, 32 lb. white Kraft 9" x 9" printed with black ink.

Department: State Police
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: State Police, Michael Knepp, (717) 783-8317

SU-13208-429 Communication equipment—Shippensburg University is seeking vendors interested in furnishing Novell Software Network. Bid opening will be May 28, 1999 at 2 p.m. in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-323-13 Communication equipment—Shippensburg University is seeking vendors interested in furnishing and installing a Residence Hall Surveillance System. Bids will be opened May 28, 1999 at 2 p.m. in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-13208-430 Communication equipment—Shippensburg University is seeking vendors interested in furnishing computer memory upgrades for IBM-PC machines. Bid opening will be held at 2 p.m. on May 28, 1999 in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-98-11 Prefab structures and scaffolding—Shippensburg University is seeking vendors interested in furnishing rest room compartments/shower panel/pilasters for McLean Hall. Bid opening will be held at 2 p.m. on May 28, 1999 in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-24000-118 Paper and printing—Shippensburg University is seeking vendors interested in printing the Vista Anniversary Issue. Bid opening will be held at 2 p.m. on June 2, 1999 in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-98658-60 Communication equipment—Shippensburg University is seeking vendors interested in furnishing and installing an Optical Mark Reader and software. Bid opening will be held at 2 p.m. on May 28, 1999 in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-98-17 Prefab structures and scaffolding—Shippensburg University is seeking vendors interested in furnishing and installing bathroom partitions in Mowrey Hall. Vendors interested in receiving a bid package should fax their request to Zora Frank, Director of Purchasing at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Zora Frank, (717) 532-1386

SU-81430-5 Communication equipment—Shippensburg University is seeking vendors interested in furnishing and installing a data/video projector. Bid opening will be May 28, 1999 at 2 p.m. in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

SU-45500-58 Photographic equipment—Shippensburg University is seeking vendors interested in furnishing studio camera packages. Bid opening will be on May 28, 1999 at 2 p.m. in Room 207 Old Main. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 532-1350.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, Cumberland and Franklin Counties, PA
Duration: FY 98—99
Contact: Shippensburg University, Janet Neidigh, (717) 532-1386

99049 Materials handling equipment—Cushman Cart—Motorized Cushman cart to transport commodities and equipment throughout the Institution. More detailed information may be obtained from the Institution.

Department: Corrections
Location: Chester, Delaware County, PA
Duration: FY 98—99
Contact: State Correctional Institution Chester, Jaqueline Newson, (610) 490-4370

99048 Service and trade equipment—Dryer—to be supplied for State Correctional Institution Chester. More detailed information can be obtained from the Institution.

Department: Corrections
Location: Chester, Delaware County, PA
Duration: FY 98—99
Contact: State Correctional Institution Chester, Jaqueline Newson, (610) 490-4370

ADV-19 Hardware and abrasives—Indiana University of Pennsylvania (IUP) is seeking bids for Best locks less cores to replace existing locksets in Lawrence Hall. Requests for copies of bid packages should be made in writing referencing Advertisement No. ADV-19 and directed to Roxie Johnson, Purchasing Agent, IUP, Robertshaw Building, 650 South 13th Street, Indiana, PA 15705, fax (724) 357-2670, Email rmjohnsn@grove.iup.edu. Requests for bid packages will be accepted until May 21, 1999. The University encourages responses from small and disadvantaged, minority and woman-owned firms.

Department: State System of Higher Education
Location: Indiana University, Indiana, Indiana County, PA
Duration: FY 98—99
Contact: Indiana University, Roxie M. Johnson, (724) 357-3077

98-107 Communication equipment—Furnish and install surveillance equipment to include, but not limited to, video camera, transmitter, receiver, monitors and the like. Site visit optional.

Department: Corrections
Location: Waymart, Wayne County, PA
Duration: FY 98—99
Contact: State Correctional Institution Waymart, Andrew J. Booths, (570) 488-2516

0420 Lumber, millwork, plywood and veneer—All requests for bid packages must be received by fax (570) 586-3489. Supply pressure treated lumber in accordance with the latest Commonwealth of PA Spec. No. L-44, Section VI and as follows: No. 1 southern yellow pine, 1900 kiln dried moisture content 19% or less (before pressure treating and after dressing for size). Grade stamp each piece. Surface Four Sides (SFS). Pressure treatment to be ACA or CCA types A, B, C. Retention 0.60 P.C.F. grade stamp and certificate of conformance per LP-22 STD. American Wood Preservers Bureau.

Department: Transportation
Location: Clarks Summit, Lackawanna County, PA
Duration: FY 98—99
Contact: Transportation: Lackawanna County Maintenance Facility, Thomas Philbin, (570) 963-3000

73100-98-234 Textiles—Fiber pads (Novalof) for use in mattresses and upholstery. 4,000 each Style NT 250 size 41 x 80 x 3/8; 3,600 each Style CCI 765 size 45 x 87 x 3/8".

Department: Corrections
Location: Dallas, Luzerne County, PA
Duration: FY 98—99
Contact: State Correctional Institution Dallas, Joseph P. Kanjorski, (570) 773-2158

SO-183 Food preparation and serving equipment—The State Correctional Institution at Somerset will be bidding three Brewmatic 10 gallon twin coffee urns. Vendors who may be able to provide should notify the institution as soon as possible.

Department: Corrections
Location: Somerset, Somerset County, PA
Duration: FY 98—99
Contact: State Correctional Institution Somerset, Theresa Solarczyk, (814) 443-8100, ext. 311

51-98-157 Special industry machinery and supplies—Contractor to supply toner for Lexmark Printer No. 1382150 for the Lexmark UDS 9616-RFI printer. Note: When requesting a bid package, please fax the following information to the contact person: Company name and address, bid no. and for what services. Fax No. (717) 787-3560.

Department: Philadelphia County Assistance Office
Location: Philadelphia, Philadelphia County, PA
Duration: FY 98—99
Contact: Philadelphia County Assistance Office, Doyle Shull, (717) 787-7585

017 Prefab structures and scaffolding—Supply a prefabricated vault toilet system that is permanent, odor free and universally accessible in Rock Springs Picnic Area in Bald Eagle State Forest, Snyder County, of a design used by numerous Federal and State recreation and natural resources agencies.

Department: Conservation and Natural Resources
Location: Laurelton, Union County, PA
Duration: FY 98—99
Contact: Conservation and Natural Resources, Bureau of Forestry, James J. Lipko, (570) 922-3344

PDA 425 Laboratory instruments and equipment—Purchase of Mycotoxin test kits for the Pennsylvania Veterinary Laboratory as estimated: Aflatoxin—15 kits; Vomitoxin—25 kits; Zearalenone—15 kits; T-2 Toxin—15 kits; Fumonisin—18 kits.

Department: Agriculture
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Department of Agriculture, (717) 787-5674

PDA 426 Laboratory instruments and equipment—Purchase of Microtubes and Pipet Tips for the PA Veterinary Laboratory as estimated: Microtubes (5 packs/case)—125 packs; Pipet Tips (5 packs/case)—325 packs.

Department: Agriculture
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Department of Agriculture, (717) 787-5674

PB 0930001 Prefab structures and scaffolding—140' x 80' Super Structure Kit including 3 piece bolt truss on 10' center fill structured steel 13ga galv cover 10.2 oz. high density polyethylene (silver white cover) treated tongue and groove 2x6 nailed to inside of kneewall complete installed.

Department: Transportation
Location: Ebensburg, Cambria County, PA
Duration: FY 98—99
Contact: Transportation, Donald J. Godish, (814) 472-7100, ext. 218

801-99 Electric and electronic equipment components—Lighting fixtures: K & B No. VPC-240F w electronic T-12 ballast, 150 each and Simkar No. V4240-V401 w T-12 electronic ballast 20 each.

Department: Public Welfare
Location: Norristown State Hospital, Norristown, Montgomery County, PA
Duration: FY 98—99
Contact: Norristown State Hospital, Mike McGrath, (610) 313-5469

SERVICES

Agricultural Services—02

23-60003029 Provide fish feed used in a Statewide fish culture program during the period July 1 through September 30, 1999. Fish feed products purchased in bulk and bagged quantities only from vendors who have had their products tested and accepted by the Fish and Boat Commission.

Department: Fish and Boat Commission
Location: Statewide to various fish culture stations as requested
Duration: July 01, 1999—September 30, 1999
Contact: Dennis C. Ricker, (814) 359-5141

Computer Related Services—08

5436 AutoCAD Land Development Desktop upgrades developed by AutoDesk.

Department: Environmental Protection
Location: Harrisburg, PA
Duration: 30 days
Contact: Ally Hubler, (717) 787-2471

ADV 17 Indiana University of Pennsylvania IUP, Indiana, PA 15705, is seeking bids for Foundry Networks Equipment necessary to replace the FORE Powerhub as central core backbone router for the Technology Services Center. Request for a bid package should be made in writing, referencing Advertisement No. ADV 17 and directed to Patty Bash, Purchasing Agent, IUP, 650 South 13th Street, Indiana, PA 15705; fax (724) 357-2670; phone (724) 357-3077; or e-mail PABash@grove.iup.edu. Requests for bid package will be accepted until May 13, 1999. The University encourages responses from small, minority and women-owned firms.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705
Duration: Indeterminate 1998-99
Contact: Patty Bash, Purchasing, (724) 357-3077

Construction—09

DGS A 205-6 Project title: Renovate Driver's Examination Course into Parking Area. Brief description: Renovate driver's exam course into parking area and provide concrete slab for future storage building. Estimated range: \$100,000 to \$500,000. General construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 11 a.m.

Department: General Services
Location: Pennsylvania State Police, Punxsutawney, Jefferson County, PA
Duration: 180 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-548 Project title: Bulk Salt Storage Facility with High Gambrel Roof. Brief description: Erect a new high arch gambrel roof bulk salt storage building. Estimated range: \$100,000 to \$500,000. General and electrical construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 1 p.m.

Department: General Services
Location: PennDOT Maintenance Stockpile No. 08, Hamburg, Berks County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-561 Project title: Bulk Salt Storage Facility with High Gambrel Roof. Brief description: Erect a new high arch gambrel roof bulk salt storage building. Estimated range: \$100,000 to \$500,000. General and electrical construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 11 a.m.

Department: General Services
Location: PennDOT Maintenance Stockpile No. 01, Butler, Butler County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-562 Project title: Bulk Salt Storage Facility with High Gambrel Roof. Brief description: Erect a new high arch gambrel roof bulk salt storage building. Estimated range: \$100,000 to \$500,000. General and electrical construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 11 a.m.

Department: General Services
Location: PennDOT Maintenance Stockpile No. 01, Indiana, Indiana County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-563 Project title: Bulk Salt Storage Facility with High Gambrel Roof. Brief description: Erect a new high arch gambrel roof bulk salt storage building. Estimated range: \$100,000 to \$500,000. General and electrical construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 11 a.m.

Department: General Services
Location: PennDOT Maintenance Stockpile No. 08, Armstrong, Armstrong County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS 401-51 Project title: Renovation of Centennial Gymnasium. Brief description: The work consists of renovation of and addition to an existing gymnasium building to provide a 69,000 square foot classroom, lab and recreation facility, including accessibility upgrades and site improvements. Work also includes general, HVAC, plumbing and electrical construction. Estimated range: \$5,000,000 to \$10,000,000. General, HVAC, plumbing and electrical construction. Plans deposit: \$500 per set. Payable to: Highland Associates, Ltd. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. Mail a separate check for \$60 or provide your express mail account number to the office listed. Mail requests to: Highland Associates, Ltd., Highland Center, Suite 205, Clarks Summit, PA 18411, (570) 586-4334. Bid date: Wednesday, June 2, 1999 at 1 p.m. A prebid conference has been scheduled for Friday, May 21, 1999 at 9:30 a.m. at Bloomsburg University, Centennial Gymnasium, Bloomsburg, PA. Contact: James Rizzo, (570) 586-4334. Contractors who have secured contract documents are invited and urged to attend this prebid conference.

Department: General Services
Location: Bloomsburg University, Bloomsburg, Columbia County, PA
Duration: 380 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS 409-56 Project title: Construction of Clearfield Center. Brief description: Clearfield Center facility containing classrooms, laboratories and administration offices. Work consists of site improvements, concrete foundations, masonry, steel framing, metal roofing, windows and curtain walls, interior partitioning and finishes to include HVAC, plumbing and electrical systems. Estimated range: \$5,000,000 to \$10,000,000. General, HVAC, plumbing and electrical construction. Plans deposit: \$200 per set. Payable to: IKM Incorporated. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: IKM Incorporated, One PPG Place, Pittsburgh, PA 15222, (412) 281-1337. Bid date: Wednesday, June 2, 1999 at 2 p.m. A prebid conference has been scheduled for Tuesday, May 18, 1999 at 10:30 a.m. at Lock Haven University, Clearfield Campus Building, Classroom No. 3, 119 Beyers Street, Clearfield, PA. Contact: Mike McDonnell, (412) 281-1337. Contractors who have secured contract documents are invited and urged to attend this prebid conference.

Department: General Services
Location: Lock Haven University, Clearfield, Clearfield County, PA
Duration: 400 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 509-102 Project title: Replace Roof—Building No. 2. Brief description: Install new shingle roofing system including new gutters, flashings, valleys, downspouts and 5% deck replacement. Estimated range: \$100,000 to \$500,000. General construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, May 26, 1999 at 1 p.m.

Department: General Services
Location: Norristown State Hospital, Norristown, Montgomery County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

RFI 97-23 PennDOT is releasing a Request for Information (RFI) to solicit ideas and input for replacing its Washington County Maintenance Facility and the State Police Troop B Headquarters, with facilities that are equal to or better than the current facilities. Requests for a copy of the RFI should be faxed to (717) 783-7971.

Department: Transportation
Location: 89 and 83 Murtland Avenue, Washington, PA
Duration: Indeterminate 1998—99
Contact: Joseph DeSantis, (717) 787-9213

Court Reporting—10

002 Court Reporting Service: Stenotype and/or capability for real time reporting with Live Note System. Bids must be submitted by June 4, 1999.

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, 1999—June 30, 2000
Contact: Connie G. Rode, (717) 787-3325

Engineering Services—14

08430AG2346 Multiphase agreement to provide preliminary engineering, final design and consultation during construction on S. R. 0079, Section 35M, I-79 from Neville Island Bridge to I-279 in Allegheny County.

Department: Transportation
Location: Engineering District 11-0
Duration: Thirty-six (36) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2347 Three open-end contracts to provide various engineering and environmental services in District 2-0.

Department: Transportation
Location: Engineering District 2-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2348 Open-end contract to provide construction inspection services in District 2-0.

Department: Transportation
Location: Engineering District 2-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2349 Open-end contract for geotechnical services in Engineering District 1-0, that is Crawford, Erie, Forest, Mercer, Venango and Warren Counties.

Department: Transportation
Location: Engineering District 1-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

1998-FORD-01 The PA Fish and Boat Commission will retain the services of a forensic geotechnical civil engineering consulting firm experienced in earthen dam construction to inspect, test, review original plans and specs, and oversee dismantling of the dam embankment at Fords Lake, Lackawanna County, PA. Firm will be required to test compaction, moisture, soil suitability analysis for embankment material documenting any variations or deviations from original plans preparatory for legal action. Advise on rebuilding dam. May require expert testimony in court proceedings. Prior litigation experience mandatory.

Department: Fish and Boat Commission
Location: Ford's Lake, Lackawanna County, PA
Duration: Approximately July 1, 1999 through September 30, 1999
Contact: Kathi Tibbott, Purchasing Agent, (814) 359-5131

Environmental Maintenance Services—15

23-2172299 California University of the State System of Higher Education is interested in obtaining bids for the purchase of a sediment transport channel and an infiltration demonstrator to be used for watershed studies. Interested bidders can obtain the request for Bid EB-001 from Joy Folmer at (724) 938-4430. The University encourages responses from small firms, minority firms, women-owned firms and firms which have not previously performed work for the University.

Department: State System of Higher Education
Location: California University of PA, California, PA 15419-1394
Duration: June 1, 1999
Contact: Carl J. Maurer, Director of Purchasing, (724) 938-4430

Food—19

54 Perishable food bids will be issued for the following food categories: fish, meats, poultry, eggs, ice cream, miscellaneous foods, frozen fruits/vegetables, fresh fruits/vegetables, bread, dairy and cheese. Specific contract periods and delivery dates will be on each proposal when issued. If interested in receiving bid proposals, call (717) 789-5508 or submit a fax to (717) 789-4834.

Department: Public Welfare
Location: Loysville Complex, Youth Development Center, R. D. 2, Box 365B, Loysville, PA 17047
Duration: July 1, 1999 to June 30, 2000
Contact: Mary Lou Auman, Purchasing Agent, (717) 789-5508

55 Perishable food bids will be issued for the following food categories: fish, meats, poultry, eggs, ice cream, miscellaneous foods, frozen fruits/vegetables, fresh fruits/vegetables, bread, dairy and cheese. Specific contract periods and delivery dates will be on each proposal when issued. If interested in receiving bid proposals, call (717) 789-5508 or submit a fax to (717) 789-4834.

Department: Public Welfare
Location: Loysville Complex, Youth Forestry Camp No. 3, R. D. 1, Box 175, James Creek, PA 16657
Duration: July 1, 1999 to June 30, 2000
Contact: Mary Lou Auman, Purchasing Agent, (717) 789-5508

Inquiry No. 175 Coffee, concentrate, decaffeinated, frozen, with no additives or preservatives. Vendor shall furnish, install and maintain dispensing equipment. Specifications available upon request.

Department: Public Welfare
Location: Wernersville State Hospital, P. O. Box 300, Route 422 West, Wernersville, PA 19565-0300
Duration: July 1, 1999 through June 30, 2000
Contact: Renee Stachow, (610) 670-4127

Inquiry No. 9017 Miscellaneous, frozen.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: July through September, 1999
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

Inquiry No. 9018 Juice.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: July through September, 1999
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

Inquiry No. 9019 Fruits and vegetables, frozen.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: July through September, 1999
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

Inquiry No. 9021 Meat/poultry/fish.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: July 19, 1999 through August 31, 1999
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

1118811 Estimated need: fresh and fresh prepared fruits and vegetables; frozen fruits and vegetables; shell eggs; fresh breads, pastries, pies and cakes; miscellaneous prepared foods; fresh meats; fresh cheese, dairy and ice cream products; fresh and frozen poultry and poultry products; fresh and frozen fish and fish products. Bid packets including detailed information can be obtained by contacting Kathy Zeigler at (724) 656-7308.

Department: Public Welfare
Location: Youth Development Center New Castle, R. R. 6, Box 21A, New Castle, PA 16101
Duration: July 1—September 30, 1999
Contact: Kathy Zeigler, (724) 656-7308

8970-1000-000 Meat and meat products: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1100-000 Poultry and poultry products: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1200-000 Fish and seafood: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1300-000 Cheese products: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's population projections at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1400-000 Dairy and related products: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1500-000 Margarine: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-1800-000 Shell eggs: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time every 2 weeks, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's need at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

8970-2600-000 Miscellaneous frozen foods: Contracts shall cover the period of July 1, 1999 to June 30, 2000. The Institution may issue a single or multiple proposals. Delivery of products shall be made approximately one time each month, or more or less often if deemed necessary by the Institution. Listing of specific commodities can be obtained by contacting the institutional person. Estimated quantities are indeterminate at this time and will be based on the Institution's population projections at the time of bid issuance.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: July 1, 1999 to June 30, 2000
Contact: Michelle R. Wagner, Purchasing Agent, (814) 756-5778

A-99-114 Vendor to provide to the State Correctional Institution Graterford soft drink syrup for reconstruction and dispensers. Syrup to be 5-1 ratio. Minimum three varieties of raw soft drink will be required. 14 dispensers are required—1 with ice machine. In addition to providing the soft drink syrup and dispensers, vendor must supply service to all equipment supplied.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Route 29, Graterford, Montgomery County, PA 19426
Duration: 3 years
Contact: Kelly Richardson, Purchasing Agent II, (610) 489-4151

FS 9901 Frozen items—including but not limited to vegetables (broccoli spears, cauliflower, brussel sprouts), bakery products, entrees, pizza and the like.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9902 Poultry and poultry products: approximate requirements: turkey roasts, chicken, drumsticks, chicken fryers, ground turkey, stewing chickens, chicken wing dings, chicken breast fillets, whole turkeys and other related items as required.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520

FS 9903 Frozen eggs and frozen egg products.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9904 Baking products—including but not limited to canned sauces and related items as required. Items to consist of some of the following: waffles, pizza shells, tacos, taco seasonings, baking soda, baking powder, yeast, various extracts, pizza sauces, flour and wheat, all purpose cake blend, 100 lb. bag, cheese pizzas, and oleomargarine. Bid when required on quarterly basis. Bid proposal on file in agency purchasing department prior to bid solicitation.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9905 Cheese—consisting of yellow or white American cheese, shredded mozzarella or various block cheeses and related items as required. Quantities as needed. Bid proposals on file within the purchasing department prior to bid solicitation.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9906 Ice cream—cottage cheese—ice cream, vanilla and Neapolitan slices and similar items as required (no pork products). Cottage cheese—large curd—all quantities as needed.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9907 Processed meats—including but not limited to beef/pork products—frankfurters (all beef and turkey franks), turkey ham, turkey bologna, turkey salami, beef, beef liver, Lebanon bologna, bacon, turkey franks, veal patties and Pullman hams and similar items as required.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9908 Bread and roll bases—including but not limited to half-n-half rye bread maker and conditioner, base: Bak-Krisp Instant Bread and Roll Base; half-n-half wheat bread base and No. 20 dinner roll base. Items to be bid as needed.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9909 Fish and seafood—as needed only—approximate requirements—haddock and cod. Breaded and unbreaded. Minced clams and other seafood as required by the institution. Tuna, solid water packed (when not available from Statewide contract), and other similar items as required.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9910 Protein alternative products—as needed only, to include, but not limited to, soy burgers, grainburgers, garden burgers, dry mixes, soy products (when not available from Statewide contract).

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9911 Fresh bread—white, 28 ounce loaves, 28 usable slices, excluding heels. Quarterly bids—quarterly awards, weekly deliveries (4 times per week). Quantities as needed.

Department: Corrections
Location: State Correctional Institution—Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9912 Fresh produce—food group consisting of approximately 15 items, including but not limited to, lettuce, celery, cucumbers, carrots, oranges, apples, potatoes, onions, kale, spinach, bananas, cabbage, grapefruit, tomatoes, peppers, watermelon, tangerines, cantaloupe and similar items. Monthly bids—monthly contract awards—weekly deliveries (2 deliveries per week). All produce must be delivered between the hours of 8 a.m. and 10 a.m. on scheduled delivery dates.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

FS 9913 Fresh milk—homogenized, pasteurized milk—packaged in 1/2 pints. Skim and 2%. Monthly bids—monthly awards—weekly deliveries—all quantities as needed.

Department: Corrections
Location: State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652
Duration: July 1, 1999 through June 30, 2000
Contact: Peggy A. Chilcote, Purchasing Agent, (814) 643-6520, ext. 125

Inquiry No. 9020 Dairy (includes ice cream, cheese, yogurt, and the like).

Department: Public Welfare
Location: Selingsgrove Center, Box 500, Route 522, Selingsgrove, PA 17870
Duration: July through September, 1999
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

SP 701599 The Bureau of Family Health will be holding approximately 80 meetings with approximately 6 to 75 people attending over the time period January 1, 2000 through December 31, 2002. These meetings will require meals served in the greater Harrisburg area.

Department: Health
Location: Greater Harrisburg Area
Duration: January 1, 2000 through December 31, 2002
Contact: Susan M. Guy, (717) 787-7192

HVAC—22

12OR-024 Provide plumbing repair and 24 hour emergency plumbing repair services as needed at the Washington County Welcome Center according to specifications.

Department: Transportation
Location: Washington County Welcome Center, I-70 East Bound near Claysville (Exit 2)
Duration: One year with two 2-year renewals
Contact: Michael D. Maurer, (724) 439-7374

IN-788.2 Underground Steamline Replacement Campus Towers. Work included under this project consists of underground steamline replacement, Campus Towers, consisting of removing existing steamline, ground, drip traps, and the like, to furnish and install new steamline, pump discharge line, anchor stations, backfilling, wall seals, OGS stone, and the like. Notice to contractors may be requested from IUP. Phone: (724) 357-2289. Fax: (724) 357-6480. Internet: <http://www.iup.edu/engcons>.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705-1087
Duration: 6 months
Contact: Ronald E. Wolf, Procurement Specialist, (724) 357-4851

SP 91734001 Contractor to provide remedial maintenance coverage for two Liebert Power Distribution Units (PDU) to include annual inspections, and two Liebert CSU3000 dual chillers with dry coolers to include monthly and semiannual inspections. Equipment is located at the Department of Public Welfare's satellite computer facility at 787 Eisenhower Boulevard, Harrisburg, PA. Complete specifications can be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Office of Information Systems, Room 61 Willow Oak Building, Harrisburg State Hospital Grounds, Harrisburg, PA 17105
Duration: October 01, 1999 through September 30, 2000
Contact: Ed Blandy, Purchasing Agent, (717) 772-4883

Medical Services—29

SBC No. 9078200500 The contractor shall establish and conduct a vision stimulation and mobility therapy program for individuals of the Hamburg Center who are diagnosed as being visually-impaired. To receive specifications, submit fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, fax (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: Anticipated start July 1, 1999—June 30, 2002
Contact: Beverly O. Epting, Purchasing Agent, (610) 562-6031

SBC No. 9078200600 The service provided shall include comprehensive gynecological examinations of individuals at the Hamburg Center. To receive specifications, submit fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, fax (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: Anticipated start July 1, 1999—June 30, 2002
Contact: Beverly O. Epting, Purchasing Agent, (610) 562-6031

SP 91200002 Vendor to provide registered nurses and accredited records technicians to assist the Bureau of Program Integrity with DRG validation review. Complete specifications can be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Office of Medical Assistance, 1401 North 7th Street, 6th Floor, Harrisburg, PA 17102-1110
Duration: July 01, 1999 through June 30, 2002
Contact: Ed Blandy, (717) 772-4883

YFC No. 2 Dental services for residents at Youth Forestry Camp No. 2. DDS or above. Office located within 15 mile radius of agency.

Department: Public Welfare
Location: Youth Forestry Camp No. 2, White Haven, Carbon County, PA 18661
Duration: July 1, 1999 to June 30, 2000
Contact: Rose M. Palermo, (570) 443-9524

Property Maintenance—33

Bid No. 7910 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Elizabethtown Station, 301 State Road, Elizabethtown, PA 17023. Trim shrubs once a year to include edging along sidewalks and driveways. Vegetation/fertilization once a year. Four grass cuttings per month or as required by Station Commander. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Elizabethtown Station, 301 State Road, Elizabethtown, PA 17023
Duration: August 1, 1999 to July 31, 2002
Contact: Donna Enders, (717) 783-5484

Bid No. 7912 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Altoona Liquor Control Enforcement Office, 930 Route 22 East, Duncansville, PA 16635. Three grass cuttings per month or as required by District Office Commander. Trim shrubs once a year to include edging along sidewalks and driveways. Vegetation/fertilization once a year. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Altoona Liquor Control Enforcement, 930 Route 22 East, Duncansville, PA 16635
Duration: August 1, 1999 to July 31, 2002
Contact: Donna L. Enders, (717) 783-5484

Bid No. 7914 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Seneca Station, P. O. Box 379, Seneca, PA 16346. Four grass cuttings per month or as required by the Station Commander. Trim shrubs once a year to include edging along sidewalks and driveways. Vegetation/fertilization once a year. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Seneca Station, P. O. Box 379, Seneca, PA 16346
Duration: July 1, 1999 to June 30, 2002
Contact: Donna L. Enders, (717) 783-5484

Bid No. 7915 Furnish all labor, materials and equipment to cut, trim and maintain grass area at the Harrisburg Aviation Patrol Unit, Capital City Airport, New Cumberland, PA. Two grass cuttings per month, May—October. Trim shrubs and apply weed killer in May and July. Weed and maintain beds as needed. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Aviation Patrol Unit—Harrisburg, Capital City Airport, New Cumberland, PA
Duration: August 1, 1999 to July 31, 2002
Contact: Donna L. Enders, (717) 783-5484

00677-002-97-AS-2 Carpentry Repairs and Window Glass Replacement—Manor. Provide contract services for carpentry repairs and window glass replacement at the Manor House at Pennsbury Manor, Morrisville, PA in Bucks County. A site visit is highly suggested. Contact the site to arrange a site visit. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120, Attention: Judi Yingling, (717) 772-2401 or fax (717) 783-1073. Proposals are due on Tuesday, May 25, 1999 at 2 p.m. Bid opening will be held in 5th Floor, Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: Bureau of Historic Sites and Museums, Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: June 1, 1999 to August 30, 1999
Contact: Judi Yingling/Galen Brown, (717) 772-2401

00677-003-98-AS-3 Replacement of Jambs and Thresholds—Bake & Brew House. Provide contract services for the replacement of jambs and thresholds at the Bake & Brew House at Pennsbury Manor located in Morrisville, PA in Bucks County. A site visit is highly suggested. Please contact the site to arrange a site visit. For directions, contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, Division of Architecture, Room 526, 3rd and North Streets, Harrisburg, PA 17120, Attention: Judi Yingling, (717) 772-2401 or fax (717) 783-1073. Proposals are due on Tuesday, May 25, 1999 at 2 p.m. Bid opening will be held in 5th Floor, Room 526 of The State Museum of PA, Corner of 3rd and North Streets, Harrisburg, PA 17120.

Department: Historical and Museum Commission
Location: Bureau of Historic Sites and Museums, Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: June 1, 1999 to October 30, 1999
Contact: Judi Yingling/Galen Brown, (717) 772-2401

AE-5224 Construction of a storage building 36 x 45. Fax (717) 783-7971.

Department: Transportation
Location: Stockpile No. 20, along Route 40, 5 miles west of Uniontown, Fayette County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

AE-5259 Installation of overhead door. Fax (717) 783-7971.

Department: Transportation
Location: North Street, Mercer, Mercer County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

AE-5263 Window replacement. Fax (717) 783-7971.

Department: Transportation
Location: Maintenance Building, Ebensburg along Route 22, Cambria County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

AE-5295 Install vehicle exhaust system. Fax (717) 783-7971.

Department: Transportation
Location: Maintenance Building, 340 York Avenue, Towanda, Bradford County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

AE-5357 Stockpile No. 11, off I-99. Fax (717) 783-7971.

Department: Transportation
Location: St. Clairsville exit along FR869, Bedford County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

SP 91200001 Contractor to provide all items, materials, operations, tools, equipment, labor and incidentals necessary and required to remove and replace existing ceilings and light fixtures at the Cherry Wood Building No. 33 and Annex located on the Harrisburg State Hospital Grounds, Harrisburg, PA. Complete specifications and drawings can be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Office of Medical Assistance, Cherry Wood Building No. 33, Harrisburg State Hospital Grounds, Harrisburg, PA 17105
Duration: July 01, 1999 through February 28, 2000
Contact: Ed Blandy, Purchasing Agent, (717) 772-4883

WC 709 West Chester University is soliciting sealed bids for Project WC 709—Reroofing of Sanderson Hall. The project consists of the removal of the existing roof including removal of slag, existing built up roof and insulation on the main roof and front and back canopies. Repair of existing light weight concrete, mechanical fastening of new insulation boards to the concrete roof deck and laying of a new fully adhered EDPM roof plus attendant work on the flashings and masonry repair and or caulking. Prevailing wages apply. Specifications may be obtained by calling (610) 436-2705, faxing to (610) 436-2720 or e-mail to jmarthinsen@wcupa.edu.

Department: State System of Higher Education
Location: West Chester University, Sanderson Hall, West Chester, PA
Duration: 60 days from notice to proceed
Contact: Jacki Marthinsen, Contracts Manager, (610) 436-2705

Real Estate Services—35

109 Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Labor and Industry with 19,733 useable square feet of new or existing office space. Property offered must be situated within Lackawanna County, PA and include minimum parking for 153 vehicles, within the following boundaries: at the intersection of I-81 and PA Turnpike (I-476); to East: 502E to 690E; North: I-380N, I-84; West: PA Turnpike (I-476) and I-81N and South: PA Turnpike 476S to the beginning point of the intersection of I-81 and PA Turnpike (I-476). Preference will be given to those locations providing easy accessibility to major highways. Proposals due: June 21, 1999. Solicitation No.: 92839.

Department: General Services
Location: Real Estate, 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1998—99
Contact: Jennings Ward, (717) 787-4394

110 Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the PA State Police with 7,218 useable square feet of new or existing office/barracks space with parking for 54 vehicles, in Erie/Crawford County, PA within the following boundaries: (1.) along or near US Route 6 between SR 2020 and PA Route 426; (2.) along or near PA Route 89 North of US Route 6 and Proctor Road; (3.) along or near PA Route 77 between Elgin Road in the City of Corry and PA Route 8; (4.) along or near US Route 6 between the eastern border of Union City Boro and PA Route 89 South. Proposals due: July 12, 1999. Solicitation No.: 92782.

Department: General Services
Location: Real Estate, 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1998—99
Contact: John Hocker, (717) 787-4394

111 Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Agriculture with 6,373 useable square feet of new or existing office space with parking for 15 vehicles, in Berks, Bucks, Lehigh and Montgomery Counties, PA, within the following boundaries: North: I-476; South: Route 422; East: I-476 to Route 113 to Route 29 and West: Route 100 to Route 29. Proposals due: May 24, 1999. Solicitation No.: 92843.

Department: General Services
Location: Real Estate, 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1998—99
Contact: John Hocker, (717) 787-4394

Sanitation—36

1999-11 Qualified trash and refuse removal firms to provide services to dispose of waste located at the Bureau of Construction and Materials, 1118 State Street, Harrisburg, PA 17120. Service includes daily removal of trash and weekly removal of aggregate from the laboratory. Removal of trash and used testing equipment from the Division grounds to approved dumping area.

Department: Transportation
Location: 1118 State Street, Harrisburg, PA 17120
Duration: July 1, 1999 to June 30, 2000
Contact: Jeannie Platt, (717) 783-6717

ESTP Sewage treatment plant 55,000 gallon capacity. Services to perform all State mandated testing, cleaning and light maintenance, supply liquid chlorine as needed. Keep records. Seven days per week. Plant located in Eckley Miners' Village, Eckley, Luzerne County, PA, (570) 636-2070. 1 year contract.

Department: Historical and Museum Commission
Location: Eckley Miners Village
Duration: July 1, 1999 to June 30, 2000
Contact: Cathy Bozar/David Dubick, (570) 636-2070

Security Services—37

WC 714-007 West Chester University is soliciting sealed bids for Project WC 714-007 for the fabrication and installation of a secure transaction counter similar to those typically installed in a bank branch with bullet resistant glazing above the counter and typical under counter case work. There are three standard type stations in the design and one wheelchair accessible, lower station. Some modifications to a typical branch bank type installation are required to suit the requirements of the University's Bursar operation. Prevailing wages apply and a Performance Bond will be required. It is anticipated that the specifications will be available on or about May 21, 1999. Specifications may be obtained by calling (610) 436-2705, faxing to (610) 436-2720 or e-mail to jmarthinsen@wcupa.edu.

Department: State System of Higher Education
Location: West Chester University, Bull Center, West Chester, PA
Duration: 60 days from Notice to Proceed
Contact: Jacki Marthinsen, Contracts Manager, (610) 436-2705

Miscellaneous—39

Project No. 657 Sewage treatment plant lab work.

Department: Military and Veterans Affairs
Location: Building 4-162, FIG, Annville, Lebanon County, PA
Duration: October 1, 1999—September 30, 2002
Contact: Emma Schroff, (717) 861-8518

99-03, 05, 06 and 07 The Department of Corrections is soliciting proposals to provide drug and alcohol treatment and continuing care services in a correctional institution therapeutic community setting at the State Correctional Institution at Albion, Camp Hill, Houtzdale and Somerset. Services will be for clients with substance abuse problems who are either residents of the Department of Corrections or returned to the Department as technical parole violators and continuing care while residing in a community corrections setting.

Department: Corrections
Location: 2520 Lisburn Road, Camp Hill, PA 17011
Duration: Up to 3 years
Contact: Suzanne Malhenzie, Administration Officer, (717) 975-4973

1999-10 1. Thermoluminescent Dosimeters—regular quarterly service monitoring x-ray, beta and gamma. 2. Cancellation and reissue charges per badge as required periodically and initial setup charges for new personnel as required. 3. Charges for damage and/or lost holders at termination of service contract. 4. Preparation of NRC form 5 at the end of the calendar year for all personnel issued badges during the year.

Department: Transportation
Location: 1118 State Street, Harrisburg, PA 17120
Duration: July 1, 1999 to June 30, 2001
Contact: Jeannie Platt, (717) 783-6717

5410-1100-000 Contractor to provide all materials necessary to construct a pole building. The approximate size of the building will be 30' x 35'.

Department: Corrections
Location: State Correctional Institution at Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: N/A
Contact: Vendor Services Section, (717) 787-2199 or (717) 787-4705

AE-5365 Construct a 36 x 45 storage building. Fax (717) 783-7971.

Department: Transportation
Location: Stockpile No. 6, North Sewickley, Beaver County, PA
Duration: 90 calendar days—proposed bid June, 1999
Contact: Tina Chubb, (717) 787-7001

KURFP 0001 Kutztown University is seeking qualified vendors able to supply Serials Subscription Services for our Rohrbach Library. Vendor would be responsible for, but not limited to, the following types of services: provision of annual printed catalog listing serial titles available, provision of specific customer service representative for University, provide service for all serial publications including yearbooks/annuals/newspapers/serials/monographic serials, complimentary issue replacement services, electronic transmission of invoices, and the like. Request for RFP packages must be made in writing and directed to: Barbara Reitz, Director of Purchasing, Kutztown University, Kutztown, PA 19530, phone (610) 683-4132, fax (610) 683-4674, e-mail: reitz@kutztown.edu. RFP packages are available May 17, 1999. Questions requiring clarification prior to proposal submission are due by June 2, 1999 at 12 noon. Proposals are due June 11, 1999 by 2 p.m.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: 5 years from date of Notice to Proceed
Contact: Barbara Reitz, (610) 683-4132

M-3002 PTO driven compost turner for proper control of compost temperature.

Department: Corrections
Location: State Correctional Institution at Rockview, Box A, Route 26, Bellefonte, Centre County, PA 16823
Duration: July 1, 1999 to June 30, 2000
Contact: Cheryl Snook, Purchasing Agent II, (814) 355-4874, ext. 206

RFP 2000-1 Funds are available to develop and distribute a curriculum for teachers, coaches and school nurses for the purpose of promoting healthful nutrition practices among 7th to 12th grade students participating in school or community-based athletics, or vigorous physical activity. The bid may not exceed \$35,000 for the project.

Department: Education
Location: Colleges, Universities, Consultants
Duration: October 1, 1999 through September 30, 2001
Contact: Michele L. Fry or Kathie Kendra, (800) 331-0129, ext. 77698 or (717) 787-7698

RFP 2000-2 Funds are available to develop, pilot test and distribute a health-based curriculum for middle school and high school students in Pennsylvania addressing healthful eating practices, normal physical activity patterns and positive body image models to effect lifelong weight management strategies. The bid may not exceed \$37,500 for the project.

Department: Education
Location: Colleges, Universities, Consultants
Duration: October 1, 1999 through September 30, 2001
Contact: Michele L. Fry or Kathie Kendra, (800) 331-0129, ext. 77698 or (717) 787-7698

SP3590005309 Rental of tanks and delivery of bulk water to nine families located in Chicora, PA.

Department: Environmental Protection
Location: Chicora, PA
Duration: July 1, 1999—June 30, 2000 with renewal options
Contact: Ally Hubler, (717) 787-2471

SWIF 5-A-99 Provide worker's compensation audits as required for both in-State/out-of-State policies so as to ensure State Workers' Insurance Fund (SWIF) receives the proper amount of premium based on an accurate review/analysis of a policyholder's payroll and distribution of job classifications. The services will be provided in the Philadelphia area (Unit 1); Harrisburg, Pottsville, Sunbury and Scranton areas (Unit 2); Pittsburgh, Erie and Johnstown areas (Unit 3); or Statewide. A preproposal conference will be held on June 7, 1999 at 1:30 p.m. at the Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA. Attendance at the preproposal conference is mandatory.

Department: Labor and Industry
Location: State Workers' Insurance Fund, Statewide by geographical areas
Duration: Two years with a 1-year renewal option
Contact: John P. Glenn, Quality Assurance Manager, (570) 941-1944

[Pa.B. Doc. No. 99-812. Filed for public inspection May 14, 1999, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	Awarded On	To	In the Amount Of
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	American As- phalt Paving Co.	139,940.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Burkholder Paving/Div. Martin Limestone, Inc.	159,500.25
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Eastern Indus- tries, Inc.— West	1,425,394.90
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Glenn O. Hawbaker, Inc.	1,983,341.40
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	IA Construc- tion Corp.	219,180.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Jay Fulkroad & Sons, Inc.	132,533.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Joseph Mc- Cormick Construction Co., Inc.	55,316.50
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	McMinns As- phalt Com- pany, Inc.	613,055.55
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Meckleys Limestone Products, Inc.	198,078.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Milestone Ma- terials, Inc./ Bloomsburg	344,612.50
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Pennsy Sup- ply, Inc.	100,610.30
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	State Aggre- gates, Inc.	134,567.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	HRI, Inc.	135,000.00

Requisition or Contract No.	Awarded On	To	In the Amount Of
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Quaker Sales Corp.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Buffalo Crushed Stone, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	P&W Excavat- ing, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Milestone Ma- terials, Inc.— Stroudsburg	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	T.P.C. Asphalt Supplies	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Vestal Asphalt, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Grannas Bros. Stone and Asphalt Co.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Derry Con- struction Co., Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Eastern Indus- tries, Inc.— Center Val- ley	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Calvin C. Cole, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Charles Con- struction Co.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Highway Ma- terials, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	T.D.P.S. Mate- rials	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Dunbar As- phalt Prod- ucts, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	New Enter- prise Stone/ Lime Co., Inc.	135,000.00

STATE CONTRACTS INFORMATION

Requisition or Contract No.	Awarded On	To	In the Amount Of	Requisition or Contract No.	Awarded On	To	In the Amount Of
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Valley Quar- ries, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Heilman Pave- ment Spe- cialties	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Kendi Enter- prises, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Wayco, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Stillwater As- phalt, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Golden Eagle Construction Co.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Milestone Ma- terials, Inc.—Lake Ariel	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Eureka Stone Quarry, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Campbells As- phalt Prod., Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Trumbull Corp.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Whittaker Roads	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	A.B.E. Materi- als—Easton, Div. of Haines and Kibblehouse, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Milestone Ma- terials, Inc.—Glen Mills	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Pottstown Trap Rock Quarries	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Pioneer Mid- Atlantic, Inc., Asphalt Division	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Locust Ridge Quarry	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Marsh As- phalt, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	H & K Materi- als	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Kaminski Brothers, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Handwerk Ma- terials	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Allegheny As- phalt and Paving, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Windsor Ser- vice, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Forster Grad- ing Co.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Silver Hill Quarry	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Commercial Asphalt Supply, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Dunmore Ma- terials	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Wyoming Sand and Stone Co.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Riverside Ma- terials, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Hempt Broth- ers, Inc.	135,000.00				

STATE CONTRACTS INFORMATION

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Requisition or Contract No.	Awarded On	To	In the Amount Of	Requisition or Contract No.	Awarded On	To	In the Amount Of
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Wiest Asphalt Products	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Barletta Mate- rials and Const., Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Commercial Asphalt Products	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Lehigh As- phalt Paving and Con- struction	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	The Lane Con- struction Corp.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Blades Con- struction Products	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Union Quar- ries, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Wilson Paving	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Latrobe Con- struction Co.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Bittum Paving Materials of York, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Evans Asphalt Company, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	M & M Stone Co.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Russell Stan- dard Corp.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	McDermitt, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Keystone Lime Co., Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Great Valley Materials, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Wine Con- struction Co.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Miller Quar- ries Div. Miller Son	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Dalrymple Gravel and Cont. Co., Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Mayer Bros. Construction Co.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Lindy Paving, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Clearfield As- phalt	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Glasgow, Inc.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Union Equip- ment Co., Div. of New Enterprise Stone/Lime Co., Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	EJB Paving and Materi- als Co.	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Bechtelsville Asphalt/Div. of Haines & Kibblehouse	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Milestone Ma- terials, Inc.— Montoursville	135,000.00	5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Clariton Slag, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	York Building Prod. Co., Inc.	135,000.00				

STATE CONTRACTS INFORMATION

Requisition or Contract No.	Awarded On	To	In the Amount Of
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	Eureka Stone Quarry, Inc.	135,000.00
5610-36 and Supp. No. 1 and Supp. No. 2	05/03/99	B & L Asphalt	135,000.00
1522118-01	05/04/99	Trim Rol Building Products	21,365.00
1526118-10	05/04/99	Aerco Interna- tional	52,600.00
1549128-01	05/04/99	Macroland	21,630.00
1556118-01	05/04/99	Trim-Roll Ind., Inc.	23,570.00
1562358-01	05/04/99	Thermo Envi- ronmental Instruments, Inc.	35,190.00

Requisition or Contract No.	Awarded On	To	In the Amount Of
1593238-01	05/04/99	Webb's Super- Gro Prod.	22,592.82
1613078-01	05/04/99	Moore North America, Inc.	26,925.00
1653238-01	05/04/99	Louis Page, Inc.	21,358.59
1697138-01	05/04/99	Northeastern Comm, Inc.	17,800.00
8177250-01	05/04/99	Barbara Ann Le Mon Co.	20,937.85
8249750-01	05/04/99	International Cybernetics Corp.	23,995.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-813. Filed for public inspection May 14, 1999, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 121]

Workers' Compensation Special Funds Assessments

The Department of Labor and Industry (Department), Bureau of Workers' Compensation (Bureau), by this order, adopts the following amendments to clarify and provide detailed guidance for the uniform application of section 2218 of the act of November 26, 1997 (P. L. 530, No. 57) (71 P. S. § 578) (Act 57), as it affects the Pennsylvania Workers' Compensation Act (act) (77 P. S. §§ 1—2626). The Department, by this order, amends §§ 121.1, 121.22 and 121.23 (relating to general; subsequent injury fund; and supersedeas fund) insofar as they address assessments for the Subsequent Injury and Supersedeas Funds. In addition, the Department amends Chapter 121 by adding sections designed to implement section 2218 of Act 57 and refining existing procedures for assessment collection and calculation. These amendments are contemplated and designed to both implement the provisions of section 2218 of Act 57 and clarify existing procedures relating to the calculation and collection of assessments for the Subsequent Injury, Supersedeas and Workmen's Compensation Administration Funds (special funds), as well as the assessment authorized under section 1303 of the act (77 P. S. § 1041.3) for the purpose of funding the operation of the Office of Small Business Advocate.

Statutory Authority

These amendments are adopted under the authority of section 2218 of Act 57 which provides: "[T]he assessments for the maintenance of the Subsequent Injury Fund, the Workmen's Compensation Supersedeas Fund and the Workmen's Compensation Administration Fund under sections 306.2, 443 and 446 of the act . . . shall no longer be imposed on insurers but shall be imposed, collected and remitted through insurers in accordance with regulations promulgated by the Department of Labor and Industry." These amendments are adopted under the additional authority of sections 401.1 and 435 of the act (77 P. S. §§ 710 and 991), which provide that the Department will adopt regulations which are necessary or desirable for the explanation and enforcement of the act and which are reasonably calculated to provide interested parties with their rights and obligations under the act.

Background

On November 26, 1997, Governor Tom Ridge signed into law Act 57, which amended sections 306.2, 443 and 446 of the act (77 P. S. §§ 517, 999 and 1000.2). The amendment is designed to allow the imposition, collection and remittance of assessments "through" insurers on behalf of employers, rather than the imposition of assessments "on" insurers.

In an effort to streamline the assessment and collection procedures, the Department proposed amendments which were designed to fulfill the Legislative directive that this change shall be effected "in accordance with regulations promulgated by the Department of Labor and Industry." These proposed amendments were also designed to fur-

ther clarify and amend existing sections of Chapter 121 (relating to general provisions) and add new sections to implement section 2218 of Act 57.

These amendments were published at 28 Pa.B. 4603 (September 5, 1998) in a notice of proposed rulemaking. The Department invited all interested parties to provide written comments to the Department regarding the proposed rulemaking. In response, the Department received comments from Timothy L. Wisecarver and Dale W. Broadwater of the Pennsylvania Compensation Rating Bureau (PCRB) and Coal Mine Compensation Rating Bureau (CMCRB) respectively; Samuel R. Marshall, of the Insurance Federation of Pennsylvania; and Keith T. Bateman, of the Alliance of American Insurers. The Department also received written comments from the Independent Regulatory Review Commission (IRRC) by letter dated November 5, 1998.

This notice of final rulemaking supplants and further clarifies and expands upon the previous interpretation of Act 57 provided in the notice of proposed rulemaking. In response to comments received, some changes have been made to the previously published proposed rulemaking.

Purpose

The purpose of these amendments is to implement section 2218 of Act 57 and to clarify and enforce the provisions of the act which provide for assessments for the special funds and the Office of Small Business Advocate. In addition, these amendments clarify procedures relating to the operation of the special funds.

Affected Persons

Those affected by these amendments are private and public sector employers in this Commonwealth, workers compensation insurance carriers, self-insured employers and injured workers.

Fiscal Impact

There is no significant fiscal impact associated with these amendments. These amendments only require modifications to existing forms and do not result in any significant costs to the Commonwealth. Similarly, these amendments have been written to prevent any significant costs to the regulated community associated with their implementation.

Response to Comments

The following addresses the concerns found in the comments received from the public and IRRC.

(1) The PCRB, CMCRB and IRRC suggested that the term "earned premium," as defined in § 121.1(b), be refined to exclude coverages which do not relate to the operations of the special funds. The Department agrees. Accordingly, the definition of "earned premium" in § 121.1(b) has been changed to reflect that premium amounts earned on certain types of coverages may not be taken into account in calculating assessments.

(2) The PCRB and CMCRB noted that Special Schedule W, on which earned premium is reported, is filed not only by individual insurance carriers, but by groups of affiliated insurance carriers, and that the regulations, as proposed, might not permit this practice. This result was not intended by the Department, and, in fact, the Bureau currently classifies assessment accounts by affiliated in-

suror groups. Therefore, the definition of "insurance carrier" in § 121.1(b) has been amended to expressly include groups of affiliated insurance carriers.

(3) The PCRB and CMCRB noted that in some instances, an insurance carrier may report an amount of earned premium that is less than zero. The commentators acknowledge that a formula incorporating negative values would be administratively burdensome and suggest that any negative earned premium amounts be entered into the appropriate formulas as zero. The Department agrees that amounts of earned premium reported as a negative number should be entered into the appropriate assessment formula as zero. Therefore, §§ 121.22, 121.23 and 121.31 have been amended accordingly.

(4) The PCRB and CMCRB questioned the Department's use of different formulas for calculating the special funds and argued that all assessments for the special funds should be based upon the same period of time (fiscal year or calendar year) and the same type of information (amount paid / accrued or budget amount). The commentators' suggestions, however, cannot be incorporated into the rulemaking in light of the statutory basis for the assessments. The relevant statutory authority for each assessment defines the appropriate time period and informational basis for each assessment, and the Department is bound to adhere to the criteria set forth by the Legislature. As stated in the act, assessments for the Administration Fund are due on or before January 31 of each year (77 P. S. § 1000.2). Similarly, notice of assessment for the Supersedeas Fund is to be provided on or before June 30 of each year with payment due within 30 days of the notice (77 P. S. § 999). In addition, payment for the Subsequent Injury Fund assessment is made on an annual basis under section 306.2 of the act (77 P. S. § 517); this assessment was, per statute, originally issued at the end of the 1971-1972 fiscal year and is currently issued in conjunction with the annual assessment for the Supersedeas Fund (77 P. S. § 999).

(5) The PCRB and CMCRB remarked that §§ 121.22(b), 121.23(a)(3) and 121.31(c) are confusing in that they appear to require that each insurance carrier collect an exact amount from all of its insured employers. Of course, lapses in policies and variations among insurance carriers business practices make adherence to an exact collection administratively burdensome, if not impossible. In keeping with the intent of Act 57, the Department's use of the term "collect" was designed to establish that assessments are to be imposed, collected and remitted through insurers. The Department did not intend to bind insurers to an impossible task. Therefore, the Department has incorporated the suggestions of the commentators and amended these sections to clarify that insurance carriers shall remit assessment amounts to the Department according to the appropriate formulas. The Department believes that §§ 121.22(d), 121.23(c), 121.31(d) and 121.33(b)(3) sufficiently establish that assessments shall be imposed, collected and remitted through insurers.

(6) The PCRB, CMCRB and IRRC noted that § 121.34(a) concerning objections to assessments is somewhat redundant and confusing in light of § 121.34(e). Section 121.34(a) provides: "Objection to assessment does not relieve an insurer of its obligation to promptly pay assessment amounts imposed under the [Act]." The commentators stated that § 121.34(e) already requires that payment be made within 10 days of the objecting party's receipt of the Department's findings and notice of the amount charged against the objecting party. The Depart-

ment agrees that the section, as written, may be confusing. Therefore, the Department has deleted the language from § 121.34(a) and revised § 121.34(e) to reflect that payment must be made within 10 days after receipt of the Department's findings and, in accordance with sections 443 and 446 of the act before the commencement of any action to recover amounts paid pursuant to those findings.

(7) IRRC suggested that use of the term "accumulated" in §§ 121.22(a)(2)(ii), 123.23(a)(2) and 121.31(b) is confusing. The Department agrees with IRRC's suggestion that "accumulated" be replaced with "calculated" and has made changes to reflect IRRC's comments.

(8) IRRC commented that §§ 121.22(e), 121.23(d) and 121.31(f) are unclear in their attempt to establish that self-insured employers and runoff self-insurers must pay assessments directly to the Department. The Department agrees that a clarification is in order and thus adopts the language suggested by IRRC.

(9) IRRC commented that § 121.23(e), relating to the Supersedeas Fund, is unclear in its attempt to establish that all applications will be reviewed administratively to determine whether judicial resolution is necessary. The regulation has been revised to address IRRC's concerns.

(10) The Alliance of American Insurers expressed concern that the amendments do not adequately protect insurers from taxes which they may be required to pay in other states. In response, the Department maintains that these amendments were crafted within the limited framework of the act and Act 57. Similarly, the Department has adopted these regulations to fulfill the legislative directive of Act 57. Therefore, it is the Department's belief that it has adequately responded to the needs of the regulated community in proposing and adopting these amendments.

Reporting, Recordkeeping and Paperwork Requirements

The amendments do not require the creation of any new forms, and required few modifications to existing forms. All data which is required by the regulations is currently maintained by the Insurance Department and the approved compensation rating organizations. Therefore, the regulations do not impose any additional reporting, recording or paperwork requirements on either the Commonwealth or the regulated community.

Sunset Date

No sunset date is necessary for these amendments. These regulations will be continuously monitored, because the Department regularly issues the assessments regulated by these regulations. Issues regarding the regulations' effectiveness, clarity or impartiality can be easily addressed through the specified objection procedures and communications between employers, insurers and the Department. If needed, corrections can be made based on information received in those proceedings and communications.

Effective Date

These amendments will be effective on publication in the *Pennsylvania Bulletin* and will apply to all assessments issued on or after July 1, 1998.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. 745.5(a)), on September 5, 1998, the Department submitted copies of the proposed rulemaking, published at 28 Pa.B. 4603, to IRRC and to the Chairpersons of the House Labor Relations Committee and the Senate Labor

and Industry Committee (Standing Committees) for review and comment. IRRRC and the Standing Committees were provided with copies of the comments received during the public comment period.

In preparing these final-form regulations, the Department has considered all comments received from IRRRC, stakeholders and the public.

These final-form regulations were deemed approved by the House and Senate Committees on April 5, 1999. IRRRC met on April 8, 1999, and approved the amendments in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

Contact Person

The contact person is Richard A. Himler, Director, Bureau of Workers' Compensation, Department of Labor and Industry, (717) 783-5421, 1171 South Cameron Street, Room 324, Harrisburg, PA 17104.

Findings

The Department finds that:

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

(2) The amendment of the regulations of the Department in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 34 Pa. Code Chapter 121, are amended by adding §§ 121.31—121.35 and by amending §§ 121.1, 121.22 and 121.23 to read as set forth in Annex A.

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

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

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin* and will apply to all assessments issued on or after July 1, 1998.

JOHNNY J. BUTLER,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 29 Pa.B. 2195 (April 24, 1999).)

Fiscal Note: Fiscal Note 12-53 remains valid for the final adoption of the subject regulations.

Annex A

**TITLE 34. LABOR AND INDUSTRY
PART VIII. BUREAU OF WORKERS'
COMPENSATION**

CHAPTER 121. GENERAL PROVISIONS

§ 121.1. General.

(a) *Purpose.* This chapter has been promulgated in response to the legislative mandate in the act and

designed to further the lawful, efficient and speedy administration of the act. The term "employer" as used in this chapter means, when applicable, the insurer thereof and a self-insured employer.

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

Act—The Pennsylvania Workers' Compensation Act (77 P. S. §§ 1—2626).

Approved rating organization—One or more organizations situated within this Commonwealth, subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to perform the functions specified in Chapter 7B of the act (77 P. S. §§ 1035.1—1035.22), on an equitable and impartial basis.

Bureau—The Bureau of Workers' Compensation.

Department—The Department of Labor and Industry.

Earned premium—A direct premium earned as required to be reported to the Insurance Department on Special Schedule "W," under section 655 of The Insurance Company Law of 1921 (40 P. S. § 815). For the purposes of this chapter, direct premium earned may not include:

(i) The effects of premium credits granted under deductible elections by insured employer.

(ii) Premiums not attributable to coverage under the act or The Pennsylvania Occupational Disease Act (77 P. S. §§ 1201—1603).

(iii) Premiums attributable to excess policies written for specified retentions on self-insured employers.

Insurance carrier—An entity or group of affiliated entities subject to The Insurance Company Law of 1921 (40 P. S. §§ 341—477d), including the State Workers' Insurance Fund, but not including self-insured employers or runoff self-insurers, with which an employer has insured its liability under section 305 of the act (77 P. S. § 501).

Insured employer—An employer which has chosen to insure its workers' compensation liabilities through a workers compensation insurance carrier licensed to do so in this Commonwealth. The term "employer" when used in this context does not include the insurer thereof.

Insurer—A workers' compensation insurance carrier which is licensed to insure workers' compensation liabilities in this Commonwealth and acts in this capacity on behalf of insured employers. The term includes a self-insured employer and a runoff self-insurer.

Runoff self-insurer—An employer that had been a self-insurer but no longer maintains a current permit to self-insure under section 305 of the act.

Self-insured employer—An employer which has been granted the privilege to self-insure its liability under the act. The term includes a parent company or affiliate which has assumed a subsidiary's or an affiliate's liability upon the termination of the parent-subsidiary or affiliate relationship, and a runoff self-insurer.

Special funds—Funds maintained under sections 306.2, 443 and 446 of the act (77 P. S. §§ 517, 999 and 1000.2).

§ 121.22. Subsequent injury fund.

(a) Compensation for a subsequent injury, as defined in section 306.1 of the act (77 P. S. § 516) shall be paid as follows:

(1) The employer is responsible for payments due for specific loss under section 306(c) of the act (77 P. S. § 513).

(2) Upon expiration of the specific loss period, the Department will be responsible for additional compensation due for the duration of total disability. The fund established under section 306.2 of the act (77 P. S. § 517), from which these payments are to be made, shall be maintained as follows:

(i) Self-insured employers shall pay assessments in amounts determined by the following:

$$\frac{\text{Amount of Compensation Paid by a Self-insured Employer During the Preceding Calendar Year}}{\text{Total Amount of Compensation Paid by All Insurers During the Preceding Calendar Year}} \times \text{The Amount Expended from the Subsequent Injury Fund during the Preceding Calendar Year}$$

(ii) The amount expended from the Subsequent Injury Fund during the preceding calendar year, minus the total amount owed by all self-insured employers, as calculated under subparagraph (i), shall equal the aggregate amount to be collected by insurance carriers.

(b) Insurance carriers shall remit to the Department assessment amounts as follows:

$$\frac{\text{Amount of Earned Premium as Reported to the Insurance Department, by an Insurance Carrier, for the Preceding Calendar Year}}{\text{Total Amount of Earned Premium Reported to the Insurance Department by all Insurance Carriers for the Preceding Calendar Year}} \times \text{Aggregate Amount to be Collected by Insurance Carriers}$$

(c) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Department will calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(d) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(e) Self-insured employers and runoff self-insurers shall pay assessments directly to the Department.

(f) The claimant shall file a petition for additional compensation as provided in section 315 of the act (77 P. S. § 602) or the claim will be forever barred.

§ 121.23. Supersedeas fund.

(a) Annual assessments under section 443 of the act (77 P. S. § 999) shall be in amounts determined by the following:

(1) Self-insured employers shall pay assessments in amounts determined by the following:

$$\frac{\text{Amount of Compensation Paid by a Self-insured Employer During the Preceding Calendar Year}}{\text{Total Amount of Compensation Paid by All Insurers During the Preceding Calendar Year}} \times \text{The Amount of Supersedeas Payments Made or Accrued as Payable during the Preceding Calendar Year}$$

(2) The amount of supersedeas payments made or accrued as payable during the preceding year, minus the total amount owed by all self-insured employers, as calculated under paragraph (1), shall equal the aggregate amount to be collected by insurance carriers.

(3) Insurance carriers shall remit to the Department assessment amounts as follows:

$$\frac{\text{Amount of Earned Premium as Reported to the Insurance Department, by an Insurance Carrier, for the Preceding Calendar Year}}{\text{Total Amount of Earned Premium Reported to the Insurance Department by all Insurance Carriers for the Preceding Calendar Year}} \times \text{Aggregate Amount to be Collected by Insurance Carriers}$$

(b) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Department will calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(c) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(d) Self-insured employers and runoff self-insurers shall pay assessments directly to the Department.

(e) Applications for reimbursement shall be filed directly with the Bureau on Form LIBC-662, "Application for Supersedeas Fund Reimbursement." Applications will be processed administratively to determine whether the parties can agree on the payment or amount of reimbursement. If the payment or amount of reimbursement cannot be agreed upon, the matter will be assigned to a Workers' Compensation Judge for a formal hearing and adjudication.

§ 121.31. Workmen's Compensation Administration Fund.

(a) Annual assessments on self-insured employers, under section 446(b) of the act (77 P. S. § 1000.2(b)), shall be in amounts determined by the following:

$$\frac{\text{Amount of Compensation Paid by a Self-insured Employer during the Preceding Calendar Year}}{\text{Total Amount of Compensation Paid by All Insurers During the Preceding Calendar Year}} \times \text{The Approved Budget of the Workmen's Compensation Administration Fund for the Current Fiscal Year}$$

(b) The approved budget of the Workmen's Compensation Administration Fund for the current fiscal year,

minus the total amount owed by all self-insured employers, as calculated under subsection (a), shall equal the aggregate amount to be collected by insurance carriers.

(c) Insurance carriers shall remit to the Department assessment amounts as follows:

$$\frac{\text{Amount of Earned Premium as Reported to the Insurance Department, by an Insurance Carrier, for the Preceding Calendar Year}}{\text{Total Amount of Earned Premium Reported to the Insurance Department by all Insurance Carriers for the Preceding Calendar Year}} \times \text{Aggregate Amount to be Collected by Insurance Carriers}$$

(d) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Department will calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(e) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(f) Self-insured employers and runoff self-insurers shall pay assessments directly to the Department.

§ 121.32. Office of Small Business Advocate.

(a) The Department may collect annual assessments imposed on insurance carriers, but not on self-insured employers or runoff self-insurers, for the purpose of funding the Office of Small Business Advocate in accordance with section 1303 of the act (77 P. S. § 1041.3). Insurance carriers shall be directly liable to the Department for prompt payment of assessments for the Office of Small Business Advocate, as provided in the act and this chapter.

(b) Annual assessments under section 1303 of the act shall be in amounts as determined by the following formula:

$$\frac{\text{Amount of Compensation Paid by an Insurance Carrier, but not a Self-insured Employer or Runoff Self-insurer, During the Preceding Calendar Year}}{\text{Total Amount of Compensation Paid by All Insurance Carriers, but not Self-insured Employers or Runoff Self-insurers, During the Preceding Calendar Year}} \times \text{The Approved Budget of the Office of Small Business Advocate for the Current Fiscal Year}$$

§ 121.33. Collection of special funds assessments.

(a) The Department will collect assessments for the special funds by calculating the total amount of the following:

(1) What each self-insured employer is liable for paying to the Department.

(2) What each insurance carrier is responsible for collecting from insured employers and remitting to the Department.

(b) Assessments for the special funds shall be imposed, collected and remitted as follows:

(1) The Department will transmit to each insurance carrier and self-insured employer a notice of assessment amount to be collected, which shall specify the amount calculated under subsection (a) and the date on which the amount is due.

(2) Each self-insured employer shall timely remit to the Department the amount calculated under subsection (a)(1).

(3) Each insurance carrier shall collect payment for assessments from insured employers according to the procedures defined by the approved rating organization and approved by the Insurance Commissioner and timely remit payment to the Department.

(4) The failure of any insurance carrier to receive payment from an insured employer does not limit an insurance carrier's responsibility to collect and timely remit to the Department the total amount calculated under subsection (a)(2).

§ 121.34. Objections to assessments.

(a) A party receiving a notice of assessment amount to be collected from the Department may, within 15 days of receipt, object to the assessment reflected in the notice on the basis that it is excessive, erroneous, unlawful or invalid. Insured employers retain all rights provided under section 717 of the act (77 P. S. § 1035.17).

(b) Objections shall be set forth in numbered paragraphs, shall specifically state the facts necessary to determine the validity of the challenged assessment or assessment amount and shall be accompanied by a supporting memorandum documenting the legal grounds for the objections.

(c) An objection to assessment or assessment amount shall be accompanied by a proof of service as specified in 1 Pa. Code § 33.35 (relating to proof of service) and a notice of appearance as specified in 1 Pa. Code § 31.24 (relating to notice of appearance), and shall be served on all interested parties as specified in 1 Pa. Code § 33.32 (relating to service by a participant).

(d) An objection not conforming to this section or the act will be rejected by the Department. The Department will notify the objecting party of the specific reasons for the rejection. The objecting party shall have 30 days to cure any deficiency.

(e) Upon receipt of an objection which conforms to this section and the act, the Department will hold a hearing in accordance with 1 Pa. Code Part II (relating to the general rules of administrative practice and procedure). After the hearing, the Department will record its findings on any objections and will transmit to the objector, by registered or certified mail, notice of the amount, if any, charged against it in accordance with the findings. The amount shall be paid by the objector within 10 days after receipt of the findings. After payment has been made, the objector may initiate an action in the appropriate court to recover the payment of the assessment or any portion thereof. No insurer may maintain an action to recover payment unless it has previously objected under subsection (a).

§ 121.35. Annual reports of compensation paid.

Every annual report of compensation paid made by an insurer under sections 445 and 446(e) of the act (77 P. S. §§ 1000.1 and 1000.2(e)) shall include amounts paid by an insurer for which policyholders have agreed to reim-

burse the insurer under deductible policies issued under section 448 of the act (77 P. S. § 1000.4).

[Pa.B. Doc. No. 99-814. Filed for public inspection May 14, 1999, 9:00 a.m.]
