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# PENNSYLVANIA BULLETIN

Volume 26

Number 21

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Pages 2393—2472

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(Master Transmittal Sheet):**

**No. 258, May 1996**

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**PENNSYLVANIA**

**BULLETIN**

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## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

### Printing Format

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

### Fiscal Notes

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

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

## List of Pa. Code Chapters Affected

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

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# THE GENERAL ASSEMBLY

## Recent Actions During the 1996 Regular and Special Sessions of the General Assembly

The following is a summary of recent actions of the General Assembly during the 1995 Regular and Special Sessions.

### 1996 ACTS—Acts 27 through 34 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-27	Apr. 19	SB808	PN1802	60 days*	Board of Vehicles Act—omnibus amendments
1996-28	May 6	HB2339	PN3346	Immediately	Public School Code of 1949—weather emergency 1996
1996-29	May 10	SB1083	PN1766	Immediately	Guaranteed Energy Savings Act—enactment
1996-30	May 10	HB166	PN140	Immediately	Conveyance—Commonwealth property in Wayne County
1996-31	May 10	HB2048	PN2547	60 days	Alexander H. Linsay Highway—designation
1996-32	May 10	HB2066	PN3348	60 days	Federal Bureau of Prisons—ceding of concurrent jurisdiction to the United States for land and facilities
1996-33	May 10	SB633	PN1913	Immediately	Municipal Police Pension Law—omnibus amendments
1996-34	May 10	SB638	PN1862	60 days	Storage Tank and Spill Prevention Act—aboveground storage tank requirements and feasibility study

\* with exceptions

### Effective Dates of Statutes

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

### Advance Copies of Statutes

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

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

### Legislative Bills and Documents

Copies of Senate Bills and Documents may be obtained from: Document Room, Senate of Pennsylvania, Room 34A, Main Capitol Building, Harrisburg, PA 17120, telephone (717) 787-6732.

Copies of House Bills and Documents may be obtained from: Document Room, House of Representatives, 35 Main Capitol Building, Harrisburg, PA 17120, telephone (717) 787-5320.

CARL MEASE,  
*Acting Director*

[Pa.B. Doc. No. 96-852. Filed for public inspection May 24, 1996, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CH. 1900]

#### Proposed Amendments to the Rules Relating to Protection From Abuse; Recommendation 42

The Domestic Relations Committee proposes the following amendments to the Rules of Civil Procedure relating to Protection From Abuse. The committee solicits comments and suggestions from all interested persons prior to submission of the proposed rule to the Supreme Court.

Written comments relating to the proposed amendments must be received no later than July 20, 1996 and must be directed to Linda C. Liechty, Esquire, Executive Director, Domestic Relations Committee, 429 Forbes Avenue, Suite 300, Pittsburgh, PA 15219, FAX (412) 565-2336.

The explanatory comment which appears in connection with the proposed amendments has been inserted by the Committee for the convenience of those using the rules. It will not constitute part of the rules nor will it be officially adopted or promulgated by the Court.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

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

##### Rule 1901. Definitions.

As used in this chapter:

*Act*—The Protection From Abuse Act No. 206 approved December 19, 1990, 23 Pa.C.S. § 6101 et seq.;

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

*Court*—The court of common pleas.

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

*Protection From Abuse Examiner*—An attorney appointed by the court to hear protection from abuse matters as provided by these rules.

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

##### Rule 1901.1. Venue.

(a) Except as provided in subdivision (b), an action for protection from abuse may be brought in a county in which

- (1) the plaintiff resides, either temporarily or permanently, or is employed, or
- (2) the defendant may be served, or
- (3) the abuse occurred.

(b) If the relief sought includes possession of the residence or household to the exclusion of the defendant, the action shall be brought only in the county in which the residence or household is located.

##### Rule 1901.2. Scheduling.

Each judicial district shall establish and publish a schedule of times when the court will be available to hear temporary Protection From Abuse matters, with hearings to be held no less frequently than once a week.

*Official Note:* When the court is unavailable, emergency relief may be sought from the minor judiciary pursuant to 23 Pa.C.S. § 6110.

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

(a) Except as provided in subdivision (b), an action shall be commenced by filing with the prothonotary a petition setting forth the alleged abuses by the defendant.

(b) Filing in the office of the prothonotary of a certified order of a district justice entered pursuant to 23 Pa.C.S. § 6110 shall constitute the commencement of an action in the court of common pleas.

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

##### Rule 1901.3. Commencement of Action.

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

(b) Only in counties where representation is provided for every petitioner seeking emergency relief, an action may be commenced by filing a certified copy of the emergency order entered pursuant to 23 Pa.C.S. § 6110.

##### [ Rule 1903. Service of Order. Enforcement.

(a) [Rescinded].

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

(b) An order entered under 23 Pa.C.S. §§ 6107 and 6108 shall be served and enforced by such persons and in such manner as the court shall direct in the order. ]

##### Rule 1901.4. Service and Registration of Order.

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

(b) An Affidavit of Service substantially in the form set forth in Rule 1905(d) shall be filed with the prothonotary.

(c) A certified copy of every protection order shall be submitted for registration to

(1) the prothonotary of the county in which the order was entered, as well as any other county in which plaintiff believes protection may be necessary; or

(2) the statewide registry. Orders submitted to the statewide registry shall be accompanied by the supplemental information form set forth in Rule 1905(f).

**Official Note:** Counties will not be required to maintain registries after the statewide registry is established and is fully operational, pursuant to 23 Pa.C.S. § 6104(b).

**Rule 1901.5. Enforcement.**

(a) A police officer shall arrest a defendant for violating an order issued by any court within this Commonwealth pursuant to the Act where the order is

(1) registered in accordance with the Act; or

(2) can be verified by radio, telephone or similar means of communication.

(b) A complaint for indirect criminal contempt shall be completed and signed by either the police officer or the plaintiff. Neither Plaintiff's presence nor signature shall be required.

Rule [ 1904 ] 1901.6. No responsive pleading required.

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

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

**Rule 1901.7. Protection from Abuse Examiners.**

(a) The court may appoint attorneys as examiners to hear petitions for temporary relief pursuant to the Act.

(b) After hearing, the examiner shall submit a proposed order to the court, recommending that the request for a temporary order either be granted or denied, and setting forth the specific relief appropriate in that case.

(c) If the examiner recommends that a request for a temporary order be denied, or that the petition be dismissed, reasons for that recommendation shall be provided.

(d) The court shall issue its order forthwith, and in no case later than the day the recommendation is made by the examiner.

(e) No exceptions shall be filed to the recommendation of an examiner.

(f) There shall be no fees imposed on either party for costs relating to a hearing before an examiner.

Rule [ 1905 ] 1901.8. Decision. [ Post ] No post-trial relief.

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

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

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

**Rule 1905. Standard forms for use in protection from abuse matters.**

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

(Caption)

**NOTICE OF HEARING**

**TO: Defendant,**

**YOU HAVE BEEN SUED IN COURT. The Plaintiff is the person suing you. Attached to this notice is a copy of the Petition which indicates Plaintiff's reasons for suing you, and a court order.**

**BE ADVISED THAT THE DATE, TIME AND PLACE OF THE FINAL HEARING ON THIS PETITION ARE SET FORTH IN THE ATTACHED ORDER OF COURT.**

**IF YOU DO NOT APPEAR FOR THE HEARING AT THE TIME AND PLACE STATED IN THE ORDER, THE COURT CAN MAKE AN ORDER IN YOUR ABSENCE WHICH MAY LIMIT YOUR RIGHTS TO CUSTODY, MONEY OR PROPERTY, OR PREVENT YOU FROM HAVING ANY CONTACT WITH PLAINTIFF OR THE CHILDREN NAMED IN THE PETITION, FROM ENTERING PLAINTIFF'S RESIDENCE, OR FROM ENTERING THE PLAINTIFF'S OR CHILDREN'S PLACE OF EMPLOYMENT, BUSINESS OR SCHOOL, YOU MAY LOSE OTHER RIGHTS AS WELL.**

**A COPY OF THE ORDER IS ATTACHED; YOU MUST OBEY IT UNTIL THE HEARING. IF YOU DO NOT OBEY IT, THE POLICE WILL ARREST YOU.**

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE THE RIGHT TO HAVE AN ATTORNEY REPRESENT YOU AT THE HEARING. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone)

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

**PETITION FOR PROTECTION FROM ABUSE**

**PART 1: PLAINTIFF INFORMATION**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

OR  ADDRESS IS CONFIDENTIAL

**PART 2: DEFENDANT INFORMATION**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Check if Defendant is 17 or younger

**PART 3: MY RESIDENCE IS:**

- OWNED or  RENTED BY:
- Plaintiff
- Plaintiff and Defendant
- Defendant
- Other:

(CONFIDENTIAL, PARENTS, FRIEND, ETC.)

**PART 4: THE DEFENDANT AND I:**

- presently live together
- have never lived together
- lived together from \_\_\_\_\_ until \_\_\_\_\_

**PART 5: THE DEFENDANT:**

- is my current or former husband/wife.
- is my current or former sexual or intimate partner.
- is my \_\_\_\_\_

(STATE RELATIONSHIP)

**PART 6: LIST INFORMATION BELOW FOR ALL MINOR CHILDREN RESIDING IN YOUR HOUSEHOLD:**

Minor child's name:	Age:	Is Plaintiff the parent?	Is Defendant the parent?

**PART 7: Are you asking for temporary custody of the child(ren) you listed in Part 6?**

- yes
- no

**PART 8: Is there a court order or written agreement in effect concerning the child(ren) you listed in Part 6?**

yes  no

**PART 9: Check any of the following cases which you and this Defendant have had:**

Support  Custody  Divorce  Protection From Abuse

**PART 10: Has the Defendant ever filed a Protection From Abuse Action against you?**

yes  no **If yes, approximately when?**

**PART 11: The Defendant has abused me and/or my minor child(ren) as follows:**

**A. Recent acts of abuse: Approximate date(s):**

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

**B. Past abuse (include previous injuries, arrests, PFAs, frequency of abuse):**

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

**PART 12: I  can  cannot pay the filing fees for this action.**

**PART 13: I have suffered economic losses as a result of the Defendant's abusive actions.**

Yes, amount:  No

**PART 14:  I am/  I and my minor child(ren) are in immediate danger of further abuse and a court order is necessary to protect us.**

**WHEREFORE, I request that this Honorable Court enter a Protection From Abuse Order that provides relief including but not limited to the relief which is provided in § 6108 of the Protection From Abuse Act.**

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

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Plaintiff**

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

**(Caption)**

**TEMPORARY ORDER OF COURT**

**NOTICE TO THE DEFENDANT:**

**IF YOU VIOLATE THIS COURT ORDER, YOU WILL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT WHICH IS PUNISHABLE BY A FINE OF UP TO \$1,000 AND A JAIL SENTENCE OF UP TO SIX MONTHS.**

**AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, upon consideration of the Petition in the above-captioned case and for good cause shown, it is ORDERED, ADJUDGED and DECREED as follows:**

**A final hearing for the Plaintiff and Defendant will be held on [DATE] at [TIME] before Judge [JUDGE'S NAME], [LOCATION OF COURTROOM].**

PENDING SAID HEARING, IT IS ORDERED THAT:

- 1. ABUSE PROHIBITED: Defendant, [DEFENDANT'S NAME], [DEFENDANT'S ADDRESS] is
  - (a) prohibited from having ANY CONTACT with Plaintiff or Plaintiff's minor child(ren) [NAMES OF THE PROTECTED CHILDREN].
  - (b) directed to refrain from abusing, harassing or stalking Plaintiff or the minor child(ren) named in (a); and
  - (c) prohibited from entering the place of employment, business or school of the Plaintiff or of the minor child(ren) named in (a).
- 2. EXCLUSION: Defendant is completely excluded from the residence where Plaintiff presently lives which
  - is located at \_\_\_\_\_

OR

- is located at a confidential location within \_\_\_\_\_ County.

Until the final hearing in this case, exclusive possession of this residence is granted to Plaintiff; Defendant shall have no right or privilege to enter or be present on the premises.

IF DEFENDANT ENTERS PLAINTIFF'S RESIDENCE FOR ANY REASON WITHOUT THE WRITTEN PERMISSION OF THIS COURT, DEFENDANT SHALL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT.

- 3. CUSTODY: Temporary custody of the parties' minor child(ren) is granted to and/or shall remain with Plaintiff pending the outcome of the final hearing. The police wherever the child(ren) may be located shall ensure that the child(ren) is/are placed in the care and control of Plaintiff. This provision shall not affect existing custody orders.
- 4. WEAPONS: Defendant is directed to turn over immediately to the local police department for delivery to [INSERT THE NAME OF THE PERSON OR AGENCY] any weapons used or threatened to be used by Defendant in an act of abuse against Plaintiff or the minor child(ren). Defendant is prohibited from acquiring or possessing any other weapons for the duration of this order.
- 5. SERVICE: This order may be served by any competent adult pursuant to Pennsylvania Rule of Civil Procedure 1930.4. [INSERT ADDITIONAL DIRECTIONS FOR SERVICE, IF NECESSARY].
- 6. COSTS OF FILING, SERVICE, AND CERTIFICATION: The costs of this action are waived pending the entry of the final order of court.
- 7. Plaintiff's request for temporary support and attorney's fees, if any, shall be considered by this Court at the final hearing on the Petition.

NOTICE TO LAW ENFORCEMENT OFFICIALS

The police who have jurisdiction over the Plaintiff's residence OR any location where a violation of this order occurs OR where the Defendant may be located, shall enforce this order.

If Defendant violates any provisions of this order, Defendant SHALL be arrested on the charge of Indirect Criminal Contempt. An arrest for violation of this order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the police.

Subsequent to an arrest, the police officer shall seize all weapons used or threatened to be used during the violation of the protection order or during prior incidents of abuse. The [INSERT THE APPROPRIATE NAME OR TITLE] shall maintain possession of the weapons until further order of this Court.

If the Defendant is placed under arrest for violation of the order, the Defendant shall be taken to [INSERT THE APPROPRIATE AUTHORITY OR AUTHORITIES BEFORE WHOM DEFENDANT IS TO BE ARRAIGNED]. A "Complaint for Indirect Criminal Contempt" shall then be completed and signed by the police officer OR the Plaintiff, Plaintiff's presence and signature are not required to file the complaint.

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

BY THE COURT:

\_\_\_\_\_  
J.

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

(Caption)

AFFIDAVIT OF SERVICE

I, \_\_\_\_\_, the undersigned, hereby state that I served a copy of the Petition and Temporary Order in the above-captioned action upon the Defendant by handing the papers to \_\_\_\_\_ at the following address: \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_, at approximately \_\_\_\_ o'clock \_\_ .m.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Address)

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

(Caption)

**FINAL ORDER OF COURT**

**NOTICE TO THE DEFENDANT: IF YOU VIOLATE PARAGRAPH 1 OR 2 OF THIS COURT ORDER, YOU WILL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT WHICH IS PUNISHABLE BY A FINE OF UP TO \$1,000 AND A JAIL SENTENCE OF UP TO SIX MONTHS.**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, upon consideration of the Petition in the above-captioned case, \_\_\_\_\_, it is ORDERED, ADJUDGED and DECREED as follows:

Note: The space in the preceding paragraph is provided to allow inclusion of the information about the terms under which the order was entered, e.g. that the defendant, though properly served, failed to appear, or that the order was entered with the consent of the parties.

1. Except as otherwise provided in paragraph 3, Defendant, [DEFENDANT'S NAME], [DEFENDANT'S ADDRESS] is

(a) prohibited from having ANY CONTACT with Plaintiff, [PLAINTIFF'S NAME], or Plaintiff's minor child(ren) [NAMES OF PROTECTED CHILDREN].

(b) directed to refrain from abusing, harassing or stalking Plaintiff or the minor child(ren) named in (a); and

(c) prohibited from entering the place of employment, business or school of the Plaintiff or of the minor child(ren) named in (a).

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

**IF DEFENDANT ENTERS PLAINTIFF'S RESIDENCE FOR ANY REASON WITHOUT THE WRITTEN PERMISSION OF THIS COURT, DEFENDANT SHALL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT.**

**NOTICE TO LAW ENFORCEMENT OFFICIALS**

The police who have jurisdiction over the Plaintiff's residence OR any location where a violation of this order occurs OR where the Defendant may be located, shall enforce this order.

If Defendant violates any provision of paragraph 1 or 2 above, Defendant SHALL be arrested on the charge of Indirect Criminal Contempt. An arrest for violation of this order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the police.

Subsequent to an arrest, the police officer shall seize all weapons used or threatened to be used during the violation of the protection order or during prior incidents of abuse. The [INSERT THE APPROPRIATE NAME OR TITLE] shall maintain possession of the weapons until further order of this Court.

When the Defendant is placed under arrest for violation of the order, the Defendant shall be taken to [INSERT THE APPROPRIATE AUTHORITY OR AUTHORITIES BEFORE WHOM DEFENDANT IS TO BE ARRAIGNED]. A "Complaint for Indirect Criminal Contempt" shall then be completed and signed by the police officer OR the Plaintiff. Plaintiff's presence and signature are not required to file the complaint.

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

3. Custody of the parties' minor child(ren), [NAMES OF THE CHILDREN SUBJECT TO THE PROVISIONS OF THIS PARAGRAPH], shall be as follows: [STATE TO WHOM PRIMARY PHYSICAL CUSTODY AWARDED; STATE TERMS OF PARTIAL CUSTODY OR VISITATION, IF ANY].

4. If there is no existing support or alimony pendente lite order, the Defendant is directed to pay temporary support for: [INSERT THE NAMES OF THE PERSONS FOR WHOM SUPPORT IS TO BE PAID] as follows: [INSERT AMOUNT, FREQUENCY AND OTHER TERMS AND CONDITIONS OF THE SUPPORT ORDER]. This order for support shall remain in effect until a final support order is entered by this Court. However, this order shall lapse automatically if the Plaintiff does not file a complaint for support with the



court within fifteen days of the date of this order. The amount of this temporary order does not necessarily reflect Defendant's correct support obligation, which shall be determined in accordance with the guidelines at the support hearing. Any adjustments in the final amount of support shall be credited, retroactive to this date, to the appropriate party.

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

6.  Defendant shall pay \$ \_\_\_\_\_ to Plaintiff as compensation for Plaintiff's losses, which are as follows: \_\_\_\_\_

OR

Plaintiff is granted leave to present a petition, with appropriate notice to Defendant, to [INSERT THE NAME OF THE JUDGE OR COURT TO WHICH THE PETITION SHOULD BE PRESENTED] requesting recovery of out-of-pocket losses. The petition shall include an exhibit itemizing all claimed out-of-pocket losses, copies of all bills and estimates of repair, and an order scheduling a hearing. No fee shall be required by the Prothonotary's office for the filing of this petition.

7. All provisions of this order shall expire in one year, on [INSERT EXPIRATION DATE].

Note: Additional provisions may be added here as needed and as authorized by § 6108 of the Act.

BY THE COURT:

\_\_\_\_\_  
J.

Consented:

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

(f) The supplemental information form required by Rule 1901.4 shall be substantially in the following form:

(Caption)

SUPPLEMENTAL INFORMATION

Order entered in the \_\_\_\_\_ Judicial District

Contact/Person from whom copy of order can be obtained: \_\_\_\_\_

Contact's telephone number: \_\_\_\_\_

Defendant Identifying Information:

Social Security # \_\_\_\_\_ Sex \_\_\_\_\_ Age \_\_\_\_\_ D.O.B. \_\_\_\_\_

Height \_\_\_\_\_ Weight \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_

Race/Ethnic Background \_\_\_\_\_

Distinguishing features (scars, tattoos, facial hair, disability, etc.) \_\_\_\_\_

Alias(es) \_\_\_\_\_

Cautionary Statement: \_\_\_\_\_

Note: The cautionary statement is intended to include information about defendant which may be of use to the police officers responsible for enforcing the order, e.g. black belt in karate.

Defendant's Telephone # \_\_\_\_\_

Rule 1909. Suspension of acts of assembly.

Section 6110 of the Protection From Abuse Act, 23 Pa.C.S. § 6610, is suspended insofar as it relates to commencement of proceedings by filing a certified copy of an emergency order.

Explanatory Comment—Rule 1901

Attorneys who are appointed by the court to hear petitions for temporary relief pursuant to the Protection From Abuse Act are called "examiners" because the terms "hearing officer" and "master", per 23 Pa.C.S. § 6102 and 42 Pa.C.S. § 1126, respectively, have other specific meanings within the context of the Act.

[Pa.B. Doc. No. 96-853. Filed for public inspection May 24, 1996, 9:00 a.m.]

# Title 249—PHILADELPHIA RULES

## PHILADELPHIA COUNTY Amended Rules of Civil Procedure

### Order

*And Now*, this 9th day of May 1996, the following amendment to the Rules of Civil Procedure Rule No. 124. Stay of Execution Pending Appeal, was amended at the Board of Judges meeting, as General Court Regulation 96-6-MC.

*This Order*, becomes effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

ALAN K. SILBERSTEIN,  
*President Judge*

**Rule 124. Time and Method of Appeal and Stay of Execution Pending Appeal.**

a. A party aggrieved by a judgment for money, or a judgment for possession of real property arising out of a nonresidential lease, may appeal therefrom within thirty (30) days after the date of the entry of the judgment by filing with the prothonotary of the Court of Common Pleas a notice of appeal together with a copy of the Municipal Court disposition sheet. The prothonotary shall not accept an appeal from an aggrieved party which is presented for filing more than thirty (30) days after the date of judgment without leave of the Court of Common Pleas and upon good cause shown.

b. A party aggrieved by a judgment for possession of real property arising out of a residential lease, may appeal therefrom within ten (10) days after the date of the entry of the judgment by filing with the prothonotary of the Court of Common Pleas a notice of appeal together with a copy of the Municipal Court disposition sheet. The prothonotary shall not accept an appeal from an aggrieved party which is presented for filing more than ten (10) days after the date of judgment without leave of the Court of Common Pleas and upon good cause shown.

[ a. When a copy of a perfected appeal to the Court of Common Pleas is duly filed with the Municipal Court Administrator, execution shall not issue as to all parties and shall be stayed until said appeal is terminated without adjudication on the merits.

b. The stay of execution shall be vacated upon filing with the Municipal Court Administrator a copy of docket entries evidencing final termination of such appeal in favor of claimant without adjudication on the merits in the Philadelphia Court of Common Pleas. ]

c. (1) Except as provided in subsection (c)(2), [ Appeals ] appeals to the Court of Common Pleas shall be governed by Rule 300 et seq. of the Philadelphia Court of Common Pleas Rules (Civil Division).

(2) When an appeal is from a judgment on the merits for the possession of real property, receipt by the Municipal Court Administrator of a copy of the notice of appeal shall operate as a supersedeas

only if the tenant/appellant, at the time of filing the appeal, deposits with the prothonotary of the Court of Common Pleas of Philadelphia County a sum of money equal to the lesser of three (3) months' rent or the rent actually in arrears on the date of the filing of the appeal, based upon the Municipal Court judgment, and thereafter deposits cash with the prothonotary in a sum equal to the monthly rent which becomes due during the period of time the proceedings on appeal are pending in the Court of Common Pleas, such additional deposits to be made within thirty (30) days following the date of the appeal, and each successive thirty (30) day period thereafter. Upon application by the landlord/appellee and approval by the Court of Common Pleas, the Court of Common Pleas shall release appropriate sums from the escrow account on a continuing basis while the appeal is pending to compensate the landlord/appellee for the tenant/appellant's actual possession and use of the premises during the pendency of the appeal. In the event the appellant fails to deposit the sums of money required by this rule when such deposits are due, the prothonotary of the Court of Common Pleas, upon praecipe filed by the landlord/appellee, shall terminate the supersedeas. Notice of the termination of the supersedeas shall be forwarded via first class mail to all parties and to the Municipal Court Administrator, but if any party has an attorney of record named in filings with the court, notice shall be given to the attorney instead of to the party. Notice to a party that does not have an attorney of record is sufficient if mailed to the party's last known address of record. Where the deposit of money is made pursuant to this subsection at the time of filing the appeal, the prothonotary of the Court of Common Pleas shall make upon the notice of appeal and its copies a notation that it will operate as a supersedeas when received by the Municipal Court Administrator. If an appeal is stricken or voluntarily terminated, any supersedeas based on it shall terminate. The prothonotary, upon order of the Court of Common Pleas, shall pay the deposits of rental to the party who sought possession of the real property.

### Note

On March 28, 1996, the Pennsylvania Supreme Court promulgated amendments to the Pennsylvania District Justice Rules of Civil Procedure and instructed the Philadelphia Municipal Court to promulgate rules consistent with the amendments to the District Justice Rules. The amendments to Philadelphia Municipal Court Rule of Civil Procedure 124 are consistent with the Supreme Court's amendments within Pennsylvania District Justice Rules of Civil Procedure 1002 and 1008. In view of the Supreme Court's directive, these rules shall supersede any local rule of the Court of Common Pleas to the extent that said local rules are inconsistent with this rule.

### Order

*And now*, this 9th day of May 1996, the following amendment to the Rules of Civil Procedure Rule No. 126. Execution and Revival of Judgments: Sheriff's Interpleader, was amended at the Board of Judges meeting, as General Court Regulation 96-7-MC.

*This Order*, becomes effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

ALAN K. SILBERSTEIN,  
*President Judge*

**Rule 126. Execution and Revival of Judgments: Sheriff's Interpleader.**

a. Except as provided below, execution shall not issue until the time for appeal which could be filed with the Court of Common Pleas has expired[, **except that execution upon landlord-tenant judgments for writs of possession may issue within five (5) days after judgments** ].

b. **Subsequent to entry of judgment of possession of real property arising out of a nonresidential lease, the writ of possession may issue on or after fifteen (15) days after judgment, and the alias writ of possession may issue on or after sixteen (16) days after issuance of the writ of possession. Subsequent to entry of judgment of possession of real property arising out of a residential lease, the writ of possession may issue on or after ten (10) days after judgment, and the alias writ of possession may issue on or after eleven (11) days after issuance of the writ of possession.**

[ b. ] c. Enforcement and revival of judgments shall be in the same manner as if commenced in the Court of Common Pleas, except that authorized Landlord-Tenant Officers may serve and enforce all writs of possession and alias writs of possession.

[ c. ] d. Sheriff's interpleader proceedings shall be in accordance with the Rules governing actions in the Court of Common Pleas.

[ d. ] e. An alias writ of possession may not be issued after six (6) months from the date of the judgment for possession without leave of court.

**Note**

**On March 28, 1996, the Pennsylvania Supreme Court promulgated amendments to the Pennsylvania District Justice Rules of Civil Procedure and instructed the Philadelphia Municipal Court to promulgate rules consistent with the amendments to the District Justice Rules. The amendments to Philadelphia Municipal Court Rule of Civil Procedure 126 are consistent with the Supreme Court's amendments within Pennsylvania District Justice Rules of Civil Procedure 515 and 519.**

[Pa.B. Doc. No. 96-854. Filed for public inspection May 24, 1996, 9:00 a.m.]

**PHILADELPHIA COUNTY**

**Juvenile Court Masters; Administrative Regulation 96-5**

In addition to the Permanent Juvenile Masters, to wit, Richard Gordon, Esq. and Henry Oliver, Esq., the following are authorized to sit as Master in Delinquent and Dependent matters:

1. Tami Pernie, Esq.
2. Stephen Marino, Esq.
3. Domenic Mascinatonio, Esq.
4. Vincent Furlong, Esq.

Under no circumstances shall anyone, other than above-named, be authorized to act as Master in Juvenile Court, unless expressly authorized in writing by the Administrative Judge of Family Court.

All prior designations of authorized Masters in Juvenile Division are hereby revoked.

PAUL P. PANEPINTO,  
*Administrative Judge*  
*Family Court Division*

[Pa.B. Doc. No. 96-855. Filed for public inspection May 24, 1996, 9:00 a.m.]

**Title 25—LOCAL COURT RULES**

**FAYETTE COUNTY**

**Amended Rule; Local Rule 211: Motions Court; No. 825 of 1996, G.D.**

**Order**

*And Now*, this 6th day of May, 1996, it is hereby ordered that the above-stated Local Rule be as hereafter set forth. This amendment shall be effective 30 days after the publication in the *Pennsylvania Bulletin*.

The Prothonotary of Fayette County is *Ordered* and *Directed* to do the following:

(1) File seven (7) certified copies of this Order and Amended Rule with the Administrative Office of Pennsylvania Courts.

(2) File two (2) certified copies of this Order and Amended Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) File one (1) certified copy of this Order and Amended Rule with the Pennsylvania Civil Rules Committee.

(4) Forward one (1) copy for publication in the *Fayette Legal Journal*.

(5) Forward one (1) to the Fayette County Law Library, one (1) copy to the Clerk of Courts and one (1) copy to the Clerk of the Orphans' Court.

(6) Keep continuously available for public inspection copies of this Order and Amended Rule.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

*By the Court*

WILLIAM J. FRANKS,  
*President Judge*

**Rule 211. Motions Court.**

(a) Motions Court will be held daily at 9:00 o'clock a.m. in the courtroom of the assigned Judge.

(b) The purpose of Motions Court is to afford all parties an opportunity to present to the Court matters which require action by the court, including Orphans' Court and Criminal Court matters.

(c) As used herein, the term "motion" shall include every type of motion, petition, preliminary objection or other request for action by the Court.

(d) A motion shall be considered by the Court only as provided by these rules, except under exigent circumstances.

(e) The Court Administrator shall maintain a Motions Docket and shall make daily entries of all motions filed and the disposition thereof. The moving party SHALL FILE THE ORIGINAL motion, certificate and any attachments in the appropriate office before presentment in Motions Court. An original proposed order, a copy of the certificate and motion, ASSEMBLED IN THAT ORDER, shall be delivered to the Court Administrator and every other party of record. Such copies and notice shall be given so as to be received at least two business days before presentation in Motions Court, unless there are emergency circumstances specified in the motion requiring presentation within a shorter time.

(f) The Court Administrator shall assign each motion to a Judge for disposition. The Judge will conduct such hearing, allow such argument, and enter such order as is appropriate. The Judge may continue the consideration of any motion to a later date to allow other parties of record to be heard.

(g) All motions shall be accompanied by a certificate and shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA

:  
:  
:  
:  
:  
:  
:  
: NO. \_\_\_\_\_ OF \_\_\_\_\_

**CERTIFICATE**

1. The undersigned, \_\_\_\_\_, represents, \_\_\_\_\_, the moving party herein.

2. I certify that a copy of the attached motion was served on \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ by mail/facsimile/hand delivery.

3. The attached motion will be presented in Motions Court on \_\_\_\_\_, \_\_\_\_\_, 19 \_\_\_\_ at 9:00 o'clock a.m.

4. The attached motion shall be classified as a ROUTINE/PRIORITY motion as defined by Fayette County Rule 211.1(a)/Rule 211.2(a).

5. No Judge/Judge \_\_\_\_\_ has previously ruled on a matter relevant to the attached motion. (SEE ATTACHED PERTINENT ORDER(S).)

6. The SPECIFIC citation for the Court's authority to grant the relief requested is \_\_\_\_\_

7. Estimated court time: \_\_\_\_\_

Respectfully submitted,

DATE

[Pa.B. Doc. No. 96-856. Filed for public inspection May 24, 1996, 9:00 a.m.]

**COMMONWEALTH COURT**

**Need for Correct Street Address on Correspondence**

It has recently come to the attention of the Chief Clerk of the Commonwealth Court that the postal authorities have tightened their procedures with respect to the need for a street address on mail. Many law firms provide addresses with building names or numbers without street addresses. In recent weeks, we have discovered that mail addressed to particular buildings without street addresses has been returned to this office as undeliverable. Unfortunately, in many instances we are unable to locate the specific street address. In the future, when filing a new action, a motion or entering an appearance, please ensure that your complete address, including the street and number, or post office box, is on your filing. Please note that the appropriate mailing address for the Commonwealth Court is P. O. Box 11730, Harrisburg, PA 17108.

CHARLES R. HOSTUTLER,  
*Chief Clerk*

[Pa.B. Doc. No. 96-857. Filed for public inspection May 24, 1996, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 55—PUBLIC WELFARE

### DEPARTMENT OF PUBLIC WELFARE

#### [55 PA. CODE CH. 140]

#### Eligibility Provisions for the Healthy Horizons Program for the Elderly/Disabled

The Department of Public Welfare (Department), by this order, adopts amendments to Chapter 140 (relating to special MA eligibility provisions) to read as set forth in Annex A under the authority of sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)) which, respectively, authorize the Department to promulgate regulations to make the Commonwealth eligible for available Federal funding in joint State and Federal welfare programs, and delegate to the Department the authority to adopt regulations setting rules and standards for eligibility for all welfare programs.

Notice of proposed rulemaking is omitted in accordance with section 204(1)(iv) of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204(1)(iv)) and 1 Pa. Code § 7.4(1)(iv) because the administrative regulations relate to Commonwealth grants and benefits. Additionally, notice of proposed rulemaking is omitted for good cause as unnecessary and contrary to the public interest in accordance with section 204(3) of the CDL and 1 Pa. Code § 7.4(3).

The amendments have been implemented as mandated by Federal law (42 U.S.C.A. § 1396a(a)(10)(E)(iii)) through notices of rule change published, respectively, at 23 Pa.B. 494 (January 23, 1993), effective January 1, 1993, and 25 Pa.B. 1916 (May 13, 1995), effective January 1, 1995. No administrative discretion was permitted and the changes benefit low-income elderly and disabled persons. Public comments were solicited and none were received.

Failure to conform State regulations with Federal requirements will seriously jeopardize Federal Financial Participation (FFP) and would be contrary to the public interest. The Federal requirements are very specific, allowing for no alternative means of compliance. Therefore, the Department is required to codify the mandated changes to avoid quality control errors and allow continued receipt of Federal funds. Accordingly, the Department is formalizing the amendments found in Annex A with proposed rulemaking omitted.

#### *Purpose*

These amendments add a new benefit group with a new limited benefit to the Healthy Horizons Medical Assistance (MA) Program. Certain low-income Medicare beneficiaries, who by definition are elderly or disabled, are eligible for MA payment of the Medicare Part B premiums as a result of a separate increase in the MA income eligibility limit specifically related to this new limited benefit. These amendments also add a later, additional increase in the income eligibility limit for this new benefit group. Both of these sequential changes were mandated by section 4501 of the Omnibus Budget Reconciliation Act of 1990 (OBRA '90) (Pub. L. No. 101—508) (42 U.S.C.A. § 1396a(a)(10)(E)(iii)).

#### *Background*

The Sixth Omnibus Budget Reconciliation Act (SOBRA) of 1986 (Pub. L. No. 99-509) contained optional provisions

which permitted states to make Medicaid available for elderly and disabled persons with income up to 100% of the Federal Poverty Income Guidelines (FPIGs) and resources which do not exceed the Supplemental Security Income (SSI) resource standard for the appropriate family size. (In Pennsylvania, Medicaid is known as Medical Assistance). Thereafter, the Medicare Catastrophic Coverage Act (MCCA) of 1988 (Pub. L. No. 100-360) mandated states to provide Medicaid payment of the Medicare Part B premiums, Medicare Part A premiums of individuals enrolled in and paying for the Part A plan, and Part A and B deductibles and coinsurances.

The Department implemented these benefits through the Healthy Horizons Special MA eligibility provisions on January 1, 1989, as a two-part special MA Program to extend the availability for medical care through MA coverage for elderly and disabled persons with income up to 100% of the FPIGs. Under Healthy Horizons, there are two separate programs, namely, the Healthy Horizons Categorically Needy Program implemented under the optional provisions of SOBRA and the Healthy Horizons Medicare Cost-Sharing Program implemented under the mandated MCCA provisions.

The extent of benefit coverage is dependent upon the amount of resources which may not exceed, respectively, either the SSI resource standard or twice the SSI resource standard. The lower resource level applies to the Healthy Horizons Categorically Needy Program which provides full categorically needy MA benefits in addition to payment of Medicare cost-sharing benefits.

The higher resource level applies to the Healthy Horizons Medicare Cost-Sharing Program which pays the Medicare Part A premium if the individual is eligible for or enrolled in Part A, the Medicare Part B premium, and the Medicare Part A and Part B deductibles and coinsurances. Persons who qualify for these Medicare cost-sharing benefits are known as Qualified Medicare Beneficiaries (QMBs) (pronounced Quimbys).

Thereafter, OBRA '90 mandated that, effective January 1, 1993, the states must provide Medicaid payment of the Medicare Part B premiums for Specified Low-Income Medicare Beneficiaries (SLMBs) (pronounced Slimbys). These are persons whose income is more than 100%, but does not exceed 110% of the FPIGs and whose resources are not more than twice the SSI resource standard. The payment of the Medicare Part B premium is the only benefit provided, unless the SLMB individual is also eligible for another program.

OBRA '90 also mandated that, effective January 1, 1995, states must increase the income eligibility limit for SLMB benefits to 120% of the FPIGs.

#### *Need for the Regulations*

OBRA '90 expands the income eligibility limit for a portion of Medicare cost-sharing benefits for persons who are elderly or disabled. The expansion of the allowable maximum income for eligibility for payment of the Medicare Part B premiums will result in more low-income persons who are elderly or disabled qualifying for this benefit. Payment of these premiums will give this segment of the population more income to spend on other basic needs to help improve their quality of life.

#### *Summary of the Amendments*

*Section 140.201* (relating to policy on Healthy Horizons)—A new subsection (d) has been added to describe

the Department's participation in the limited Medicare Cost-Sharing Program for persons who are designated as SLMBs and are eligible for payment of the Medicare Part B premiums. Existing subsection (d) has been relettered as (e) and technical clarifying changes have been made to subsection (b).

*Section 140.202* (relating to definitions)—Because of the addition of this new SLMB benefit group, the Medicare Cost-Sharing Program is now a two-tier income level eligibility program providing two separate levels of benefits. Accordingly, a definition has been added for SLMBs.

*Section 140.221(1)(ii)* (relating to conditions of eligibility)—A technical correction has been made to reflect the current chapter number for MA residence provisions, which have been codified separately from the cash residence provisions subsequent to the publication of the original Healthy Horizons regulations. Accordingly, the reference to Chapter 147 has been changed to Chapter 148.

*Section 140.231* (relating to income eligibility limitations)—This section has been revised to now have separate subsections (a) and (b) in order to reflect the new two-tier income eligibility levels for the different Medicare Cost-Sharing benefit packages under the Healthy Horizons provisions.

*Section 140.301* (relating to resource eligibility limitations)—Technical, clarifying changes have been made to reflect the two-tier benefit levels of the Medicare Cost-Sharing Program.

*Section 140.331* (relating to benefit coverage)—A new subsection (c) has been added in order to distinguish the Healthy Horizons SLMB Medicare Cost-Sharing Program, which provides persons who qualify as SLMBs with the sole benefit of payment of the Medicare Part B premium, from the Healthy Horizons QMB Medicare Cost-Sharing Program, which provides payment of premiums, deductibles and coinsurances for Part A and Part B. Existing subsection (c) is relettered as (d).

*Section 140.332* (relating to category designation)—A new subsection (d) has been added to designate the category and program status codes by which SLMB individuals are identified.

*Section 140.335* (relating to retroactive eligibility)—Subsection (b) has been revised to clarify that, unlike the QMB Medicare Cost-Sharing Program which does not have retroactive coverage, eligibility for the SLMB Medicare Cost-Sharing Program may be retroactive for up to 3 months.

*Affected Persons and Organizations*

These amendments will affect persons who are elderly or disabled and who are applying for or receiving MA benefits and whose income is within these new limits.

*Accomplishments/Benefits*

These amendments will have a positive impact on low-income elderly and disabled persons.

*Fiscal Impact*

*Cost to the Commonwealth:* The Department will pay the Medicare Part B premium for SLMBs whose income does not exceed 110% of the FPIGs, effective January 1, 1993. Effective January 1, 1995, the Healthy Horizons Cost-Sharing Program has increased to include persons whose income does not exceed 120% of the FPIGs. The fiscal impact of these provisions is estimated at \$7.617 million (\$3.482 million in State funds) during Fiscal Year 1995—1996.

*Cost to the private sector:* There is no additional cost to the private sector.

*Paperwork Requirements*

These amendments require no additional forms or reports.

*Effective Date*

The effective date of these amendments is retroactive to January 1, 1993, for the SLMB Medicare Cost-Sharing Program for persons whose income does not exceed 110% of the FPIGs, and retroactive to January 1, 1995, for persons whose income does not exceed 120% of the FPIGs.

*Sunset Date*

No sunset date is applicable. The Department continuously reviews the MA Program and regulations through the Federally monitored quality control process. The Federal Health Care Financing Administration (HCFA) staff conduct audits periodically on specific aspects of the MA Program.

*Public Comments*

Although these amendments are being adopted without prior notice, interested persons are invited to submit their written comments to Patricia H. O'Neal, Director, Bureau of Policy, Department of Public Welfare, Room 431, Health and Welfare Building, P. O. Box 2675, Harrisburg, PA 17120, (717) 787-4081, within 30 days from the date of this publication in the *Pennsylvania Bulletin* for consideration by the Department.

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

*Regulatory Review Act*

Under section 5(f) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of these amendments with proposed rulemaking omitted on February 21, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. On the same date, these amendments were submitted to the Office of the Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-1—732-506). In accordance with section 5(c) of the Regulatory Review Act, these amendments were approved by the Committees on March 12, 1996, and were approved by IRRC on March 21, 1996.

*Findings*

The Department finds that:

(1) Public notice of intention to adopt the administrative regulations adopted by this order is omitted in accordance with section 204(1)(iv) of the CDL and 1 Pa. Code § 7.4(1)(iv) because the administrative regulations relate to Commonwealth grants and benefits. Additionally, notice of proposed rulemaking is omitted for good cause as unnecessary and contrary to the public interest in accordance with section 204(3) of the CDL and 1 Pa. Code § 7.4(3).

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

*Order*

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

(a) The regulations of the Department, 55 Pa. Code Chapter 140, are amended by amending §§ 140.201, 140.202, 140.221, 140.231, 140.301, 140.331, 140.332 and 140.335 to read as set forth in Annex A to this order.

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

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

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 1, 1993, for the SLMB Medicare Cost-Sharing Program for persons whose income does not exceed 110% of the FPIGs, and retroactively to January 1, 1995, for persons whose income does not exceed 120% of the FPIGs.

FEATHER O. HOUSTON,  
*Secretary*

**Fiscal Note:** 14-433. (1) General Fund; (2) Implementing Year 1992-93 is \$1,615,000; (3) 1st Succeeding Year 1993-94 is \$3,100,000; 2nd Succeeding Year 1994-95 is \$3,263,000; 3rd Succeeding Year 1995-96 is \$3,482,000; 4th Succeeding Year 1996-97 is \$3,738,000; 5th Succeeding Year 1997-98 is \$3,922,000; (4) FY 1994-95 \$722,422,000; FY 1993-94 \$623,050,000; FY 1992-93 \$594,642,000; (7) MA—outpatient; (8) recommends adoption. This regulatory action, mandated by the Federal Omnibus Budget Reconciliation Act of 1990 (OBRA 90), has been previously implemented through Notices of Rule Change (NORCs). The additional costs for 1995-96 have been included in the Department's rebudget estimates.

**Annex A****TITLE 55. PUBLIC WELFARE****PART II. PUBLIC ASSISTANCE MANUAL****Subpart C. ELIGIBILITY REQUIREMENTS****CHAPTER 140. SPECIAL MA ELIGIBILITY PROVISIONS****Subchapter B. ELIGIBILITY PROVISIONS FOR THE HEALTHY HORIZONS PROGRAM FOR THE ELDERLY/DISABLED GENERAL PROVISIONS****§ 140.201. Policy on Healthy Horizons.**

(a) The Department provides MA under the Healthy Horizons Categorically Needy Program to elderly/disabled persons who are otherwise eligible with family income up to 100% of the current Federal Income Poverty Guidelines and resources not exceeding the SSI resource standard for the appropriate family size.

(b) The Department participates in QMB Medicare cost-sharing only under the Healthy Horizons Medicare Cost-Sharing Program for qualified Medicare beneficiaries with family income up to 100% of the current Federal Poverty Income Guidelines and resources not exceeding twice the SSI resource standard for the appropriate family size.

(c) The Department also participates in the Medicare Cost-Sharing for qualified Medicare beneficiaries found eligible for benefits under the Healthy Horizons Categorically Needy Program.

(d) The Department participates in SLMB Medicare Cost-Sharing only under the Healthy Horizons Medicare Cost-Sharing Program for SLMBs with family income which on or after January 1, 1995, is more than 100% but does not exceed 120% of the current Federal Poverty Income Guidelines and resources not exceeding twice the SSI resource standard for the appropriate family size. Prior to January 1, 1995, for calendar years 1993 and 1994, family income shall be more than 100%, but may not exceed 110% of the applicable Federal Poverty Income Guidelines and resources may not exceed twice the SSI resource standard for the appropriate family size.

(e) MA is provided under the program which is most advantageous for the client based on individual circumstances. Eligibility for MA benefits under both the NMP-MA and MNO-MA Programs is also explored.

**§ 140.202. Definitions.**

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

*Applicant/recipient*—A person who is applying for, or receiving, benefits under the Healthy Horizons Program.

*Calendar quarter*—A period of 3 full calendar months beginning with January, April, July or October.

*Countable net income*—Income counted in determining income eligibility for Healthy Horizons, less appropriate exemptions, deductions and disregards.

*Earned income*—Money or other compensation received in return for services rendered.

*Infrequent income*—Income that is received not more than once in a calendar quarter.

*Irregular income*—Income that is not subject to scheduling or is unpredictable.

*Legal guardian*—A person who is court appointed as the legal guardian.

*Personal property*—Privately owned possessions which are not real property. The term includes cash, bank accounts, stocks, bonds, mortgages, cash value of life insurance policies, household furnishings, personal effects, motor vehicles, boats and Federal, State and local tax refunds.

*QMB—Qualified Medicare beneficiary*—An individual who is entitled to, or voluntarily enrolled in, Medicare hospital insurance under Part A.

*Real property*—Land, buildings, mobile homes and improvements thereto.

*SLMB—Specified low-income Medicare beneficiary*—An individual who meets the eligibility requirements for QMB status except for income in excess of the QMB income limit, but not exceeding the limits specified in § 140.231 (relating to income eligibility limitations).

*SSI—Supplemental Security Income*—The benefit amount paid to an eligible person or to an eligible person and the eligible spouse under Title XVI of the Social Security Act (42 U.S.C.A. §§ 1381—1383c).

*Spouse*—A person who is married to another by legal ceremony or by common-law.

**ELIGIBILITY REQUIREMENTS****§ 140.221. Conditions of eligibility.**

Eligibility for MA under the Healthy Horizons Program is based on the following:

(1) An individual shall meet the following eligibility requirements:

- (i) Chapters 125 and 127 (relating to application process; and reserved).
- (ii) Chapter 148 (relating to residence).
- (iii) Chapter 149 (relating to citizenship and alienage).
- (iv) Chapter 155 (relating to enumeration).
- (v) Chapter 178 (relating to resource provisions for categorically NMP-MA and MNO-MA).
- (vi) Chapter 255 (relating to restitution).
- (vii) Chapter 257 (relating to reimbursement).

(2) Under the Healthy Horizons Categorically Needy Program, an individual shall also meet one of the following criteria:

- (i) Be 65 years of age or older.
- (ii) Be a disabled person who is receiving Social Security Disability benefits or disability benefits based on SSI disability criteria at § 141.71 (relating to policy).
- (iii) Be a disabled person who meets the disability requirements of § 141.71.

(3) Under the Healthy Horizons Medicare Cost-Sharing Program, an individual shall also be a qualified Medicare beneficiary.

**INCOME REQUIREMENTS**

**§ 140.231. Income eligibility limitations.**

(a) For the Healthy Horizons Categorically Needy and Healthy Horizons QMB Cost-Sharing Programs, net family income after applicable deductions and disregards cannot exceed 100% of the current Department of Health and Human Services Annual Update of Federal Poverty Income Guidelines for the appropriate family size.

(b) For the Healthy Horizons SLMB Cost-Sharing Program, on or after January 1, 1995, net income after applicable deductions and disregards shall be more than 100% of the current Department of Health and Human Services annual update of Federal Poverty Income Guidelines for the appropriate family size but may not exceed 120%. Prior to January 1, 1995, for calendar years 1993 and 1994, net income after applicable deductions and disregards shall be more than 100% of the applicable Department of Health and Human Services Annual Update of Federal Poverty Income Guidelines for the appropriate family size, but cannot exceed 110%.

**RESOURCE REQUIREMENTS**

**§ 140.301. Resource eligibility limitations.**

(a) An applicant/recipient is resource eligible for the Healthy Horizons Categorically Needy Program if his total resources considered in accordance with Chapter 178, Subchapters A and B (relating to general provisions for MA resources common to all categories of MA; and aged, blind and disabled categories of MA), do not exceed the SSI resource standard for the appropriate family size.

(b) An applicant/recipient is resource eligible for both the SLMB and QMB Healthy Horizons Medicare Cost-Sharing Programs if total resources considered under Chapter 178, Subchapters A and B do not exceed twice the SSI resource standard for the appropriate family size.

**BENEFIT COVERAGE**

**§ 140.331. Benefit coverage.**

(a) The Department will provide the following under the Healthy Horizons Categorically Needy Program:

- (1) Full categorically needy benefits.
- (2) Qualified Medicare beneficiaries are also eligible for the following:
  - (i) Buy-in of the Medicare Part A premium if the individual is enrolled in Medicare Part A and paying the Part A premium.
  - (ii) Buy-in of the Medicare Part B premium.
  - (iii) Payment of the Medicare Part A and Part B deductibles and coinsurances. The combined Medicare and Medicaid payment will not exceed the Department's Medicaid fee for the service provided.

(b) The Department will provide the following under the QMB Healthy Horizons Medicare Cost-Sharing Program:

- (1) Buy-in of the Medicare Part A premium if the individual is enrolled in Medicare Part A and paying the Part A premium.
- (2) Buy-in of the Medicare Part B premium.
- (3) Payment of the Medicare Part A and Part B deductibles and coinsurances. The combined Medicare and Medicaid payment will not exceed the Department's Medicaid fee for the services provided.

(c) Under the Healthy Horizons SLMB Medicare Cost-Sharing Program, the Department will provide buy-in of only the Medicare Part B premium if the individual is enrolled in or eligible for Medicare Part A.

(d) The Department will pay the Medicare Part A premium, if appropriate, and the Medicare Part B premium beginning with the month following the month in which the applicant is determined eligible.

**§ 140.332. Category designation.**

(a) Elderly/disabled persons who are eligible to receive Healthy Horizons Categorically Needy benefits are designated as "PS" category and are identified by the appropriate program status code.

(b) Elderly persons who are eligible for Medicare Cost-Sharing only are designated as "PG" category.

(c) Disabled persons who are eligible for Medicare Cost-Sharing only are designated as "PL" category.

(d) Elderly disabled persons who are eligible for SLMB Medicare Cost-Sharing are designated as TA/TJ category and the appropriate program status code.

**§ 140.335. Retroactive eligibility.**

(a) The earliest possible date for retroactive Healthy Horizons Categorically Needy benefits to begin is the first day of the third month preceding the month of application. The period of eligibility for retroactive Healthy Horizons Categorically Needy benefits begins the first day of the month in which the first medical service was incurred if the applicant was otherwise eligible during that month.

(b) There is no retroactive coverage under the Healthy Horizons QMB Medicare Cost-Sharing Program, but eligibility for the SLMB Medicare Cost-Sharing Program may be retroactive for up to 3 months.

[Pa.B. Doc. No. 96-858. Filed for public inspection May 24, 1996, 9:00 a.m.]



# PROPOSED RULEMAKING

## DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 231]

### Intrastate Motor Carrier Safety Requirements

The Department of Transportation (Department), Bureau of Maintenance and Operations (Bureau), under the authority contained in 75 Pa.C.S. §§ 4704 and 6103(c) (relating to inspection by police or Commonwealth personnel; and promulgation of rules and regulations by department) proposes an amendment to Chapter 231 (relating to intrastate motor carrier safety requirements), as set forth in Annex A. These statutory provisions, respectively, set forth guidelines for the inspection of vehicle equipment by a police officer or qualified Commonwealth employee; and authorize the Department to adopt by reference any Federal statute or regulation or provision thereof relating to vehicles or drivers including minimum driver qualifications, maximum hours of service, loading, unloading, hazardous materials, operation, equipment, records and inspection. Further, the extent of coverage of Federal statutes or regulations adopted under 75 Pa.C.S. § 6103 extends to drivers and vehicles operating in intrastate commerce.

#### *Purpose of Chapter 231*

The purpose of this chapter is to prescribe minimum requirements and qualifications for drivers, vehicles and other matters relating to intrastate operation of commercial motor vehicles. This chapter extensively incorporates by reference provisions of 49 CFR Parts 390—397.

#### *Purpose*

The purpose of this proposed amendment is to eliminate the exemption from medical examinations and physical qualifications for commercial motor vehicle drivers employed by State and local governments. These drivers will be required to comply with the same medical examination and physical qualification requirements that all other commercial motor vehicle drivers operating in intrastate commerce are subject.

The Department, in an effort to assure continued motor carrier safety assistance program funding for Federal Fiscal Year 1996, published a proposed rulemaking at 25 Pa.B. 1962 (May 20, 1995), for purposes of amending Chapter 231 to incorporate by reference the Federal Motor Carrier Safety Regulations (49 CFR 391.41—391.49) relating to medical examination and physical qualification requirements for commercial motor vehicle drivers. The Department's proposed rulemaking also included an exemption from the medical examination and physical qualification requirements for commercial motor vehicle drivers employed by State and local governments. The Department incorporated the exemption as a consequence of time constraints for adoption of these rules and because the Department could not unilaterally impose the medical examination and physical qualification requirements upon State drivers since these drivers were signatory to a binding, existing State employe union agreement which does not expire until June 30, 1996. Accordingly, the Department felt that these requirements for State and local government drivers must be subjected to negotiation/rulemaking and comment since the Federal rules did not expressly direct, charge or mandate that

State and local government drivers be required to adhere to these provisions. Thus, the Department could not insist that these drivers subscribe to the medical examination and physical qualification requirements, and these drivers, under their collective bargaining agreements, were under no duty to comply at the time these provisions were initially adopted and applied to the other commercial motor vehicle drivers.

Further, as a consequence of the public comments received in opposition of State and local government driver exemption to the testing and physical qualifications and as a result of a meeting of Department officials with the Independent Regulatory Review Commission (IRRC) staff, the Department has committed to eliminating the exemption for State and local government drivers. Accordingly, the final adoption order published at 25 Pa.B. 3996 (September 23, 1995) included a commitment to publish a subsequent rulemaking to solicit comments on the proposed elimination of the exemption from medical examinations and physical qualification requirements for drivers employed by State and local governments.

The most significant proposed amendment to this regulation includes the following:

Section 231.85 (relating to drivers employed by State and local governments) is proposed to be amended by deleting the language exempting drivers employed by State and local governments from the requirements of §§ 231.31(b)(9) and 231.61—231.66 (relating to qualifications of drivers; and physical qualifications and examinations). This language exempted these drivers from the medical examination and physical qualification requirements of this chapter. The newly proposed language allows a driver regularly employed by a State or local government as of July 1, 1996, who cannot meet the physical qualification requirements of this chapter, to continue to operate in intrastate commerce only until the existing unqualifying condition worsens or a new unqualifying condition develops. This exemption is available only to those drivers who obtain a certification, from both their employer and medical examiner, that the driver is capable of operating in intrastate commerce despite the unqualifying medical condition. Further, the driver's qualification file must contain a copy of the medical examiner's initial certificate establishing a driver's qualification under this section, the most current biannual medical examiner's certificate and the most current motor carrier certification. These documents must be retained in the driver's file for the entire length of the driver's employment, and for 2 years thereafter.

The certification of the employing State or local government must be based on a review of the driver's past driving safety record and accident history. The employer's certification must be on a form prescribed by the Department and shall be valid for a period commensurate with that of the medical examiner's certification. Requirements for the medical examiner's certificate are not set forth in this section since they do not differ from the requirements with which the medical examiner must presently comply.

The requirements of this section are identical to those of § 231.64 (relating to drivers regularly employed as of September 23, 1995), thereby putting drivers employed by State and local governments on the same footing as other motor carrier drivers operating in intrastate commerce. The Department believes this proposed amendment will help ensure public roadway safety, while also striking a

balance that does not work severe economic hardship on those drivers with disqualifying conditions but who have historically demonstrated their ability to safely operate their vehicles.

#### *Persons and Entities Affected*

This proposed amendment will affect State and local governments and drivers employed by these governments. This proposed amendment will also affect the State Police, the Pennsylvania Public Utility Commission and the Department.

#### *Fiscal Impact*

This proposed amendment will require that drivers employed by State and local governments obtain a biennial medical examination and that their employers maintain a copy of the medical examination results. This proposed amendment may impose costs on commercial motor vehicle drivers employed by State or local governments if the driver is responsible for paying for the biannual medical examination, or the State or local governments if they assume responsibility for paying for the biannual medical examination, however, these costs are not readily measurable. Since State government self-insures its own vehicles, State government will experience no change in insurance costs. Local governments may experience a reduction in their insurance rates since their drivers will be receiving medical examinations every 2 years to determine their competency to drive a commercial motor vehicle.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of this proposed amendment on April 24, 1996, to IRRC and to the Chairpersons of the House Transportation Committee and the Senate Transportation Committee. In addition to submitting this proposed amendment, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1982-2, "Improving Government Regulations." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendment, it will notify the Department within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulation, by the Department, the General Assembly and the Governor of objections raised.

#### *Sunset Provisions*

The Department is not establishing a sunset date for this regulation since this regulation is needed to administer provisions required under 75 Pa.C.S. (relating to Vehicle Code). The Department, however, will continue to monitor this regulation for its effectiveness.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendment to Amar C. Bhajandas, P. E., Director, Bureau of Maintenance and Operations, Room 1004, Transportation and Safety Building, Harrisburg, PA 17120 within 30 days of the publication of this notice of proposed rulemaking in the *Pennsylvania Bulletin*.

#### *Contact Person*

The contact person is Daniel R. Smyser, P. E., Chief, Motor Carrier Division, Bureau of Maintenance and

Operations, 1014 Transportation and Safety Building, Harrisburg, PA 17120, (717) 787-7445.

BRADLEY L. MALLORY,  
*Secretary*

**Fiscal Note:** 18-335. (1) Motor License Fund—Transportation; (2) Implementing Year 1996-97 is \$225,000; (3) 1st Succeeding Year 1997-98 is \$0; 2nd Succeeding Year 1998-99 is \$248,000; 3rd Succeeding Year 1990-00 is \$0; 4th Succeeding Year 2000-01 is \$273,000; 5th Succeeding Year 2001-02 is \$0; (4) FY 1995-96 \$New Program; FY 1994-95 \$New Program; FY 1993-94 \$New Program; (7) Appropriation Title: various appropriations from the Motor License Fund to the Department of Transportation, including Highway Maintenance and Highway Safety and Improvement; (8) recommends adoption.

This regulation requires all motor carrier drivers employed by State and local governments to have a biennial medical examination. The Department currently pays for the cost of these medical examinations for motor carrier vehicle drivers operating vehicles with hazardous material placards who are employed by the Department. Therefore, this regulatory fiscal note assumes that the Department will also pay for examinations for other motor carrier drivers employed by the Department now that the examinations are required.

The Department of Conservation and Natural Resources may also elect to pay for the medical examinations for motor carrier vehicle drivers employed by the Department of Conservation and Natural Resources. Costs for the Department of Conservation and Natural Resources to pay for the examinations are estimated at less than \$10,000 biennially.

#### **Annex A**

#### **TITLE 67. TRANSPORTATION**

#### **PART I. DEPARTMENT OF TRANSPORTATION**

#### **Subpart A. VEHICLE CODE PROVISIONS**

#### **ARTICLE VIII. ADMINISTRATION AND ENFORCEMENT**

#### **CHAPTER 231. INTRASTATE MOTOR CARRIER SAFETY REQUIREMENTS**

#### **Subchapter B. QUALIFICATIONS OF DRIVERS LIMITED EXEMPTIONS**

#### **§ 231.85. Drivers employed by State and local governments.**

**[ Sections 231.31(b)(9) and 231.61—231.65 (relating to qualifications of drivers; and physical qualifications and examinations) do not apply to regularly employed drivers of State and local governments and agencies of State and local governments.]**

**(a) A driver regularly employed by State or local government as of July 1, 1996, who cannot meet the physical qualification requirements of § 231.61 (relating to physical qualifications of drivers), will be considered to be qualified to operate in intrastate commerce only if certified by the medical examiner and the employing State or local government in accordance with this section. The driver shall be considered qualified only until the existing unqualifying medical or physical condition significantly worsens or a new unqualifying medical or physical condition develops subsequent to July 1, 1996.**

(b) The employing agency's certification shall be based on a review of the driver's past driving safety record and accident history. The employing agency's certification shall be on a form prescribed by the Department and shall be valid for a period commensurate with the period of the medical examiner's certificate issued in accordance with this chapter.

(c) A copy of the medical examiner's initial certificate establishing a driver's qualification under this section and annotated in accordance with § 231.62 (relating to medical examination; certifi-

cate of physical examination), the most current biennial medical examiner's certificate and the most current certification by the employing motor carrier that the driver is qualified to operate in intrastate commerce shall be maintained in the driver's qualification file for the entire period of the driver's term of employment and for an additional 2 years after termination of employment.

[Pa.B. Doc. No. 96-859. Filed for public inspection May 24, 1996, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Board of Probation and Parole

The Executive Board approved a reorganization of the Board of Probation and Parole effective May 8, 1996.

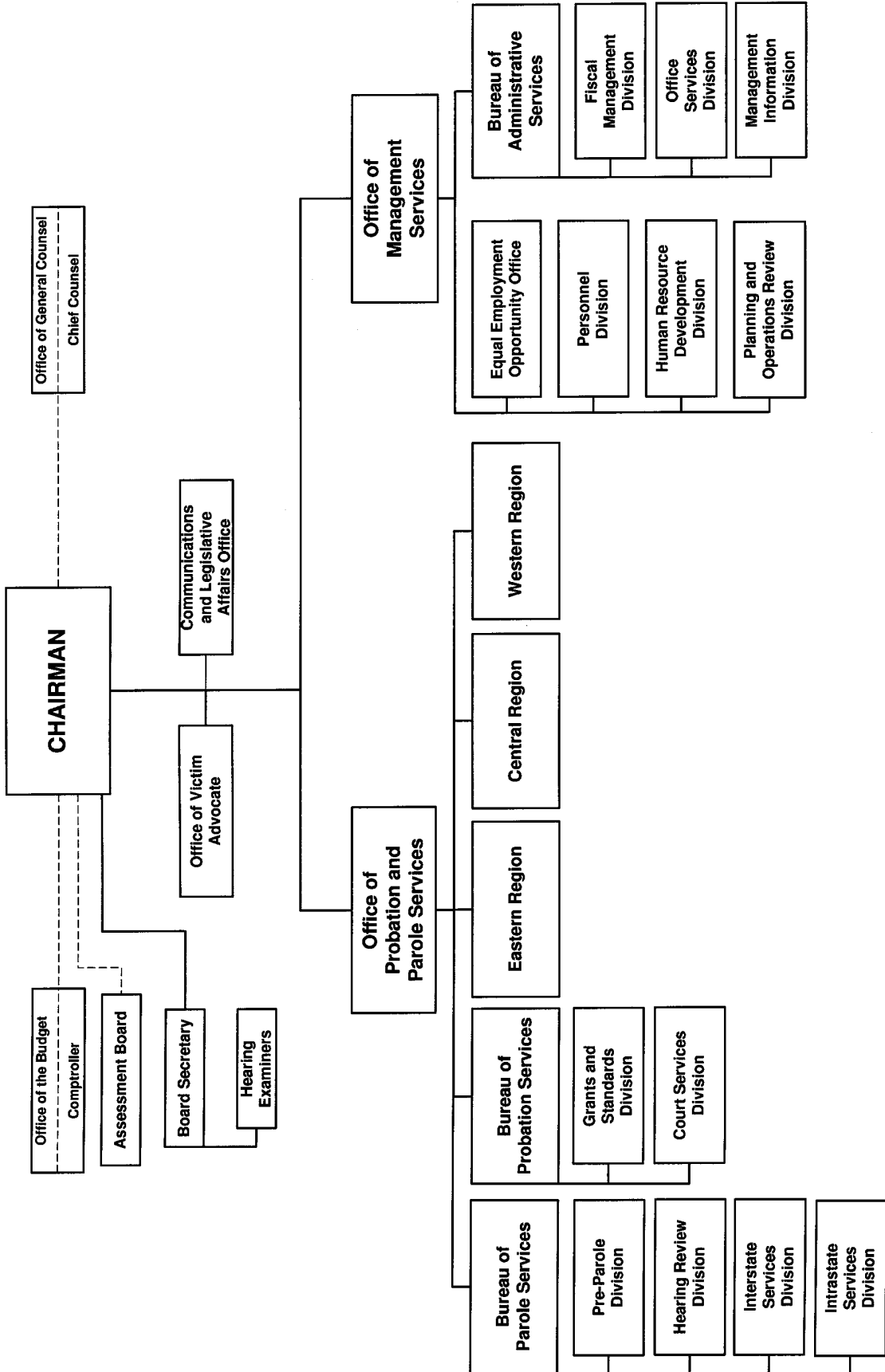
The organization chart at 26 Pa.B. 2420 (May 25, 1996) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 96-860. Filed for public inspection May 24, 1996, 9:00 a.m.]

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**BOARD OF PROBATION AND PAROLE**



# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

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

#### BANKING INSTITUTIONS

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-8-96	Pocono Community Bank Stroudsburg Monroe County	559 Main Street Stroudsburg Monroe County	Approved

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
5-14-96	Dollar Savings Association New Castle Lawrence County	32 N. Mill St. New Castle Lawrence County	Effective

*To:*

Dollar Savings Bank  
New Castle  
Lawrence County

Simultaneous with the conversion of the subject savings association to a State-chartered savings bank, the resulting savings bank will be merged with and into the First National Bank of Pennsylvania, Hermitage.

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-20-95	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	4206 Union Deposit Rd. Harrisburg Dauphin County	Opened

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-14-96	Mifflin County Savings Bank Lewistown Mifflin County	<i>To:</i> 23-27 E. Shirley St. Mount Union Huntingdon County  <i>From:</i> 23 W. Shirley St. Mount Union Huntingdon County	Approved

##### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-10-96	Northern Central Bank Williamsport Lycoming County	100 S. Henry St. South Waverly Bradford County	Approved
5-10-96	First Valley Bank Bethlehem Northampton County	639 South Main St. Wilkes-Barre Luzerne County	Approved

#### SAVINGS ASSOCIATIONS

##### Branch Relocations

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
5-13-96	Citizens Savings Association Mt. Pocono Monroe County	<i>To:</i> 156 S. Main Ave. Scranton Lackawanna County	Effective

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 103 S. Main Ave. Scranton Lackawanna County	

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-861. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AFFAIRS

### Amendment to Request for Proposals for Fiscal Year 1996

On March 30, 1996, at 26 Pa.B. 1395 the Department of Community Affairs (DCA) published a Request for Proposals (RFP) for Fiscal Year 1996 for the Home Investment Partnerships Program (HOME). The RFP indicated the allocation was \$8,353,000. DCA has been notified that the amount of HOME funds allocated to the Commonwealth is \$21,769,000. The list of participating jurisdictions for the 1996 Program Year is as follows:

Allegheny County	Luzerne County
City of Allentown	Consortium
City of Altoona	Montgomery County
Beaver County	City of Philadelphia
City of Bethlehem	City of Pittsburgh
Berks County	City of Reading
Bucks County Consortium	City of Scranton
Chester County	Borough of State College
Delaware County	Washington County
Consortium	Westmoreland County
City of Erie	Consortium
City of Harrisburg	City of Williamsport
City of Lancaster	City of York
Lancaster County	York County

DAVID E. BLACK,  
*Acting Secretary*

[Pa.B. Doc. No. 96-862. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Small Communities Planning Assistance Program

By this notice, the Department of Community Affairs (DCA) and/or its successor, announces the opening of the application period beginning May 25, 1996, for funding from the Small Communities Planning Assistance Program (SCPAP). Grant applications will be accepted beginning May 25, 1996, through the DCA regional offices (addresses appear at the end of this notice). All applications must be received in the regional office by close of business August 16, 1996, or if mailed, postmarked no later than this date. No applications will be accepted via FAX machine.

The SCPAP program is administered by the Department's Bureau of Community Planning. The purpose of the Program is to assist eligible municipalities to prepare

comprehensive strategies for community conservation and economic development. A total of \$250,000 has been set aside from the Commonwealth's Community Development Block Grant (CDBG) Program 1996 funds to provide funds for this purpose contingent upon appropriation by the General Assembly.

The Department published the Summary Notice of the Consolidated Plan for Federal Fiscal Years 1995—1999 at 40 Pa.B. 4911 (October 1, 1994). The full plan is available at all County Commissioners offices, all DCA CDBG grantees and all District Libraries.

Notice of submission to the U. S. Department of Housing and Urban Development (HUD) was published at 48 Pa.B. 5852 (November 28, 1994). Regulations for the CDBG Program may be found at 16 Pa. Code Ch. 25.

#### *Eligible Applicants*

All Pennsylvania Boroughs, incorporated towns and townships are eligible, in accordance with Act 179 of 1984, to apply for planning assistance grants with the exception of the following:

A. Municipalities eligible to receive CDBG funds directly from the Federal Government because of their destination as Federal Entitlement Communities or those eligible to receive funds through the HUD Urban County CDBG Program.

B. Boroughs, towns and townships which are identified as entitlement municipalities under the Pennsylvania CDBG Program and which have populations of 10,000 or more based on the 1990 census.

#### *Program Contents and Eligible Activities.*

The SCPAP emphasizes action-oriented planning programs with a high potential for implementation. Eligible activities include:

1. Overall community development strategies;
2. Neighborhood revitalization strategies;
3. Economic development planning projects;
4. Housing strategies; and
5. Community conservation planning projects.

SCPAP funds may also be utilized for all other planning and policy-planning-management-capacity building activities eligible under the U. S. Department of Housing and Urban Development's Community Development Block Grants (CDBG) regulations (24 CFR Part 570.205) September 6, 1988.

Applications will be competitively evaluated based upon the following criteria:

A. Quality of Work Program—The degree to which the application presents a proposed work program that ad-

dresses the problems in an effective and logical way, presents a coordinated approach with other existing planning activities and is realistic in terms of cost and time of execution.

B. Seriousness of the Problem—The comparative seriousness of the needs to be addressed by the proposed planning activity as compared with needs identified in other applications.

C. Potential for Implementation—The degree to which the application proposes an action-oriented planning program which includes as its final end product realistic and achievable short range activities with high potential for implementation.

D. Benefit to Low- and Moderate-Income Persons—The extent to which the application proposes a planning program which is designed to benefit this income category.

E. Leverage—The extent to which other funds are leveraged to undertake the proposed planning program.

F. Timeliness—The ability of the applicant to complete the proposed planning program in a timely fashion.

G. Past Performance—Applicants that have received previous SCPAP grants will be evaluated on their performance in administering those grants.

H. Community Involvement—The extent to which the public participated in the preparation of the application and the extent the public will be involved in the planning program and its implementation.

#### *Ineligible Activities*

A. General government operating and maintenance expenses including legal fees and general administrative costs other than those cited under the Financial Assistance, paragraph C.

B. Architectural (landscape-architectural)/engineering specifications and design costs.

C. The preparation of a Small Communities Planning Assistance Program application.

D. Property Acquisition.

E. Construction projects.

#### *Financial Assistance*

A. The Department in awarding grants will insure that at least 70% of the total SCPAP funds awarded will benefit low- to moderate-income persons and families.

B. The financial assistance will be for a period not to exceed 24 months and at a SCPAP maximum funding level of \$28,000 per applicant.

C. The Department will pay for application preparation costs, surveys conducted in accordance with CDBG Sur-

vey Standards and the actual advertising costs of the two required public notices for successful grantees. The total administrative allowance shall not exceed \$3,600.

D. The Department reserves the right to deny approval of any application and to request additional information from certain applicants without undertaking any duty to request such information from all applicants. Grants will be awarded at the discretion of the Department to those projects that are determined to be most suitable for funding.

#### *Application Information*

Copies of the application and other necessary data are available upon request by contacting the appropriate DCA regional office listed below, or the Department of Community Affairs or its successor, Bureau of Community Planning, 551 Forum Building, P. O. Box 155, Harrisburg, PA 17120, telephone (717) 787-7400.

Also, alternative formats (for example, braille, large print, cassette tape) can be made available. Request for alternative formats may be made to Dallas A. Dollase at the above telephone number.

Southeast Regional Office (Philadelphia)  
908 State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
(215) 560-2256

Northeast Regional Office (Scranton)  
210 Samters Building  
101 Penn Avenue  
Scranton, PA 18503-2025  
(717) 963-4571

Southcentral and Northcentral Regional Office (Harrisburg)  
402 Finance Building  
Harrisburg, PA 17120  
(717) 787-7347

Southwest Regional Office (Pittsburgh)  
413 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 565-5002

Northwest Regional Office (Erie)  
Third Floor, Rothrock Building  
121 West 10th Street  
Erie, PA 16501  
(814) 871-4241

DAVID E. BLACK,  
*Acting Secretary*

[Pa.B. Doc. No. 96-863. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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



Persons wishing to comment on the proposed permit are invited to submit a statement to the 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 Managers will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

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

**PA 0217310.** Industrial waste, SPEDD, Inc., 12300 Perry Highway, Wexford, PA 15090.

This application is for issuance of an NPDES permit to discharge treated process water from the Cowanshannock Township Industrial Site in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters Cowanshannock Creek classified as warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall 001: new discharge, design flow of 0.0144 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Suspended Solids			30	60	75
Iron			1.5	3.0	3.8
Carbon Tetrachloride			0.005		0.013
1,1-Dichloroethane			0.012		0.030
1,1-Dichloroethylene			0.001		0.003
1,1,1-Trichloroethane			0.04		0.10
Trichloroethylene			0.001		0.003
pH	6.0—9.0				

The EPA waiver is in effect.

**PA 0020788.** Sewage, **Borough of Derry**, 114 East Second Avenue, Derry, PA 15627.

This application is for renewal of an NPDES permit to discharge treated sewage from the Derry Borough Sewage Treatment Plant in Derry Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.65 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2	3		4
(11-1 to 4-30)	5.5	8.3		11
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.1			0.32
Copper				
1st month—36th month	monitor and report			
37th month—expiration	0.017		0.034	0.043
Zinc				
1st month—36th month	monitor and report			
37th month—expiration	0.112		0.224	0.280
Dissolved Oxygen	not less than 6 mg/l			
pH	6.0—9.0			

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

The EPA waiver is in effect.

**PA 0096334.** Sewage, **Clelian Heights School for Exceptional Children**, R. D. 9, Box 607, Greensburg, PA 15601-9232.

This application is for issuance of an NPDES permit to discharge treated sewage from Clelian Heights School for Exceptional Children STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Beaver Run, 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 .0068 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5			10
(11-1 to 4-30)	10			20
Phosphorus	2			4
Total Residual Chlorine				
1st month through 36th month	monitor and report			
37th month through expiration date	1.4			3.3
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 7.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0097420.** Sewage, **Emidio and Emma Jean Crocetti**, Box 84, Dunbar, PA 15431.

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

The following effluent limitations are proposed for discharge to the receiving waters, known as Gist Run, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the North Fayette County Municipal Authority.

Outfall 001: existing discharge, design flow of .025 mgd.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				
(5-1 to 10-31)	7.5			15.0
(11-1 to 4-30)	22.5			45.0
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
Issued date through 36th month	monitor and report			
37th month—expiration		1.4		3.3
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0098752.** Sewage, **G. Scott Simons**, 1645 Pleasant Hill Road, Baden, PA 15005.

This application is for renewal of an NPDES permit to discharge treated sewage from Simons SRSTP in Marshall Township, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of .0004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Total Residual Chlorine	monitor and report			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0205281.** Sewage, **New Sewickley Township Municipal Authority**, P. O. Box 65, Freedom, PA 15042-0065.

This application is for renewal of an NPDES permit to discharge treated sewage from the Tri-County Park Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

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

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10	15		20
Suspended Solids	10	15		20
Ammonia Nitrogen				
(5-1 to 10-31)	1.9	2.9		3.8
(11-1 to 4-30)	2.8	4.2		5.6
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration		0.01		0.03
Dissolved Oxygen	not less than 6.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0217328.** Sewage, **A. Duane Lohr**, R. D. 1, Box 322D, Somerset, PA 15501.

This application is for issuance of an NPDES permit to discharge treated sewage from Lohr SRSTP in Somerset Township, **Somerset County**.

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

Outfall 001: new discharge, design flow of .0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Total Residual Chlorine	monitor and report			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	6.0—9.0			

The EPA waiver is in effect.

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

**PA 00035718.** Industrial waste, SIC: 2022, (Cheese Manufacturing), **John Koller & Son, Inc.**, Fairview Swiss Cheese T/A, 1734 Perry Highway, Fredonia, PA 16124.

This application is for a renewal of an NPDES permit to discharge treated sewage, treated industrial waste, noncontact cooling water and stormwater to an unnamed tributary to Otter Creek in Fairview Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocked fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Otter Creek and the Consumers Water Company located at Mercer, approximately 10 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.0196 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		monitor and report	
CBOD <sub>5</sub>	57	130	143
Total Suspended Solids	87	194	218
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.5	7	8.5
(11-1 to 4-30)	11	22.5	27.5
Fecal Coliforms*			
(5-1 to 9-30)	200/100 ml		
(10-1 to 4-30)	2,000/100 ml		
Total Residual Chlorine	0.5		1.2
pH	6.0—9.0 at all times		

\*Refer to Special Condition concerning disinfection in Part C Special Conditions.

The proposed discharge limits for Outfalls No. 002 and 003\*, based on a design flow of N/A mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
These outfalls shall consist of stormwater runoff only.			

\*Refer to Part C Special Condition concerning stormwater outfalls.

The proposed discharge limits for Outfall No. 004, based on a design flow of N/A mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		monitor and report	
CBOD <sub>5</sub>	44	88	110
Total Suspended Solids	67	132	167
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0028487.** Sewage. **Hermitage Municipal Authority**, Box 1046, 800 North Hermitage Road, Hermitage, PA 16148.

This application is a renewal of a Part I NPDES permit to discharge treated sewage to the Shenango River in Hermitage, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western Pennsylvania Water Company—New Castle District intake on the Shenango River located in New Castle, approximately 18 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after the chlorine contact tank) based on a design flow of 5.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	18		36
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 6,800/100 ml as a geometric average		
Mercury (Interim) (Final)	0.00022	monitoring only	0.00044
Total Residual Chlorine (Interim) (Final)	0.47	monitoring only	1.5
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

Please add the following to the public notice:

1. Final water quality based effluent limitation for mercury.
2. Requirement to submit a Toxic Reduction Evaluation within 18 months of the permit issuance date.
3. Conditions for future permit modification.
4. Procedures for granting time extensions to achieve final water quality based effluent limitations.
5. Procedures for demonstrating alternative site-specific bioassay based effluent limitations.
6. Procedures for demonstrating alternative method detection limits.

**PA 0027227.** Sewage. **City of Farrell**, 625 Broadway Avenue, Farrell, PA 16121.

This application is for a renewal of a Part I NPDES permit to discharge treated sewage to the Shenango River in the City of Farrell, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western PA-Water Company, New Castle District intake on the Shenango River located at New Castle, approximately 20 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after the chlorine contact tank) based on a design flow of 1.75 mgd are:

*Interim Limits*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen (5-1 to 10-31) (11-1 to 4-30)	18 monitor and report		36 monitor and report
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 20,600/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.6
pH	6.0—9.0 at all times		

The proposed effluent limits for Outfall No. 001 (after the chlorine contact tank) based on a design flow of 3.75 mgd are:

*Final Limits*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia-Nitrogen (5-1 to 10-31) (10-1 to 4-30)	16.5 monitor and report		33.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 7,700/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.6
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

**PA 0006378.** Industrial waste, SIC: 3317. **Sawhill Tubular Division, Armco, Inc.**, P. O. Box 11, Sharon, PA 16146.

This application is for renewal of an NPDES permit to discharge treated industrial waste, noncontact cooling water and stormwater to the Shenango River in the City of Sharon, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Shenango River and the Shenango Valley Water Company located at Sharon, within 1 mile below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.816 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
Oil and Grease	15		30
Iron (total)	monitor and report		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of N/A mgd are:

<i>Outfall No.</i>	<i>Latitude</i>	<i>Longitude</i>
002	41°14'39"	80°30'19"
003*	41°14'39"	80°30'17"
004	41°14'39"	80°30'16"
005*	41°14'39"	80°30'13"
006	41°14'44"	80°30'13"
007	41°14'48"	80°30'13"
008	41°14'53"	80°30'13"
009	41°14'58"	80°30'13"
010	41°15'04"	80°30'13"
011	41°15'08"	80°30'13"
012	41°14'30"	80°29'42"
013*	41°14'40"	80°30'20"
014	41°14'40"	80°30'20"
015	41°14'40"	80°30'20"

<i>Parameters</i>	<i>Concentration (mg/l) Instantaneous Maximum</i>	<i>Measurement Frequency</i>	<i>Sample Type</i>
Iron (Total)	monitor and report	1/month	Grab
Zinc (Total)	monitor and report	1/month	Grab
Oil and Grease	monitor and report	1/month	Grab
pH	monitor and report	1/month	Grab

\*Denotes the representative outfall to be sampled for the group.

The proposed discharge limits for Outfall No. 101 based on a design flow of 0.055 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	30	70	75
Lead	monitor and report	monitor and report	1.45
Zinc	monitor and report	monitor and report	3.0
Iron	monitor and report	monitor and report	1.6
Oil and Grease	15	monitor and report	30
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 201 based on a design flow of 0.382 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
Total Suspended Solids (lb/day)	129	343	
Oil and Grease (lb/day)		85.9	
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 301 based on a design flow of 1.64 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
Oil and Grease	15		30
Iron (total)	monitor and report		
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

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

**PA 0056537.** Industrial waste, **Highway Materials, Inc.**, 800 West Olney Avenue, Philadelphia, PA 19120-2232.

This application is for issuance of an NPDES permit to discharge stormwater from a hot mix asphalt plant in East Whiteland Township, **Chester County**. This is an existing discharge to Valley Creek.

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

The proposed effluent limits for Outfalls 001 and 002 based on an average storm event are as follows:

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

The EPA waiver is in effect.

**PA 0054054.** Sewage, **Richard and Deborah Reblock**, 2026 Broad Street, Perkasio, PA 18944.

This application is for renewal of an NPDES permit to discharge treated sewage from the Reblock residence sewage treatment plant in Hilltown Township, **Bucks County**. This is an existing discharge to Deep Run Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia as N		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0011533.** Industrial waste, **Sun Company, Inc.** (R&M) located at 3144 Passyunk Avenue, Philadelphia, PA 19145-5299.

This application is for revoke and reissuance of an NPDES permit to discharge treated process wastewater, cooling water and stormwater from Girard Point Process area oil refinery industrial wastewater treatment plant in City of Philadelphia, **Philadelphia County**. This is an existing discharge to Schuylkill River Zone 4 of Delaware River Estuary. The permit expiration date is extended for 1 year and effluent limitations are unchanged.

The receiving stream is classified for warm water fish (maintenance only), migratory fish (passage only), industrial water supply, wildlife water supply, boating, fishing and navigation.

The proposed effluent limits for Outfall 001 for an emergency overflow from separator No. 4 in an emergency stormwater events are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		110
Oil and Grease		15
pH	6.0	9.0

The proposed effluent limits for Outfall 002 for a contaminated stormwater runoff from process area during an emergency event are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		110
Oil and Grease		15
pH	6.0	9.0

The proposed effluent limits for Outfall 004 for a noncontact cooling water from Elliott and Scaiffie air compressor surface condensers are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		5.0
Temperature		110°F
pH	6.0	9.0

The proposed effluent limits for Outfall 009 for an emergency overflow of process wastewater from separator No. 2B are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	27	54	67.5
Total Suspended Solids	30	51	75
Chemical Oxygen Demand	284	547	710
Oil and Grease	12	22	30
Ammonia Nitrogen	22	49	55
Sulfide	0.21	0.48	0.52
Total Chromium	0.16	0.47	0.47
Hexavalent Chromium	0.013	0.03	0.033
Phenolic Compounds	0.14	0.56	0.56
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 011 for once through cooling water from Bluebird air compressor surface condenser by separator No. 2A are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		5.0
Temperature		110°F
pH	6.0	9.0

The proposed effluent limits for Outfall 014 for an overflow from separator No. 8 are as follows:

<i>Parameter</i>	<i>Instantaneous Minimum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		110
Oil and Grease		15
pH	6.0	9.0



The proposed effluent limits for Outfall 015, based on an average flow of 6.48 mgd from industrial wastewater treatment plant are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	27	54	67.5
Total Suspended Solids	30	51	75
Chemical Oxygen Demand	284	547	710
Oil and Grease	12	22	30
Ammonia Nitrogen	22	49	55
Sulfide	0.21	0.48	0.52
Total Chromium	0.16	0.47	0.47
Hexavalent Chromium	0.013	0.03	0.033
Phenolic Compounds	0.14	0.56	0.56
Free Cyanide	monitor/report	monitor/report	
CBOD <sub>20</sub>		2,170 lbs per day	
BOD <sub>5</sub> Removal		89.25%	
Fluoride	7.7		38.5
Aluminum		monitor/report	
Total Residual Oxidants		0.2	0.5
Total Zinc		0.6	
Phosphorus as PO <sub>4</sub>		monitor/report	
pH	within limits of 6.0—9.0 standard units at all times		

*Other Conditions:*

Conditions for future permit modification.

Continuous operation of sand filter unit.

89.25% reduction of BOD<sub>5</sub> per DRBC requirements.

Thermal requirements.

Authorization to discharge stormwater at Outfalls 005, 010 and 012 from roof drainage system.

Credits for stormwater runoff, intake service water, ballast water and intake filtered water.

Use of certain chemical additives.

Requirements for contaminated stormwater runoff.

Special Test Methods for certain pollutants.

The EPA waiver is not in effect.

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

**PA 0081035.** Sewage, SIC: 6515, **Paul K. Miller** (Oakwood Heights Mobile Home Park), R. D. 2, Box 2421, Stewartstown, PA 17363.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary to Deer Creek, in Hopewell Township, **York County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. The discharge is not expected to impact any potable water supply.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	15			30
Suspended Solids	30			60
NH <sub>3</sub> -N				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Total Residual Chlorine	0.001			0.025
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0 s.u.			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	3,000/100 ml as a geometric average			

The EPA waiver is in effect.

**PA 0083879.** Industrial waste, SIC: 4953, **South Central Counties Solid Waste Agency**, P. O. Box 136, Hopewell, PA 16650.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Sandy Run, in Hopewell Township, **Bedford County**.

The receiving stream is classified for warm water fish, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Saxton Municipal Waterwork located in Saxton, PA. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.25 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 standard units at all times		
CBOD <sub>5</sub>	100	200	250
Ammonia as N	20	40	50
Iron	2.0	4.0	5.0
Phosphorus	2.0	4.0	5.0
Total Suspended Solids	100	200	250
Aluminum	0.3	0.6	0.75
Cadmium	0.0022	0.0044	0.0055
Chromium	0.125	0.25	0.3125
Copper	0.025	0.05	0.0625
Cyanide	0.02	0.04	0.05
Lead	0.03	0.06	0.075
Nickel	0.15	0.30	0.375
Zinc	1.0	2.0	2.5
Acetone	0.11	0.22	0.28
Methylene Chloride	0.1	0.2	0.25
Phenol	0.05	0.1	0.125
Toluene	0.05	0.1	0.125

The permit also includes Outfalls 002 and 003 for monitoring mine drainage/leachate and Outfalls S001 through S008 for stormwater. These outfalls are monitored quarterly or semiannually for various parameters of concern.

The EPA waiver is in effect.

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#### **Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0080471	Decoven Motel 1909-3 State Road Duncannon, PA 17020	Perry Penn Township	UNT to Susquehanna River	TRC
PA0084263	Kenneth E. Heckman 265 W. Burkhardt Ave. Chambersburg, PA 17201	Franklin Hamilton Twp.	UNT to Dennis Creek	TRC

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#### **Notices of Intent for Coverage Under NPDES General Permit for Construction Activities and Department Final Actions**

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*Allegheny County Conservation District: District Manager, 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.*

*Bucks County Conservation District: District Manager, 924 Town Center, New Britain, PA 18901, telephone (215) 345-7577.*

*Centre County Conservation District: District Manager, 414 Holmes Ave., Ste. 4, Bellefonte, PA 16823, telephone (814) 355-6817.*

*Chester County Conservation District: District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.*

*Clearfield County Conservation District: District Manager, 650 Leonard Street, Clearfield, PA 16830, telephone (814) 765-2629.*

*Cumberland County Conservation District: District Manager, 43 Brookwood Ave., Ste. 4, Carlisle, PA 17013, telephone (717) 249-8632.*

*Dauphin County Conservation District: District Manager, 1451 Peters Mtn. Rd., Dauphin, PA 17018, telephone (717) 921-8100.*

*Lackawanna County Conservation District: District Manager, 395 Bedford St., Bedford Station, Clarks Summit, PA 18411, telephone (717) 587-2607.*

*Lebanon County Conservation District: District Manager, 2120 Cornwall Rd., Ste. 5, Lebanon, PA 17042, telephone (717) 272-3377.*

*Lycoming County Conservation District: District Manager, 240 W. 3rd Street, P. O. Box 68, Williamsport, PA 17703, telephone (717) 326-5858.*

*Mercer County Conservation District: District Manager, R. R. 2, Box 2055, Mercer, PA 16137, telephone (412) 662-2242.*

*Northampton County Conservation District: District Manager, R. R. 4, Greystone Building, Nazareth, PA 18064, telephone (610) 746-1971.*

*Potter County Conservation District: District Manager, 334B Port Allegany Rd., Coudersport, PA 16915, telephone (814) 274-8411.*

*Tioga County Conservation District: District Manager, 5 East Avenue, Wellsboro, PA 16901, telephone (717) 724-4812.*

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, General Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

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.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A165	Circuit City Stores 9950 Mayland Dr. Richmond, VA 23233	Allegheny Co. Wilkins Twp.	Turtle Crk.
PAR10A150	H & H Development Co. 939 Sheraton Dr. Mars, PA 16046	Allegheny Co. Franklin Pk. Boro.	Pine Crk.
PAR10A169	Washington Street Transit Assocs., 301 Grant St., Pittsburgh, PA 15219	Allegheny Co. Dravosburg Boro.	Monongahela River
PAR10D231	Penske Truck Leasing Co. Rte. 10 Green Hills Reading, PA 19603	Bucks Co. Bensalem Twp.	Neshaminy Crk.
PAR10D232	Heritage Building Group 3326 Old York Rd. Furlong, PA 18925	Bucks Co. Warminster Twp.	Ltl. Neshaminy
PAR10D223	Pennsbury School Dist. P. O. Box 338, Fallsington, PA 19054	Bucks Co. L. Makefield Twp.	Bucks Crk.
PAR10F044-1	Corning, Inc., HP-ME-03 005-CH, Corning, NY	Centre Co. College Twp.	Logan Branch
PAR10G178	Herr Foods, Inc. P. O. Box 300, Nottingham, PA 19362	Chester Co. W. Nottingham Twp.	UNT to Northeast Crk.
PAR10I722	Clearfield Education Foundation, 125 E. Market St., Clearfield, PA 16830	Clearfield Co. Lawrence Twp.	Clearfield Crk.
PAR10H094	Kendor Enterprises 240 Springview Rd. Carlisle, PA 17013	Cumberland Co. Dickinson and S. Middleton Twps.	Conodoguinet Crk.
PAR10I088	First Industrial Realty Trust, 6400 Flank Dr., Harrisburg, PA 17112	Dauphin Co. L. Swatara Twp.	UNT to Susquehanna River

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10I089	First Industrial Realty Trust, 6400 Flank Dr., Harrisburg, PA 17112	Dauphin Co. L. Swatara Twp.	UNT to Susquehanna
PAR10N040	Nick Basalyga 303 Fawn Hills Rd. Clarks Summit, PA	Lackawanna Co. S. Abington Twp.	UNT to Ackerly Crk.
PAR10P048	Lebanon Chemical Corp. 1600 E. Cumberland St. Lebanon, PA 17042	Lebanon Co. S. Lebanon Twp.	Quittapahilla Crk.
PAR103915	Lycoming College, 700 College Place Williamsport, PA 17701	Lycoming Co. City of Williamsport.	Susquehanna River
PAR103916	The Pines, P. O. Box 384 Montoursville, PA	Lycoming Co. Fairfield Twp.	Bennetts Run
PAR104320	International Timber and Veneer, Inc., 147 N. Diamond St., Mercer, PA	Mercer Co. Jackson Twp.	Yellow Crk.
PAR10U019-1	Nic Zawaeski & Sons 1441 Linden St. Bethlehem, PA 18018	Northampton Co. Palmer Twp.	Lehigh River
PAR105501	Charles Cole Memorial Hospital, Rte. 6 E Coudersport, PA 16915	Potter Co. Coudersport Boro. and Eulalia Twp.	Mill Crk.
PAR106619	Wellsboro Fire Dept. Crafton St., Wellsboro, PA 16901	Tioga Co. Charleston Twp.	Charleston Crk.

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#### Notice of Intent for Coverage Under General Permits Received

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The following parties have submitted Notices of Intent for coverage under General NPDES Permits to discharge treated wastewater into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review, or application of lawful standards and regulations, the Department of Environmental Protection proposes to issue coverage under the General Permit subject to certain effluent limitations, monitoring and reporting requirements and other conditions set forth in the General Permits.

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

The Notice of Intent, related documents, proposed effluent limitations, special conditions, comments received and other information are on file and may be inspected and copied at the Regional Office indicated as receiving the Notice of Intent.

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

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

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#### Final Actions Under NPDES General Permits

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Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR213538 (amended)	3	New Enterprise Stone & Lime (Tyrone Batch and Blacktop Plant), P. O. Box C Tyrone, PA 16686	Huntingdon Co. Warriors Mark Twp.	Logan Spring Run	3273

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

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

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

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

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

*Northeast Regional Office: Regional Water Management Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 825-2511.*

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

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

*Berks County Conservation District, District Manager; P. O. Box 520 Ag. Ctr., Leesport, PA 19533, telephone (610) 372-4657.*

**NPDES Permit PAS10C024.** Stormwater. **Harry O'Neill**, West Ridge Bern, L.P., 1420 Clarion Street, Reading, PA 19601 has applied to discharge stormwater from a construction activity located in Bern Township, **Berks County**, to UNT to Tulpehocken Creek.

*Butler County Conservation District, District Manager; 122 McCune Drive, Butler, PA 16001-6501, telephone (412) 284-5270.*

**NPDES Permit PAS10E053.** Stormwater. **Triangle Development**, 1323 Freedom Road, Cranberry Township, PA 16066 has applied to discharge stormwater from a construction activity located in Cranberry Township, **Butler County**, to Wolf Run.

*Lehigh County Conservation District, District Manager; Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, telephone (610) 820-3398.*

**NPDES Permit PAS10Q113.** Stormwater. **Lehigh Valley Hospital**, P. O. Box 689, Allentown, PA 16105 has applied to discharge stormwater from a construction activity located in Salisbury Township, **Lehigh County**, to Little Lehigh Creek.

**NPDES Permit PAS10Q114.** Stormwater. **Bell Atlantic Properties**, 1717 Arch Street, Philadelphia, PA 19103 has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

**NPDES Permit PAS10U052.** Stormwater. **Gerhard Riethmuller**, 82 Eagle Rock Way, Montclair, NJ has applied to discharge stormwater from a construction activity located in Palmer Township, **Northampton County**, to Bushkill Creek.

*Schuylkill County Conservation District, District Manager; 1206 Ag. Center Drive, Pottsville, PA 17901, telephone (717) 622-3742.*

**NPDES Permit PAS105709.** Stormwater. **Seiders Hill Inc.**, 301 N. Second Street, Pottsville, PA 17901 has applied to discharge stormwater from a construction activity located in North Manheim Township, **Schuylkill County**, to the west branch of the Schuylkill River.

*York County Conservation District, District Manager; 118 Pleasant Acres Rd., York, PA 17402, telephone (717) 840-7430.*

**NPDES Permit PAS10Y050.** Stormwater. **White Oak Manor Condominiums**, Michael Barshinger, 3955 West Market Street, York, PA 17404 has applied to discharge stormwater from a construction activity located in Manchester Township, **York County**, to Codorus Creek.

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

**NPDES Permit PAS10E054.** Stormwater. **Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16055 has applied to discharge stormwater from construction activities located in Buffalo Township, **Butler County**, to Buffalo Creek, Little Buffalo Creek, Sarver Run, and tributaries to Sarver Run.

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

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

**WQM Permit No. 3796404.** Sewage, **North Memorial Animal Hospital**, R. D. 1, Box 421 A, New Wilmington, PA 16142 is for the construction of a sewage treatment facility to serve an animal hospital in Wilmington Township, **Lawrence County**.

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

**0996409.** Sewerage. **Department of Conservation and Natural Resources**, Bureau of State Parks (2808 Three Mile Run Road, Perkasie, PA 18944-2065). Modifications to existing sewage treatment plant facility at Nockamixon State Park. The modifications consist of a sequencing batch treatment system that will be retrofitted into two of the existing aeration tanks and the extended aeration systems will be abandoned located in Bedminster Township, **Bucks County**.

**0996410.** Sewerage. **Delaware Valley College** (Route 202, Doylestown, PA 18901). Construction of five new technologies for wastewater treatment to serve the Research and Development Center located in Doylestown Township, **Bucks County**.

**0996411.** Sewerage. **Warwick Township Water and Sewer Authority** (P. O. Box 315, 2242 Old York Road, Jamison, PA 18929). Construction of a sewage treatment plant to serve Country Crossing located in Warwick Township, **Bucks County**.

**4696403.** Sewerage. **Upper Merion Township** (P. O. Box 175, West Valley Forge Road, King of Prussia, PA 19406). Construction of a pumping station to serve Glenn Rose located in Upper Merion Township, **Montgomery County**.

**4696409.** Sewerage. **Jay and Nancy Rodenberger** (2117 Old Barn Road, East Greenville, PA 18041). Construction of a small flow sewage treatment facility with spray irrigation to serve the Rodenberger residence located in Upper Hanover Township, **Montgomery County**.

**4696202.** Industrial waste. **Moyer Packing Company** (249 Allentown Road, P. O. Box 395, Souderton, PA 18964-0395). Modifications of wastewater treatment facilities to serve Moyer Packing Company, located in Souderton Borough, **Montgomery County**.

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

**A. 5996601.** Industrial waste, **NE Hub Partners, L.P.**; 2 Riverbend at Lansdowne, 44084 Riverside Parkway, Suite 340, Leesburg, VA 22075. Application is for the construction and operation of a brine treatment/solids removal facility in Farmington and Lawrence Townships, **Tioga County**.

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

**A. 6796407.** Sewage, **Andrew W. Lentz**, R. D. 1, Box 1072, Spring Grove, PA 17362 in Jackson Township, **York County** to construct a spray irrigation system to serve the Morningstar Marketplace was received in the Southcentral Region on May 8, 1996.

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

**A. 4671005.** Amendment No. 1. Industrial waste, **Pennsylvania-American Water Co.**, 800 West Hersheypark Drive, Hershey, PA 17033. Application for the construction of a 120' diameter concrete clarifier tank with sludge collector rake arms to treat backwash filter wastewater, then the discharging of the supernatant to the river and the sludge will be drawn off to existing

lagoons to be used as gravity thickeners in a batch operation mode to serve the Aldrich Station located in the Township of Union, **Washington County**.

**A. 6377210.** Amendment No. 1. Industrial waste, **Duquesne Light Company**, One Oxford Centre, 301 Grant Street, Pittsburgh, PA 15279. Application for the installation and operation of a carbon dioxide neutralization system at the existing Elrama Power Station located in the Township of Union, **Washington County**.

**A. 1196403.** Sewerage, **Anthony and Darla Gibbons**, 206 Stoltz Road, Patton, PA 16668. Application for the construction and operation of a single residence sewage treatment plant to serve the Gibbons residence located in Clearfield Township, **Cambria County**.

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

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*Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**A. 0196501.** Public water supply. **Gettysburg Municipal Authority**, Boro of Gettysburg, **Adams County**, (James D. Watson, 601 East Middle Street, P. O. Box 3307, Gettysburg, PA 17325), installation of a multi-staged diffused bubble aeration system for removal of tetrachloroethylene (PCE) and conversion from chlorine gas to sodium hypochlorite disinfection at existing well no. 2, (Peter Lusardi, CET Engineering Services, 1240 N. Mountain Road, Harrisburg, PA 17112).

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

**A. 1096502.** **Elmer L. Sutton Mobile Home Park**, 129 Elgie Drive, Butler, PA 16001. This proposal involves the permitting of existing well no. 3 and new well no. 4. Treatment shall include sequestration of iron and chlorine for disinfection in Clay Township, **Butler County**.

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#### Acknowledgment of Notices of Intent to Remediate

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of Environmental Protection Regional Office under which

the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**Nicholson Steam Trap Facility**, City of Wilkes-Barre, **Luzerne County**. Richard Kranes, Senior Geologist with Goldman Environmental Consultants, 15 Pacella Park Drive, Randolph, MA (on behalf on his client, Watts Industries, P. O. Box 6431, South Main Street, Franklin, NH) has submitted a Notice of Intent to Remediate site soils and groundwater suspected of being contaminated with metals, petroleum hydrocarbons and volatile organic compounds. The applicant proposes to remediate the site to meet the Background standard.

**Elliot Company**, City of Scranton, **Lackawanna County**. Attorney Joseph K. Reinhart; Babst, Calland, Clements & Zomnir; Two Gateway Center, Pittsburgh, PA (on behalf of his client, Elliot Company, 901 North Fourth Street, Jeanette, PA) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX (benzene, toluene, ethylbenzene, and/or xylene) compounds, lead and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

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

*Regional Office: Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**A. 300904** (Repermitting). **Lock Haven Facility**, International Paper, (P. O. Box 268, South Highland Street, Lock Haven, PA 17745). Operation of a Class III Residual Waste Landfill repermited under the July 4, 1992 Residual Waste Regulations. Facility is located in Castanea Township, **Clinton County**. Application received in Regional Office May 3, 1996.

**A. 101312** (Permit Modification). **Adam J. Deitrick Transfer Station**, Adam J. Deitrick & Sons Disposal & Coal Hauling, Inc., (1410 West Sterling Street, Shamokin, PA 17872). Modifications to an existing municipal waste transfer station to increase average and daily capacities, and add more Form S (Municipal—Like Residual) waste types to current approvals. The transfer station is located in Coal Township, **Northumberland County**. Application received in Regional Office May 3, 1996.

**Operating permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

The Department intends to issue an Air Quality Operating Permit for the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **40-399-010D**  
Source: 12 Epitaxial Reactors W/Scrubbers  
Company: **Harris Semiconductor Internat. Inc.**  
Location: Wright Township  
County: **Luzerne**

The Department intends to issue a RACT air quality operating permit for the air contamination sources and associated air cleaning devices described below for the specified company.

Permit: **35-000-007**  
Source: 3-Coal fired Boilers each rated 49 MMBTU/hr and 6-Emergency Generators  
Company: **Clarks Summit State Hospital**  
Location: 1451 Hills Drive, Clark Summit, PA 18403  
County: **Lackawanna**

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

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

**21-307-005B**. Modification of the existing foundry sand reclamation system by **The Frog, Switch & Manufacturing Company** (P. O. Box 30, Carlisle, PA 17013) in Carlisle, **Cumberland County**.

**36-308-0271**: Replacement of several particulate matter control devices by **C & D PowerCom** (82 East Main Street, Leola, PA 17540) in Upper Leacock Township, **Lancaster County**.

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

**11-302-13B**. **Good Samaritan Medical Center** (1020 Franklin Street, Johnstown, PA 15905) for a natural gas/oil boiler at its facility located in Johnstown, **Cambria County**.

**63-305-020A**. **Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012) for a Pebble lime loading/unloading process at its facility located in Donora Borough, **Washington County**.

**63-330-003**. **Thermal-Clean Services Corporation** (P. O. Box 1210, Washington, PA 15301) for a thermal desorbition plant at its facility located in Amwell Township, **Washington County**.

**03-305-008C**. **Keystone Coal Mining Corporation** (P. O. Box 729, Indiana, PA 15701) for a coal preparation plant at its facility located in Plumcreek Township, **Armstrong County**.

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

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

**01-318-011**. The Department intends to issue an air quality operating permit to **Schindler Elevator Corporation** (1200 Biglerville Road, Gettysburg, PA 17325) for a finish spray booth in Cumberland Township, **Adams County**.

**06-1026**. The Department intends to issue an air quality operating permit to **NAFCO** (P. O. Box 704, Leesport,

PA 19533) for a Teflon crumb making operation controlled by a refrigerated condenser in Ontelaunee Township, **Berks County**.

**21-301-048.** The Department intends to issue an air quality operating permit to **Carlisle Hospital** (P. O. Box 310, Carlisle, PA 17013) for a hospital waste incinerator with a heat recovery unit controlled by a wet scrubber in Carlisle Borough, **Cumberland County**.

**28-2007.** The Department intends to issue a RACT (Reasonably Available Control Technology) Synthetic Minor Operating Permit to **Hess Manufacturing Company** (Box 127, Route 997, Quincy, PA 17247) for a surface coating operation in Quincy Township, **Franklin County**.

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

**11-306-002A.** The Department intends to issue an air quality control operating permit to **Cambria CoGen Company**, (7201 Hamilton Boulevard, Allentown, PA 18195) for dust collectors on its fuel handling system at its facility located in Cambria Township, **Cambria County**.

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

*Regional Office: Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**37-309-049.** The Department intends to issue an air quality operating permit to **Universal Refractories, Inc.** (P. O. Box 97, 915 Clyde Street, Wampum, PA 16157) for the operation of four existing refractory drying ovens and an internal dust collection system at Wampum, **Lawrence County**.

**24-313-088B.** The Department intends to issue an air quality operating permit to **Carbone of America Industries Corp.** (215 Stackpole Street, St. Marys, PA 15857) for the operation of a carbon baking furnace at 1032 Trout Run Road, Benzinger Township, **Elk County**.

**25-315-007.** The Department intends to issue an air quality operating permit to **International Paper Company, Erie Mill** (P. O. Box 10050, Erie, PA 16533) for the operation of a flexographic printing process at their facility in Erie, **Erie County**.

**33-318-005.** The Department intends to issue an air quality operating permit to **Oak Heritage Furniture** (R. R. 3, Box 669, Brockway, PA 15824) for the operation of a furniture finishing line at the existing Paul A. Miller, Inc. facility in Brockway Boro, **Jefferson County**.

**10-399-016.** The Department intends to issue an air quality operating permit to **ESM II, Inc.** (P. O. Box 128, 1161 Pittsburgh Road, Valencia, PA 16059) for the operation of two cartridge collectors in Mars, **Butler County**.

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

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

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

Permit: **13-399-004**

Source: Calcine Feed Storage W/Baghouse

Received: April 29, 1996

Company: **Horsehead Resource Development Co.**

Location: Palmerton Borough

County: **Carbon**

Permit: **45-318-025A**

Source: Plating Lines With Scrubbers

Received: April 24, 1996

Company: **Instrument Specialties Company**

Location: Delaware Water Gap Boro

County: **Monroe**

**Notice of Plan Approval Application Minor Source**

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

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

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

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

**10-322-004.** The Department received a plan approval application for construction of a Utility Flare for the destruction of NMOC by **Waste Management Disposal Services of PA, Inc.** (1436 West Sunbury Rd., West Sunbury, PA 16061) in Clay Twp., **Butler County**. This facility is subject to New Source Performance Standard 40 CFR Part 60, Subpart WWW.

**42-399-018C.** The Department received a plan approval application for construction of a 27,500 gallon tank and fixed roof for storage of a formaldehyde solution (50% water). Emissions will be controlled with an existing scrubber under Permit #42-399-018B. Construction is by **Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) in Sergeant Township, **McKean County**.

**42-399-033.** The Department received a plan approval application for construction of a 25,000 gallon storage tank for urea formaldehyde resin by **Borden Chemical,**



**Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) in Sergeant Township, **McKean County**.

**10-303-007A.** The Department received a plan approval application for replacement of a baghouse and cyclone with a new baghouse and knock-out box for the no. 2 bituminous mix batch plant (300 TPH) by **IA Construction Corporation** (131 Campground Rd., Harrisville, PA 16038) at the Harrisville No. 2 Plant in Mercer Township, **Butler County**.

#### MINING ACTIVITY APPLICATIONS

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

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

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

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts

upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor, application number, a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### Coal Applications Received

**33930101. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and auger operation in Gaskill and Henderson Townships, **Jefferson County** affecting 152.9 acres. Receiving streams unnamed tributary to east branch of Mahoning Creek and an unnamed tributary to Laurel Run. Application received April 8, 1996.

**102672-33950105-E-2. Swisher Contracting, Inc.** (R. D. 2, Box 81, Clearfield, PA 16830). Application for a stream encroachment to construct a haulroad across three unnamed tributaries to Walburn Run in Snyder Township, **Jefferson County**. Application received April 9, 1996.

**33960104. R & L Coal Corporation** (P. O. Box 26, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous surface strip operation in Pinecreek Township, **Jefferson County** affecting 34.0 acres. Receiving streams two unnamed tributaries to Sandy Lick Creek. Application received April 23, 1996.

**33860102. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface auger operation in Oliver Township, **Jefferson County** affecting 465.0 acres. Receiving streams unnamed tributaries to Little Sandy Creek. Application for reclamation only. Application received April 25, 1996.

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

**54841303R2. Tito Coal**, (R. R. 1, Box 67A2, Williamstown, PA 17098), renewal of an existing anthracite deep mine operation in Porter Township, **Schuylkill County** affecting 1.0 acre, receiving stream east branch Rausch Creek. Application received May 3, 1996.

**40900203R. Northampton Fuel Supply Co., Inc.**, (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814-6161), renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 49.5 acres, receiving stream Newport Creek. Application received May 3, 1996.

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

**63831302. Eighty Four Mining Company**, (P. O. Box 729, Indiana, PA 15701), to revise the permit for Mine 84 in Somerset Township, **Washington County** to add 8" borehole (#101) and sludge disposal pipeline, and reactive borehole #94, no additional discharge. Application received April 24, 1996.

**33841601. Doverspike Brothers Coal Company**, (R. D. 4, Box 271, Punxsutawney, PA 15767), to renew the permit for the Dora Prep Plant in Ringgold Township, **Jefferson County**, no additional discharge. Application received April 25, 1996.

**56901302. Pelesmitco, Inc.**, (237 Hill Street, Jenners, PA 15546), to renew the permit for the Paradise bitumi-

nous deep mine in Jenner Township, **Somerset County**, no additional discharge. Application received April 29, 1996.

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

*Noncoal Applications Received*

**8074SM3C2. M & M Stone Company**, (P. O. Box 189, 2840 West Clymer Avenue, Telford, PA 18969), renewal of NPDES Permit #PA0012386 in Lower Salford Township, **Montgomery County**, receiving stream east branch Perkiomen Creek. Application received April 30, 1996.

**6477SM5C2. ISP Minerals, Inc.**, (1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214), renewal of NPDES Permit #PA0009059 in Hamiltonban and Washington Townships, **Adams and Franklin Counties**, receiving stream Toms Creek. Application received May 3, 1996.

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

**10960304. North Washington Limestone, Inc.** (P. O. Box 305, Calico Road, West Sunbury, PA 16061). Commencement, operation and restoration of a limestone operation in Washington Township, **Butler County** affecting 186.0 acres. Receiving streams unnamed tributaries to south branch Slippery Rock Creek. Application received April 11, 1996.

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

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

**Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), 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.**

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

**D54-190. Dam. Gene B. Gangloff**, Route 61 South, Box 559, Schuylkill Haven, PA 17972. To modify, operate and maintain a dam that was constructed without a permit across a tributary to the Little Schuylkill River in East Brunswick Township, **Schuylkill County**.

**D67-529. Dam. York Condominium Constructors, Inc.**, 1003 Villageway, York, PA 17404. To construct, operate and maintain a stormwater detention dam across a tributary to Kreutz Creek for the Monarch Ridge and Longstown residential developments in Windsor Township, **York County**.

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

**EA01-004CO. Environmental Assessment. Michael E. Baltzley**, 544 School House Road, Aspers, PA 17304. To construct and maintain a nonjurisdictional dam across a tributary to Conewago Creek (WWF) for the purpose of recreation located approximately 5,000 feet north of the intersection of School House Road and State Route 234 (Biglerville, PA Quadrangle N: 15.5 inches; W: 6.6 inches) in Tyrone Township, **Adams County**.

**D13-085. Dam. Bethlehem Authority**, City Center Administration Building, Room 502, 10 East Church Street, Bethlehem, PA 18018. To construct and maintain a roller-compacted concrete (RCC) gravity dam and temporary cofferdam across Wild Creek (EV) approximately 460 feet upstream of the existing Penn Forest Reservoir Dam permanently impacting 3.6 acres of open water habitat and temporarily impacting 4.8 acres of open water habitat located approximately 8,000 feet southeast of the intersection of S. R. 1001 and T483 (Pohopoco Mountain, PA Quadrangle N: 9.9 inches; W: 8.7 inches) in Penn Forest Township, **Carbon County**.

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

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

**EA33-001NW. Environmental assessment. DEP Bureau of Abandoned Mine Reclamation**, P. O. Box 149, Ebensburg, PA 15931. To place fill in a total of 0.96 acre two separate wetland areas in the process of backfilling open mine pits to eliminate a total 2,500 linear feet of dangerous highwalls (Project No. OSM33 (3923) 101.1). This project is located approximately 1,400 feet northwest of the village of Adrian Mines. This project is located in the Elk Run (CWF) watershed. The applicant will also construct a single 0.96-acre replacement wetland adjacent to the project site (Punxsutawney, PA Quadrangle N: 20.6 inches; W: 11.7 inches) located in Young Township, **Jefferson County**.

**E37-108. Encroachment. Jameson Laurel Community Health Center**, Jameson Health Center Care Foundation, 1211 Wilmington Avenue, New Castle, PA 16105. To place fill in a total of 0.33 acre of three separate wetland areas for the construction of a community health care facility and associated stormwater management structures. The project is located on the north side of S. R. 0108 approximately 1 mile west of Harlansburg (intersection of S. R. 0108 and S. R. 0019). Applicant is proposing to replace impacted wetlands by utilizing the Pennsylvania Replacement Project Fund (Harlansburg, PA Quadrangle N: 3.8 inches; W: 10.8 inches) located in Scott Township, **Lawrence County**.

**E10-237. Encroachment. Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16005. To install and maintain as part of the Phase III

sanitary sewer project for the Municipal Authority of Buffalo Township; 67 sanitary sewer line stream crossings, construction of a sewage pump station in the Floodway of Little Buffalo Creek, and to maintain an existing abandoned railroad bridge across Little Buffalo Creek for access to the new Wastewater Treatment Facility. Of the 67 stream crossings; 15 will cross Little Buffalo Creek (HQ-TSF), 35 will cross tributaries of Little Buffalo Creek (HQ-TSF), 10 will cross Sarver Run (HQ-TSF), and 7 will cross tributaries to Sarver Run (HQ-TSF). The sewage pump station will be located adjacent to the S. R. 2015 bridge across Little Buffalo Creek (Freeport, PA Quadrangle N: 16.0 inches; W: 14.7 inches). The railroad bridge is located approximately 350 feet upstream from the confluence of Buffalo Creek and Little Buffalo Creek (Freeport, PA Quadrangle N: 15.2 inches; W: 10.9 inches) in Buffalo Township, **Butler County**.

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

**E46-741.** Encroachment. **Cabot Performance Materials**, 300 Holly Road, Boyertown, PA 19512. To construct an employe parking lot for Cabot Performance Materials which will impact 0.90 acre of wetland (PEM) within the 100-year floodplain of Swamp Creek (TSF) located east of the intersection of County Line Road (T-688) and Swamp Creek Road (T-617) (Sassamansville, PA Quadrangle N: 16.5 inches; W: 16.0 inches) in Douglass Township, **Montgomery County**.

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

**E40-443.** Encroachment. **Robert L. and Virginia S. Tambur**, Box 3027, Route 3, Harveys Lake, PA 18618. To modify and maintain an existing dock and boathouse, in Harveys Lake, with work consisting of demolishing the existing boathouse, expanding the dock from approximately 1,500 square feet to approximately 3,000 square feet in area, and rebuilding the boathouse. The project is located at Pole #299, on the north side of S. R. 0415 (Harveys Lake, PA Quadrangle N: 18.5 inches; W: 5.3 inches) in Harveys Lake Borough, **Luzerne County** (Baltimore District, Army Corps of Engineers).

## ACTIONS

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

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

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

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

### Permits Issued

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

**NPDES Permit No. PAS 238301.** Stormwater. **Mooney Chemicals, Inc.**, Two Mile Run Road, Franklin, PA 16323 is authorized to discharge from a facility located in Sugarcreek Borough, **Venango County** to Race Run (Outfalls 501-506) and Two Mile Run (Outfall 507).

**NPDES Permit No. PA 0103209.** Sewage. **Wattsburg Area School District**, Seneca High School, P. O. Box 219, Wattsburg, PA 16442 is authorized to discharge from a facility located in Greene Township, **Erie County** to an unnamed tributary to LeBoeuf Creek.

**NPDES Permit No. PA 0005029.** Industrial waste. **Pennsylvania Electric Company**, Piney Generating Station, Piney Reservoir, Clarion, PA 16214 is authorized to discharge from a facility located in Piney Township, **Clarion County** to the Clarion River.

**NPDES Permit No. PA 0020401.** Sewage. **Johnsonburg Municipal Authority**, 532 Market Street, Johnsonburg, PA 15845 is authorized to discharge from a facility located in Johnsonburg, **Elk County** to the Clarion River.

**NPDES Permit No. PA 0104191.** Industrial waste. **National Fuel Gas Supply Corporation**, Heath Compressor Station, 1100 State Street, P. O. Box 2081, Erie, PA 16512 is authorized to discharge from a facility located in Heath Township, **Jefferson County** to Callen Run.

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

**NPDES Permit No. PAG043534.** Sewerage. **Amos K. King**, 48 Mudlevel Road, Shippensburg, PA 17257 is authorized to discharge treated effluent to an unnamed tributary to the Conodoguinet Creek in Hopewell Township, **Cumberland County**.

**NPDES Permit No. PAG043535.** Sewerage. **Mark Malone**, 39 East High Street, Middletown, PA 17057 is authorized to discharge treated effluent to an unnamed tributary in East Hanover Township, **Dauphin County**.

**NPDES Permit No. PA0084131.** Sewerage. **Gettysburg Area School District**, 900 Biglerville Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Franklin Township, **Adams County** to the receiving waters of an unnamed tributary of Marsh Creek.

**NPDES Permit No. PA0083593.** Sewerage. **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055 is authorized to discharge from a facility located in Silver Spring Township, **Cumberland County** to the receiving waters named Conodoguinet Creek.

**NPDES Permit No. PA0086045.** Sewerage. **Pike Management Corporation**, Four Lemoyne Drive, Le-

moyne, PA 17043 is authorized to discharge from a facility located in Straban Township, **Adams County** to the receiving waters of an unnamed tributary of Rock Creek.

**NPDES Permit No. PA0029572.** Sewerage. **Piney Mountain Home/Estates**, 6375 Chambersburg Road, Chambersburg, PA 17222-8303 is authorized to discharge from a facility located in Franklin Township, **Adams County** to the receiving waters named Clear Run.

**NPDES Permit No. PA0083836.** Sewerage. **Pine Run, Inc.**, 1880 Pine Run Road, Abbottstown, PA 17301-8645 is authorized to discharge from a facility located in Hamilton Township, **Adams County** to the receiving waters of an unnamed tributary of Conewago Creek.

**NPDES Permit No. PA0081281.** Sewerage. **Cavalry Heights, Inc.**, 2160 Hanover Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Mt. Pleasant Township, **Adams County** to the receiving waters of an unnamed tributary of White Run.

**NPDES Permit No. PA0080403.** Sewerage. **Kuhn Brothers Cross Keys Truck Stop**, 6115 York Road, New Oxford, PA 17350-9537 is authorized to discharge from a facility located in Berwick Township, **Adams County** to the receiving waters of an unnamed tributary of Pine Run.

**NPDES Permit No. PA0081671.** Sewerage. **S-Four, Inc.**, Slick's Ivystone Restaurant, P. O. Box 317, Osterburg, PA 16667 is authorized to discharge from a facility located in King Township, **Bedford County** to the receiving waters of an unnamed tributary to Bob's Creek.

**NPDES Permit No. PA0082619.** Sewerage. **Shangri-La Associates, MGM Enterprises, Inc.**, One Waterford Professional Center, York, PA 17402 is authorized to discharge from a facility located in Newberry Township, **York County** to the receiving waters named Conewago Creek.

**NPDES Permit No. PA0080705.** Sewerage. **Fredericksburg Sewer and Water Authority**, P. O. Box 161, Fredericksburg, PA 17026 is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters named Deep Run.

**NPDES Permit No. PA0038130.** Sewerage. Amendment No. 1. **Mont Alto Sewer Authority**, P. O. Box 430, Mont Alto, PA 17237 is authorized to discharge from a facility located in Quincy Township, **Franklin County** to the receiving waters named west branch Antietam Creek.

**NPDES Permit No. PA0087271.** Industrial waste. **East Petersburg Borough Authority**, P. O. Box 26, East Petersburg, PA 17520 is authorized to discharge from a facility located in Manheim Township, **Lancaster County** to an unnamed tributary to the Little Conestoga Creek.

**NPDES Permit No. PA0024228.** Industrial waste. **Pennfield Farms**, Poultry Meat Division, P. O. Box 70, Fredericksburg, PA 17026 is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters named Deep Run.

**NPDES Permit No. PA0080829.** Industrial waste. **Keystone Protein Company**, U. S. Route 22, P. O. Box 37, Fredericksburg, PA 17026 is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters of an unnamed tributary of Beach Run.

**NPDES Permit No. PA0008265.** Industrial waste. **Appleton Papers, Inc.**, 100 Paper Mill Road, Roaring Spring, PA 16673-1488 is authorized to discharge from a facility located in Roaring Spring Borough, **Blair County** to the receiving waters named Frankstown Branch.

**NPDES Permit No. PA0008010.** Industrial waste. **College Hill Poultry, Inc.**, North Pine Grove Street, Fredericksburg, PA 17026 is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters named Beach Run.

**NPDES Permit No. PA0035157.** Industrial waste. **Farmers Pride**, Main Street, P. O. Box 39, Fredericksburg, PA 17026 is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters named Deep Run.

**NPDES Permit No. PA0087297.** Industrial waste. **Bayway Refining Company**, 1400 Park Avenue, Linden, NJ 07036 is authorized to discharge from a facility located in Monroe Township, **Cumberland County** to the receiving waters named Trindle Spring Run.

**NPDES Permit No. PA0087319.** Industrial waste. **Bayway Refining Company**, 1400 Park Avenue, Linden, NJ 07036 is authorized to discharge from a facility located in Sinking Spring Borough, **Berks County** to the receiving waters named Cacoosing Creek.

**NPDES Permit No. PA0011100.** Industrial waste. **Lucent Technologies**, 2525 North 12th Street, P. O. Box 13396, Reading, PA 19612-3396 is authorized to discharge from a facility located in Muhlenberg Township, **Berks County** to the receiving waters named Bernharts Creek.

**NPDES Permit No. PA0014672.** Industrial waste. **General Battery Corporation**, P. O. Box 14294, Reading, PA 19612-4294 is authorized to discharge from a facility located in Muhlenberg Township, **Berks County** to the receiving waters of a dry swale to Bernharts Creek.

**NPDES Permit No. PA0041017.** Industrial waste. Amendment No. 1. **BP Oil Company**, Mountain Home Road, Sinking Spring, PA 19608 is authorized to discharge from a facility located in Sinking Spring Borough, **Berks County** to the receiving waters named Cacoosing Creek.

**NPDES Permit No. PA0040860.** Industrial waste. Amendment No. 2. **Delaware County Solid Waste Authority**, 583 Longview Road, Boyertown, PA 19512 is authorized to discharge from a facility located in Earl and Oley Townships, **Berks County** to the receiving waters named Manatawny Creek.

**NPDES Permit No. PA0007897.** Industrial waste. Amendment No. 1. **B. P. Oil Company** (Mechanicsburg Terminal), 200 Public Square, Cleveland, OH 44114-2375 is authorized to discharge from a facility located in Monroe Township, **Cumberland County** to the receiving waters named Trindle Spring Run.

**NPDES Permit No. PA0087238.** Groundwater Cleanup. **Converse Consultants East**, 2378 West College Avenue, State College, PA 16801 is authorized to discharge from a facility located in Butler Township, **Adams County** to the receiving waters of an unnamed tributary of Conewago Creek.

**NPDES Permit No. PAS223501.** Stormwater. **Mt. Valley Farms and Lumber Products, Inc.**, 1240 Nawakwa Road, Biglerville, PA 17307, is authorized to discharge from a facility located in Menallen Township, **Adams County** to the receiving waters named dry swale

to Opossum Creek and dry swales to an unnamed tributary of Conewago Creek.

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

**NPDES Permit No. PA0091740.** Industrial waste, **Allegheny Power System**, West Penn Power Company, 800 Cabin Hill Drive, Greensburg, PA 15601 is authorized to discharge from a facility located at Springdale Ash Disposal Site, Frazer Township, **Allegheny County** to Riddle Run (Outfall 001) and Tawney Run (Outfall 002).

**NPDES Permit No. PA0093882.** Industrial waste, **Port Authority of Allegheny County**, Transit Division, 2235 Beaver Avenue, Pittsburgh, PA 15233 is authorized to discharge from a facility located at West Mifflin Garage, Borough of West Mifflin, **Allegheny County** to tributary of Thompson Run (Outfall 001), and ditch leading to tributary of Monongahela River (Outfall 002).

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

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

These actions of the Department may be appealed to

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR800027	2	CSX Transportation 38th and Jackson Streets Philadelphia, PA 19145	Philadelphia City of Philadelphia	Schuylkill River	4011
PAR230006	2	Custom Compounding, Inc. 50 Milton Drive Aston, PA 19014	Delaware City of Chester	Baldwin's Run	2821
PAR800006	2	D. Sabatelli, Inc. 630 S. Ridley Creek Road Media, PA 19063	Delaware Upper Providence Township	Ridley Creek	4200
PAR230041	2	Elf Atochem 900 First Avenue King of Prussia, PA 19406	Montgomery Upper Merion Township	Abrams Creek	2821
PAR220003	2	Heacock Lumber, Inc. P. O. Box 148 Plumsteadville, PA 18949	Bucks Bedminster Township	Cabin Run	2411
PAR600033	2	Mayer Pollock Steel Corporation P. O. Box 759 Pottstown, PA 19464-4422	Montgomery Pottstown Borough	Schuylkill River	5093
PAR230003	2	Bostik, Inc. 1740 County Line Road Huntingdon Valley, PA 19006	Montgomery Upper Moreland Township	Southampton Creek	2891
PAR120018	2	The Philadelphia Baking Co. Grant Ave. & Roosevelt Blvd. Philadelphia, PA 19115	Philadelphia City of Philadelphia	Pennypack Creek	2051

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

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

<i>General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
1	SW—Construction	BLWM
2	SW—Industrial	BWQM
3	SRSTP	BWQM
4	CSO	BWQM

**NOIS Received and Final Actions Under NPDES General Permits**

Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters runoff to waters of the Commonwealth.

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	
PAR228323	PAG-3	Weyerhaeuser-Choicewood P. O. Box 189 R. D. 2, Campbell Rd. Titusville, PA 16354	Crawford Oil Creek Township	Unnamed Tributary to Oil Creek	2426
PAR808356	PAG-3	Ryder Student Transportation Services 3600 NW 82nd Ave. Miami, FL 33166	Erie Millcreek Township	Lake Erie	4151

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAG046106	4	Merz SR STP R. D. 1, Box 56A Acme, PA 15610	Westmoreland Mt. Pleasant Twp.	Jacobs Creek	8811
PAG046105	4	Conrad Wagner 136 East Pennview Street Pittsburgh, PA 15223	Allegheny	South Branch Glade Run	8811

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G162	Nantmeal Woods, Inc. P. O. Box 297 Oley, PA 19547	North Coventry Chester County	Bickel's Run

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

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

**WQM Permit No. 2096404.** Sewerage. **Eagle Crest Manor Mobile Home Park**, R. D. 5, Box 365, Meadville, PA 16335. This project is for plans to install and operate the proposed sewage treatment works in Union Township, **Crawford County**.

**WQM Permit No. 1096404.** Sewerage. **Timberlee Valley Sanitary Company, Inc.**, R. D. 3, Evans City, PA 16033. This project is for plans to construct a sewage treatment plant and conveyance system in Connoquenessing Township, **Butler County**.

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

*Part II Permits Issued*

**Permit No. 3895401.** Sewerage. Amendment No. 1. **North Lebanon Township Municipal Authority**, 725 Kimmerlings Road, Lebanon, PA 17046. Replacement of an existing sewer.

**Permit No. 0196401.** Sewerage. **Pike Management Corporation**, Four Lemoyne Drive, Lemoyne, PA 17043. The construction and operation of a small flow sewage treatment facility.

**Permit No. 2296402.** Sewerage. **Mark Malone**, 39 East High Street, Middletown, PA 17057. Construction of sewage treatment facilities for a single family residence.

**Permit No. 2196402.** Sewerage. **Amos K. King**, 48 Mudlevel Road, Shippensburg, PA 17257. Construction of individual small flow treatment facility.

**Permit No. 0674405.** Sewerage. Amendment No. 1. **Union Township Municipal Authority**, 177 Center Road, Douglassville, PA 19518. Replacement of sewerage pumps.

**Permit No. 0695401.** Sewerage. **Municipal Authority of the Borough of Sinking Spring**, 502 Penn Avenue, Sinking Spring, PA 19608. Addition of interceptor which will parallel the existing interceptor.

**Permit No. 0696402.** Sewerage. **Assemblies of Yahweh**, P. O. Box C, Bethel, PA 19507. Construction of sewage treatment facilities.

**Permit No. 2196201.** Sewerage. **Holly Milk**, 405 Park Drive, Carlisle, PA 17013. Construction of addition of air flotation unit.

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

**Permit No. 0995201.** Industrial waste. **The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. Construction and operation of a sludge drying bed located in Morrisville Borough, **Bucks County** to serve the Municipal Authority of the Borough of Morrisville.

**Permit No. 0996401.** Sewerage. **Solebury School**, P. O. Box 429, New Hope, PA 18938. Expansion of the sewage treatment plant located in Solebury Township, **Bucks County** to serve Solebury School.

**Permit No. 0996403.** Sewerage. **Michael G. Nekoranik**, 1330 Maple Road, Kintnersville, PA 18930. Construction located in Springfield Township, **Bucks County** to serve the Nekoranik residence.

**Permit No. 4695430.** Sewerage. **Township of Horsham Sewer Authority**, 1025 Horsham Road, Horsham, PA 19044. Expansion of the sewage treatment plant located in Horsham Township, **Montgomery County** to serve Park Creek.

**Permit No. 4696406.** Sewerage. **Borough of Souderton**, 31 West Summit Street, Souderton, PA 18964. Construction and operation of a interceptor sewer to relieve overflows occurring during rain events located in Souderton Borough, **Montgomery County** to serve Souderton Borough.

**Permit No. 4696407.** Sewerage. **Borough of Lansdale**, One Vine Street, Lansdale, PA 19446. Construction and operation of a pump station located in Lansdale Borough, **Montgomery County** to replace the existing Tremont Pump Station.

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

**Permit No. 0296404.** Sewerage, **Conrad Wagner**, 136 East Penview Street, Pittsburgh, PA 15223. Construction of single residence sewage treatment plant located in the Township of Richland, **Allegheny County**.

**Permit No. 6596404.** Sewerage, **Robert Merz**, R. D. 1, Box 56A, Acme, PA 15610. Construction of single residence sewage treatment plant located in the Township of Mt. Pleasant, **Westmoreland County** to serve the Robert Merz Property.

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

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

Borough of Lehigh, Borough of Weissport, Mahoning Township, Franklin Township, **Carbon County**.

The Department's review has found that the Joint Plan Update is now acceptable and hereby grants planning approval. This review has also not identified and significant environmental impacts resulting from this proposal.

The Joint Plan Update calls for the construction of a new, 1.6 mgd (Average Daily Flow)/5.7 mgd (Peak Flow) regional wastewater treatment facility by the recently chartered Central Carbon Municipal Authority. This flow includes an allowance of 13,600 gpd, of the proposed facility's overall capacity, for the treatment of residential septage generated within the four municipalities previously identified. The proposed regional wastewater treatment facility will be constructed on property identified as Site No. 7 in the Joint Plan Update. Site 7 is located in Mahoning Township, south of the existing Lehigh Township Wastewater Treatment Facility; and is currently owned by Consolidated Rail Corporation (CONRAIL). The CCMA will acquire Site 7, through proper, legal means at the appropriate time. Treated wastewater will be discharged to the Lehigh River from the proposed regional wastewater treatment facility.

The Joint Plan Update also calls for the installation of new wastewater collection systems to serve selected areas in both Mahoning and Franklin Townships. In Mahoning Township, collection systems will be constructed in the Jamestown, Packerton, Meadowcrest, Ashtown and Graverville/SR0443 areas. In Franklin Township, collection systems will be constructed in the North Weissport, East Weissport and Union Hill areas. Each Township will assess its users for the construction and operation and maintenance of their individual wastewater collection systems.

The Joint Plan Update identified the existence of infiltration/inflow (I/I) problems within the existing wastewater collection/conveyance systems of Lehigh and Weissport Boroughs. Both Boroughs propose activities which are intended to reduce I/I through rehabilitation and/or replacement of various portions of their wastewater collection systems. In addition, the proposed, regional wastewater treatment facility's peak hydraulic treatment capacity has been increased beyond normal levels to provide sufficient capacity to properly treat both Boroughs' combined, peak wet-weather wastewater flows.

Conveyance facilities, both existing and proposed, have been included in the Joint Plan Update to facilitate the transportation of wastewater between the individual, municipal wastewater collection systems and the proposed regional wastewater treatment facility. The Jamestown and Packerton areas of Mahoning Township will discharge wastewater to a proposed 165 gpm pump station to be located northeast of the intersection of Carbon and First Streets in Mahoning Township. This pump station will discharge its wastewater into manhole No. 397 located in Subarea 2 of the existing Lehigh Township Wastewater Collection System. The costs associated with this pump station and force main will be borne by Mahoning Township.

The Ashtown section of Mahoning Township is currently served by a 174 gpm pump station which discharges to manhole No. 256D in the existing Lehigh Township Wastewater Collection System. In conjunction with this discharge, wastewater from the Meadowcrest area of Mahoning Township will be conveyed to the existing Ashtown Pump Station for conveyance to Lehigh Township's Wastewater Collection System and ultimately the regional wastewater treatment facility. The existing Ashtown Pump Station has adequate capacity to transport the wastewater flows which will be generated by both the Ashtown and Meadowcrest areas of Mahoning Township.

Wastewater from the Graverville/SR0443 areas of Mahoning Township will be conveyed to manhole No. 256D in the existing Lehigh Township Wastewater Collection System by a proposed 270 gpm pump station and force main. The costs associated with the proposed, new pump station and force main will be borne by Mahoning Township.

As a result of the increased discharge to manhole No. 256D from the previously identified areas of Mahoning Township, several Lehigh Township Wastewater Collection System lines will need to be upgraded. The Bridge Street Collection line, from manhole No. 256D to manhole No. 201, will be upgraded from an 8" to a 10" diameter line. The 15" collection line, between manhole No. 201 and manhole No. 345 will be upgraded to an 18" line. The 18" conveyance line, between manhole No. 345 and manhole No. 418, will be upgraded to a 21" line. All costs associated with these three line upgrades will be borne by the CCMA.

The existing Stanley Hoffman Boulevard Pump Station, which serves Subareas 3 and 4 of the Lehighon Wastewater Collection System and the proposed Jamestown and Packerton Wastewater Collection Systems in Mahoning Township, must be upgraded and expanded. The costs associated with this upgrade will be borne by the CCMA. As a direct result of the Stanley Hoffman Boulevard Pump Station Upgrade/Expansion an existing 15" conveyance line in the Lehighon Wastewater Collection System will need to be upgraded to an 18" conveyance line. The existing line must be upgraded between manhole No. 440 and manhole No. 444 in the Lehighon Wastewater Collection System. All costs associated with this upgrade will be borne by the CCMA.

An existing pump station, currently serving only Weissport Borough, will be upgraded to accommodate Weissport Borough's projected wet-weather flows and the proposed flows from Franklin Township. The existing 300 gpm pump station will be replaced by an 850 gpm pump station. However, the same 8" force main, between the existing Weissport Pump Station and the existing Lehighon Wastewater Treatment Facility, will still be capable of transporting the total, increased wastewater volume from Weissport Borough and Franklin Township. The costs associated with this pump station upgrade/expansion will be borne by the CCMA.

The project's final conveyance component will be the construction of a new influent pumping station to be located at the existing Lehighon Wastewater Treatment Facility Site. This pump station will be equipped with three, 50 HP variable speed drive pumps. The station will be capable of pumping all of the raw wastewater received from the four municipalities, through an 18" ductile iron force main to the proposed regional wastewater treatment facility site. All costs associated with the influent pumping station and force main will be borne by the CCMA.

Financing of each of the proposed municipal projects will be as follows:

- CCMA—Pennsylvania Infrastructure Investment Authority (PENNVEST)
- Lehighon Borough—Conventional
- Mahoning Township—Rural Economic Community Development Service (RECDS)
- Franklin Township—Pennsylvania Infrastructure Investment Authority (PENNVEST)
- Weissport Borough—Combination of a Grant from Carbon County and Rural Economic Community Development Service (RECDS)

Each municipality will be responsible for the financing, construction and operation and maintenance of its own wastewater collection system and appurtenances. The CCMA will be responsible for the financing, construction and operation and maintenance of the proposed regional wastewater treatment facility. It will also be responsible for the financing, construction and operation and maintenance activities associated with existing pump station expansions and those conveyance facilities (interceptors, force mains, and the like) which will transport wastewater from two or more of the municipalities within a common conveyance facility or line.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act, 35 P. S. § 750.1—750.20(a) (Act 537), and Chapter 71 of the Department's Regulations (25 Pa. Code Ch. 71), the Department will hold the Borough of Lehighon, the Borough of Weissport, Mahoning Township and Franklin Township responsible for the complete

and timely implementation of each municipality's portion of the Joint Plan Update's activities, as listed in the Schedules of Implementation described in the regional and respective, municipal sections of the Joint Plan Update.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Joint Plan Update must be in compliance with the Department's Regulations and be submitted to and approved by the Department in writing. Since the CCMA is proposing PENNVEST financing and the total cost of the project is greater than \$10 million, Value Engineering must be performed for those issues related to the proposed regional wastewater treatment facility. Issues such as the type of wastewater treatment process, wastewater treatment facility site layout or other issues which cannot be completely resolved during the planning stage of the project, should be resolved during the Value Engineering process.

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

*Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**Permit No. 6794504. Dillsburg Borough Authority,** Franklin Twp., **York County,** (Dillsburg Borough Authority, P. O. Box 370, Dillsburg, PA 17019), construction of a pump station and transmission main to serve Sherwood Forest Finished Dillsburg Borough Authority Water. Also, to relocate existing Dillsburg Borough Authority treatment equipment.

**Permit No. 0795503. Altoona City Authority,** Logan Township, **Blair County,** (Altoona City Authority, 20 Greenwood Road, Altoona, PA 16602), permit to construct a new Lake Altoona Raw Water Pump Station to replace the existing Pump Station. A new 9.977 L. F. 24-inch finished water main is also to be built from Mill Run reservoir to distribution.

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

**Permit No. 4396503. Public water supply. Lakeview Mobile Homes Estates,** R. D. 1, Sandy Lake, PA 16148. This permit approves the addition of a groundwater source (well) system to the existing permitted spring supply system (known as Well W-1) in Sandy Lake, **Mercer County.**

*Type of Facility:* Community water supply.

*Consulting Engineer:* Craig D. Parke, P. G., SE Technologies, 98 Vanadium Road, Bridgeville, PA 15017.

*Permit to Construct Issued:* May 8, 1996.

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#### **Submission of Final Reports on Attainment of Background and Statewide Health Standards (Sections 302(e)(2) and 303(h)(2))**

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

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



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

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

The Department has received the following final reports.

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**Suckle Corporation**, City of Scranton, **Lackawanna County**. Leo Stencil of Clean Air Group, 301 West Grove Street, Clarks Summit, PA (on behalf of his client, Suckle Corporation, 733 Davis Street, Scranton, PA) has submitted a Final Report concerning remediation of site soils contaminated with BTEX (benzene, toluene, ethylbenzene, and/or xylene) compounds and zinc. The report is intended to document remediation of the site to meet the Statewide health standard.

**Elliot Company**, City of Scranton, **Lackawanna County**. Attorney Joseph K. Reinhart; Babst, Calland, Clements & Zomnir; Two Gateway Center; Pittsburgh, PA (on behalf of his client, Elliot Company, 901 North Fourth Street, Jeanette, PA) has submitted a Final Report concerning remediation of site soils contaminated with BTEX (benzene, toluene, ethylbenzene and/or xylene) compounds, lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

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

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

**A. 100945. Cumberland County Landfill, Community Refuse Service, Inc.**, (R. D. 1, Box 430, Shipensburg, PA 17257). Application for modification for alternative daily cover for a site in North Newton and Hopewell Township, **Cumberland County**. Permit issued in the Regional Office May 8, 1996.

**A. 603427. Knight Farm, Browning—Ferris Industries**, PA, Inc., d/b/a AD+Soil, (210 Glae Lane, Kennett Square, PA 19348). Application for operation of an agricultural utilization of sewage sludge site in Lower Chanceford Township, **York County**. Permit issued in the Regional Office April 30, 1996.

**A. 602622. Jen-Air Acres, BFI of PA, Inc.** (210 Glae Lane, Kennett Square, PA 19348). Application for permit of an agricultural utilization of sewage sludge site in Jefferson Township, **Berks County**. Permit issued in the Regional Office April 30, 1996.

**Permits reinstated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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

**A. 101620. Waste Management of Central Pennsylvania, Inc.** Transfer Station, Waste Management Inc., (R. D. 1, East Huntingdon Landfill Road, Scottdale, PA 15683). Application for reinstatement of a Transfer Station Permit in Hampden Township, **Cumberland County**. Permit reinstated on April 2, 1996.

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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

Unpermitted, **Spang and Company**, Brugh Avenue, P. O. Box 751, Butler, PA 16003-0751, located in East Butler Borough, **Butler County**.

A closure plan to clean close the Residual Waste Cooling Water Impoundment located at the East Butler Borough, Butler County facility was approved in the Regional Office on April 24, 1996.

**Permit 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, telephone (412) 442-4000.*

**A. 301097. Zinc Corporation Landfill, Zinc Corporation of America**, 300 Frankfort Road, Monaca, PA 15601-2295. Operation of a residual landfill in Potter Township, **Beaver County**. Permit satisfying the repermitting requirements of 25 Pa. Code § 287.115 was issued in the Regional Office on April 29, 1996.

**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.**

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

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **39-302-154G**  
 Source: 2 CB Boilers Model #LE200-600-15ST  
 Company: **Air Products & Chemical Company**  
 Location: Upper Macungie Township  
 County: **Lehigh**

Permit: **39-310-001A**  
 Source: Stone Crushing Plant W/Waterspray  
 Company: **Eastern Industries Incorporated**  
 Location: North Whitehall Township  
 County: **Lehigh**

**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.**

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

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

Permit: **35-313-008**  
 Source: Plastic Film Extruder W/Filters  
 Issued: April 22, 1996  
 Company: **Gentex Corporation**  
 Location: Fell Township  
 County: **Lackawanna**

Permit: **39-302-153**  
 Source: Two 29 MMBTU/HR Boilers  
 Issued: April 24, 1996  
 Company: **The Coca-Cola Company**  
 Location: Upper Macungie Township  
 County: **Lehigh**

Permit: **48-323-003**  
 Source: Machine Shop W/Torit Baghouse  
 Issued: April 24, 1996  
 Company: **Specialty Minerals Incorporated**  
 Location: City of Easton  
 County: **Northampton**

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

**01-310-051.** On May 2, 1996, the Department issued a plan approval to **Tarmac Minerals, Inc. d/b/a Tarmac America** (P. O. Box 160, Annville, PA 17003) for the construction of a limestone crushing and screening plant at their Hanover Quarry in Oxford Township, **Adams County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

**28-322-001A.** On May 7, 1996, the Department issued a plan approval to **Community Refuse Limited d/b/a Mountain View Reclamation** (9760 Letzburg Road, Greencastle, PA 17225) for the modification of a landfill gas collection system controlled by an enclosed ground flare in Antrim and Montgomery Townships, **Franklin County**. The source is subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

**31-303-005.** On May 8, 1996, the Department issued a plan approval to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the construction of a relocatable batch asphalt plant controlled by a cyclone in series with a fabric collector at

their Tyrone Blacktop Plant in Warriors Mark Township, **Huntingdon County**. The source is subject to 40 CFR 60, Subpart I, Standards of Performance for New Stationary Sources.

**36-320-026B.** On May 7, 1996, the Department issued a plan approval to **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601-5885) for the modification of their heatset web offset lithographic printing operation at their Lancaster East facility in the City of Lancaster, **Lancaster County**.

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

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

**56-305-049.** On April 29, 1996, a plan approval expiration date was extended to August 31, 1996 for **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541) for a limestone crushing/screening process at its facility located in Brothersvalley Township, **Somerset County**.

**04-309-038.** On May 9, 1996, a plan approval expiration date was extended to May 31, 1997 for **Pennsylvania Power Company** (1 East Washington Street, P. O. Box 891, New Castle, PA 16103) for a baghouse and bin vents on the MG-lime forced oxidation system at its facility located in Shippingport Borough, **Beaver County**.

**63-000-631.** On May 9, 1996, a plan approval expiration date was extended to September 1, 1996 for **Columbia Gas Transmission Corporation** (P. O. Box 1273, Charleston, WV 25325) for a natural gas compressor at its facility located in Donora Township, **Washington County**.

**63-309-052.** On May 9, 1996, a plan approval expiration date was extended to March 1, 1997 for **Therm-O-Rock, Inc.** (P. O. Box 429, New Eagle, PA 15067) for a baghouse on the Perlite processing system at its facility located in New Eagle Borough, **Washington County**.

**63-000-014.** On May 9, 1996, a plan approval expiration date was extended to May 1, 1997 for **Duquesne Light Company** (P. O. Box 1930, Pittsburgh, PA 15230) for low NOx burners on the boilers at its facility located in Union Township, **Washington County**.

**04-313-069A.** On May 9, 1996, a plan approval expiration date was extended to July 31, 1996 for **ARCO Chemical Company** (400 Frankfort Road, Monaca, PA 15061) for a thermal oxidizer and four baghouses on the P-20 compounding process at its facility located in Potter Township, **Beaver County**.

**32-306-015.** On May 9, 1996, a plan approval expiration date was extended to September 1, 1996 for **Pennsylvania Electric Company** (1001 Broad Street, Johnstown, PA 15907) for a steam electric generator at its Homer City Station facility located in Center Township, **Indiana County**.

**04-310-016.** On April 30, 1996, a plan approval was issued to **Heckett MultiServ** (612 North Main Street, Butler, PA 16001) for a slag reprocessing plant at its Koppel Plant 53 located in Koppel Borough, **Beaver County**.

**32-306-014.** On May 9, 1996, a plan approval expiration date was extended to September 1, 1996 for **Pennsylvania Electric Company** (1001 Broad Street, Johns-

town, PA 15907) for a steam electric generator at its Homer City Station facility located in Center Township, **Indiana County**.

**63-000-016.** On May 9, 1996, a plan approval expiration date was extended to October 1, 1996 for **West Penn Power Company** (800 Cabin Hill Drive, Greensburg, PA 15601) for a LNCFS III control device on the pulverized coal-fired boiler at its Mitchell Station facility located in Union Township, **Washington County**.

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

**25-318-003A.** On May 6, 1996, a plan approval was issued to **Erie Hard Chrome, Inc.** (1570 E. 12th St., Erie, PA 16511) for two Chrome scrubbers in Erie, **Erie County**. This source is subject to 40 CFR Part 63, Subpart N.

### MINING ACTIVITY ACTIONS

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

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

#### Coal Applications Issued

**56950105. Pennsylvania Coal Company, Inc.** (One Riverfront Center, Suite 530, 20 Stanwix Street, Pittsburgh, PA 15222), commencement, operation and restoration of a bituminous strip mine in Stonycreek Township, **Somerset County**, affecting 245 acres, receiving stream Wells Creek and Stonycreek, application received July 19, 1995, permit issued May 3, 1996.

**32850114.** Permit renewal, **Beilchick Brothers** (P. O. Box 7, Heilwood, PA 15745), commencement, operation and restoration of a bituminous strip mine in Pine Township, **Indiana County**, affecting 147.5 acres, receiving stream unnamed tributaries to Little Yellow Creek, application received March 29, 1996, permit issued May 8, 1996.

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

**54860102R2. Gale Coal Company, Inc.**, (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 122.0 acres, receiving stream unnamed tributary to Schuylkill River. Renewal issued May 6, 1996.

**40663034R2. Pagnotti Coal Company**, (800 Exeter Avenue, West Pittston, PA 18643), renewal of an existing anthracite surface mine operation in Foster Township, **Luzerne County** affecting 360.0 acres, receiving stream none. Renewal issued May 6, 1996.

**54851304R2. Kintzel Coal Company**, (P. O. Box 127, Hegins, PA 17938), renewal of an existing deep mine operation in Tremont Township, **Schuylkill County** affecting 6.0 acres, receiving stream none. Renewal issued May 9, 1996.

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

**37850118. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), renewal of an existing bituminous strip operation in North Beaver Township, **Lawrence County** affecting 235.0 acres. This renewal is issued for reclamation only. Receiving streams unnamed tributary to Edwards Run and Edwards Run. Application received February 16, 1996. Permit issued April 12, 1996.

**24890108. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824), renewal of an existing bituminous strip, auger and beneficial use of Lime Mud operation in Horton Township, **Elk County** affecting 695.0 acres. This renewal is issued for reclamation only. Receiving streams three unnamed tributaries of Mead Run. Application received January 12, 1996. Permit issued April 17, 1996.

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

**63841302. Maple Creek Mining, Inc.** (P. O. Box 517, Bentleyville, PA 15314), to renew and revise the permit for the Maple Creek Mine in New Eagle Borough, **Washington County** to add permit and subsidence acres, no additional discharge. Permit issued May 9, 1996.

**30841316. Consol Pennsylvania Coal Company**, (450 Racetrack Road, Washington, PA 15301), to revise the permit for the Bailey bituminous deep mine in Richhill Township, **Greene County** to add subsidence control plan and permit acres, no additional discharge. Permit issued May 8, 1996.

**63733706. Maple Creek Mining, Inc.**, (29525 Chagrín Boulevard, Suite 111, Pepper Pike, OH 44122), to renew the permit for the Gingerhill Refuse Area I in Nottingham Township, **Washington County**, no additional discharge. Permit issued May 8, 1996.

**11733701. BethEnergy Mines, Inc.** (P. O. Box 29, Ebensburg, PA 15931), to renew the permit for the Cambria Slope Mine 33 Coal Refuse Disposal Area in Cambria Township, **Cambria County** for reclamation only, no additional discharge. Permit issued May 8, 1996.

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

#### Noncoal Permits Issued

**37950301. Slippery Rock Materials, Inc.** (R. D. 2, Box 228, Golf Course Road, Volant, PA 16156). Commencement, operation and restoration of a sand and gravel operation in Plain Grove Township, **Lawrence County** affecting 73.5 acres. Receiving streams unnamed tributary to Taylor Run and Taylor Run. Application received March 25, 1995. Permit issued April 16, 1996.

**4878NC7T. Jack R. & Robert L. Foust** (12580 State Highway 18, Conneaut Lake, PA 16316). Transfer of an existing sand and gravel operation from Virgil Foust in Sadsbury Township, **Crawford County** affecting 10.0 acres. Receiving streams unnamed tributary to Mud Run. Application received February 15, 1996. Permit issued April 16, 1996.

**25950304. Troyer Sand & Gravel Ltd.** (13021 Flatts Road, Waterford, PA 16441). Commencement, operation and restoration of a sand and gravel operation in LeBoeuf

Township, **Erie County** affecting 146.9 acres. Receiving streams unnamed tributary to Wheeler Creek and French Creek. Application received September 20, 1995. Permit issued April 16, 1996.

**302860-25950304-E-1. Troyer Sand & Gravel Ltd.** (13021 Flatts Road, Waterford, PA 16441). Application for a stream encroachment to construct and maintain a haul road crossing over an unnamed tributary to Wheeler Creek in LeBoeuf Township, **Erie County** affecting 146.9 acres. Receiving streams unnamed tributary to Wheeler Creek. Application received September 20, 1995. Permit issued April 16, 1996.

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

**54950302. Pennsy Supply, Inc.**, (1001 Paxton Street, Harrisburg, PA 17104), commencement, operation and restoration of a quarry operation in Wayne Township, **Schuylkill County** affecting 148.1 acres, receiving stream Bear Creek. Permit issued May 7, 1996.

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

*General Small Noncoal Authorizations Granted*

**58950814. Gregory Grover**, (R. D. 2, Box 231, New Milford, PA 18834), commencement, operation and restoration of a small quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream none. Authorization granted May 6, 1996.

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302), sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)**

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*Permits Issued and Actions on 401 Certification*

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

**E09-710. Encroachment. George Kirk Hansen**, 1435 Route 113, Perkasie, PA 18944-3560. To maintain approximately 841 linear feet of rock riprap stream bank stabilization along Morris Run (TSF) on property situated at 1435 Route 113. The project consists of three separate bank rehabilitated sections measuring 140-foot, 273-foot and 428-foot in length, which occur along both banks of the stream channel. The project site is located at a point approximately 2,000 feet downstream of Quarry Road (T-357) (Bedminster, PA Quadrangle N: 0.1 inch; W: 14.0 inches) in Hilltown Township, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

**E09-714. Encroachment. Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To rehabilitate and maintain a single span steel I-beam bridge with timber decking and bituminous road surface with a 9 inch concrete deck and two parapets measuring 2-feet 8-inches in height. Stone abutments will be reset as necessary and excavation behind each abutment will occur for any required modifications. This permit, E09-714, will replace the existing permit E09-305. The site is situated at the intersection of the Delaware Canal and River Road (SR 0032) (Frenchtown NJ-PA USGS Quadrangle N: 12.75 inches; W: 15.6 inches) in Bridgetown Township, **Bucks County**.

**E46-733. Encroachment. Horsham Township Sewer Authority**, 1025 Horsham Road, Horsham, PA 19044. To construct and maintain a stormwater management facility which will impact 0.02 acre of wetlands (PEM) adjacent to a headwater spring which is a tributary to Park Creek (WWF) associated with the modification to the Park Creek Sewage Treatment Plant Expansion Project located approximately 2,200 feet west of the intersection of Keith Valley Road and County Line Road (Ambler USGS Quadrangle N: 17.0 inches; W: 5.2 inches) in Horsham Township, **Montgomery County**.

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

*Environmental Assessment Approvals and Actions on 401 Certification*

**EA06-005CO. Environmental assessment. Wingco Development Corporation**, R. D. 2, Box 2000, Building A-1, Reading, PA 19605. To construct and maintain a nonjurisdictional dam (Basin 1) across a tributary to Manatawny Creek (CWF) impacting a de minimus area of wetlands (PEM) equal to 0.04 acre for the purpose of stormwater management at the proposed Haas Farm subdivision located approximately 1,600 feet northwest of the intersection of State Route 662 and Old Airport Road (Boyertown, PA Quadrangle N: 9.85 inches; W: 15.75 inches) in Amity Township, **Berks County**.

**EA09-009CO. Environmental assessment. Deluca Enterprises, Inc.**, 842 Durham Road, Suite 200, Newtown, PA 18940. To construct and maintain a nonjurisdictional dam across a tributary to Little Neshaminy Creek (WWF, MF) temporarily impacting 0.06 acre of wetlands (PFO) for the purpose of stormwater management at the proposed Country Crossing subdivision located approximately 2,400 feet east of the intersection of Bristol Road

and Route 263 (S. R. 0263) (Hatboro, PA Quadrangle N: 18.5 inches; W: 11.9 inches) in Warwick Township, **Bucks County**.

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

**E62-321.** Encroachment. **Doug A. Wagner**, P. O. Box 265, Clarendon, PA 16313-0265. To construct and maintain a 12-foot wide by 60-foot long addition onto an existing mobile home in the floodway of a tributary to west branch Tionesta Creek approximately 50 feet upstream of S. R. 2006 (Clarendon, PA Quadrangle N: 5.1 inches; W: 13.1 inches) in the Borough of Clarendon, **Warren County**. This permit was issued under section 105.13(e) "Small Projects".

## SPECIAL NOTICES

### **Extension of Submission Date for Certified Host Municipality Inspector Reimbursement Applications under Act 101 (Section 1102), the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 and Act 108 (Section 304), the Hazardous Sites Cleanup Act of 1988**

The Department of Environmental Protection (DEP) hereby announces an extension of the submission date for 1995 certified host municipality inspector program reimbursement applications. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and the Hazardous Sites Cleanup Act (Act 108). Municipalities include cities, boroughs, incorporated towns, townships and home rule municipalities.

The deadline for submission of applications has been extended to 4 p.m., June 7, 1996. Applications received by DEP after that date will not be considered.

All reimbursements are allocated from the Recycling Fund authorized under Act 101 for municipal waste facilities or from the Hazardous Sites Cleanup Fund under Act 108 for hazardous waste facilities. Reimbursements from the funds are available to any municipality which has a municipal waste landfill, resource recovery or commercial hazardous waste storage, treatment and disposal facility located within its geographic borders. Upon application from any municipality, DEP shall award reimbursements for authorized costs incurred for the salary and expenses of certified host municipality inspectors. The reimbursement shall not exceed 50% of the approved costs of the inspector's salary and approved expenses. Reimbursement is available only for host municipality inspectors trained and certified by DEP and is available to municipalities for a maximum number of 5 years.

The application for the reimbursement of certified host municipality inspectors contains tables for specifying the itemized expenses of certified inspectors and for calculating the total reimbursement request. The application must be supported with: a) W-2 Forms, Wage and Tax Statements for the year reimbursement is requested; b) copies of weekly/monthly activity records; c) receipted itemized invoices; d) proof of attendance at the DEP training and certification course; and e) a W-9 Form (Request for Taxpayer Identification Number and Certification). Detailed instructions are included with the application.

Inquiries concerning this notice, including those by municipalities wishing to file an application, should be

directed to David E. Harris, Program Development Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9870.

### **Submission Date for Public-Private Partnership Recycling Grants Under Act 101 Section 902; The Municipal Waste Planning, Recycling and Waste Reduction Act of 1988**

The Department of Environmental Protection (DEP) hereby announces a request for applications from municipalities for recycling program grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904).

Municipalities eligible for the grants include counties, cities, boroughs, incorporated towns, townships and home rule municipalities. Authorities are not eligible to apply for the grants, but may be sponsored by a county or municipality.

This solicitation is for projects considered to be public-private partnerships where municipalities may sponsor a recycling grant application on behalf of a private sector partner for projects benefiting both entities. Priority will be given to projects that expand processing or manufacturing capacity within Pennsylvania for source separated recyclable materials including aluminum, glass, plastic and steel containers, corrugated cardboard, high-grade office papers, magazines, newspapers and other marketable grades of paper. All grant awards will be predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund. The maximum funding available is \$300,000 per project.

Municipalities and counties are eligible for 90% funding of approved recycling project costs. Municipalities considered financially distressed by the Department of Community Affairs 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.

Eligible recycling project development costs include: recycling project design costs; recycling market investigations; development of recycling market commitments; development of recycling program ordinances; development of recycling public education programs; and the costs of developing contracts or procuring equipment and services necessary for the operation of the recycling program.

Eligible recycling project implementation costs include: vehicles used to collect or transport recyclable materials to processing or storage facilities, or in the operation of a materials recovery facility, or in the transport of recyclable materials to market; reusable containers for household recyclable materials storage and collection; the cost of acquisition and/or renovation of buildings for the processing or storage of recyclable materials; equipment used for the processing of recyclable materials; and land improvements for a recycling facility. Yard waste composting programs as defined by the Pennsylvania Municipal Waste Management Regulations, Chapter 75, will be considered as recycling programs.

Before a municipality can submit a recycling grant application to the Department for the funding of mechanical processing equipment, it must first publish a notice in a newspaper of general circulation describing in detail the kinds of processing equipment that it proposes to pur-

chase and the intended use of the equipment. The notice, in the form of a display advertisement, must appear at least once weekly for 2 consecutive weeks. The municipality must allow 30 days for responses from interested individuals. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice, and an explanation of why the municipality has concluded the mechanical processing equipment is not available to the program from the private sector.

The Public-Private Partnership Recycling Grant Program has a two-step application process. The first step involves the submission of a Letter of Intent to apply for grant funding. The Letter of Intent will identify the municipal sponsor, the private partner and the recyclable materials involved; summarize the project, its financing and the partnership arrangement; and will require the signature of appropriate representatives of the municipal sponsor and the private partner. The Departments of Commerce and Environmental Protection will jointly review each letter of intent to assess the economic and environmental benefits of the project. Projects receiving a favorable review will be invited to submit a full Public-Private Partnership Recycling Grant Application as the second step of the application process.

Three copies of the letter of intent must be received or postmarked by 3 p.m. August 29, 1996. Applications received by DEP after that date will not be considered during the current round of solicitation. Applications must be on forms provided by the Department, with three copies submitted to the appropriate DEP Regional Office serving the county where the project will be located.

Those municipalities wishing to file an application are invited to contact the appropriate DEP Regional Planning and Recycling Coordinator listed below to obtain a grant application. Pre-application conferences are recommended. Applicants should also contact the County Recycling Coordinator serving their county for consultation and assistance in completing the application forms. Inquiries concerning this notice should be directed to Carl Hursh, Chief, Recycling and Markets, DEP Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION REGIONAL PLANNING AND RECYCLING COORDINATORS

- Southeast Region* ..... Calvin Ligons  
DEP, Bureau of Land Recycling and Ann Ryan  
Waste Management  
Lee Park, Suite 6010, 555 North Lane (610) 832-6212  
Conshohocken, PA 19428  
Bucks, Chester, Delaware, Montgomery and Philadelphia  
Counties
- Northeast Region* ..... Chris Fritz  
DEP, Bureau of Land Recycling and Joan Banyas  
Waste Management  
2 Public Square (717) 826-2516  
Wilkes-Barre, PA 18711-0790  
Carbon, Lackawanna, Lehigh, Luzerne, Monroe,  
Northampton, Pike, Schuylkill, Susquehanna, Wayne and  
Wyoming Counties

- Southcentral Region* ..... Bob Zaccano  
DEP, Bureau of Land Recycling and Belinda May  
Waste Management  
1 Ararat Boulevard (717) 657-4588  
Harrisburg, PA 17110  
Adams, Bedford, Berks, Blair, Cumberland, Dauphin,  
Franklin, Fulton, Huntingdon, Juniata, Lancaster,  
Lebanon, Mifflin, Perry and York Counties

- Northcentral Region* ..... Ron Sommers  
DEP, Bureau of Land Recycling and (717) 327-3653  
Waste Management  
208 W. 3rd Street, Suite 101  
Williamsport, PA 17701  
Bradford, Cameron, Centre, Clearfield, Clinton,  
Columbia, Lycoming, Montour, Northumberland, Potter,  
Snyder, Sullivan, Tioga and Union Counties

- Southwest Region* ..... Sharon Svitek  
DEP, Bureau of Land Recycling and Stephen Sales  
Waste Management Bob Emmert  
400 Waterfront Drive (412) 442-4000  
Pittsburgh, PA 15222-4745  
Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene,  
Indiana, Somerset, Washington and Westmoreland  
Counties

- Northwest Region* ..... Guy McUmber  
DEP, Bureau of Land Recycling and (814) 332-6848  
Waste Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson,  
Lawrence, McKean, Mercer, Venango and Warren  
Counties

[Pa.B. Doc. No. 96-864. Filed for public inspection May 24, 1996, 9:00 a.m.]

**Draft Advisory Committee Guidelines**

The Department's various advisory committees provide valuable input to the Department in the development of regulations and policies. In an effort to continue to promote the Department's effective use of these advisory committees, the Department has developed draft advisory committee guidelines for public comment.

These guidelines are designed to supplement the legislative mandates and provide assistance for communities whose authorization is not based in statute. The guidelines include recommendations on by-laws, rules of procedure, roles and responsibilities, membership, meeting notices and schedules agendas, minutes and expenses.

Comments on the draft guidelines should be submitted by July 26 to Chris Allen, Public Participation Coordinator, P. O. Box 2063, Harrisburg, PA 17105-2063; telephone (717) 787-9580; or e-mail Allen.Christopher@A1.dep.state.pa.us. Copies of the draft guidelines are also available from Chris Allen and on the DEP Web Site at <http://www.dep.state.pa.us> (choose Public Participation Center/Advisory Committees/Guidelines).

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 96-865. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Small Business Assistance Program Compliance Advisory Committee Meeting

The Small Business Assistance Program Compliance Advisory Committee will meet June 27, 1996, at 10:30 a.m. in the 16th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting will occur primarily to allow for the Committee's timely review of the Stage II Comparability SIP (State Implementation Plan). Other Committee business will also be conducted.

Questions concerning this meeting can be directed to Jon Miller at (717) 787-1663 or e-mail at Miller.Jon@a1.dep.state.pa.us. The agenda for the meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Jon Miller directly at (717) 787-1663 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-866. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Removal of Scrap Oil, Antifreeze, Tar and Paint Drums

The Department of General Services, State Surplus Property Program is seeking contractors to remove used oil, antifreeze, tar and paint drums from the Department of Transportation. The following counties will be involved in the contract:

Scrap Oil, Antifreeze, Tar and Paint Drums

District 2—Centre, Clearfield, Clinton, Cameron, McKean, Potter, Elk and Juniata counties.

The above contract will be for 1 year with an optional extension for a 2nd, 3rd and 4th year. The contract period will begin on July 1, 1996. For more information or to obtain a bid proposal for this contract, write to the Department of General Services, State Surplus Property Division, 2221 Forster Street, P. O. Box 1365, Harrisburg, PA 17105, or call (717) 787-4085 prior to the bid opening on June 6, 1996.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 96-867. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Notice of Beginning of Review; Certificates of Need

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

*CON-95-A-2532-B:* St. Mary Medical Center, Langhorne-Newton Road, Langhorne, PA. The project involves construction of a three level outpatient facility and four replacement outpatient operating rooms, at an estimated cost of \$16,706,921.

*CON-95-H-2590-B:* Medical Consultants Imaging Company, 1621 Euclid Avenue, Suite 1620, Cleveland, OH 44115. The project involves adding a second mobile MRI unit to provide service to Ohio Valley General Hospital and provide additional time to Metro Health Center in Erie, at an estimated cost of \$813,150.

*CON-95-A-2554-B:* Children's Hospital of Philadelphia, 34th Street and Civic Center Boulevard, Philadelphia, PA. The project involves replacing existing pediatric intensive care unit, at an estimated cost of \$6,332,670.

*CON-95-2553-B:* Children's Hospital of Philadelphia, 34th Street and Civic Center Boulevard, Philadelphia, PA. The project involves relocating and modernizing the existing inpatient medical oncology unit, at an estimated cost of \$5,600,000.

*CON-95-A-2342-B:* Frankford Hospital, Knights and Red Lion Roads, Philadelphia, PA. The project involves converting 19 medical/surgical beds to a 19-bed hospital-based skilled care unit, at an estimated cost of \$1,114,000.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning May 25, 1996. Interested persons, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of this act (35 P. S. § 448.506(a)) regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. The public meetings will be conducted on Monday, June 17, 1996. St. Mary Medical Center will begin at 9 a.m.; Medical Consultants Imaging Company will begin at 1 p.m.; Children's Hospital of Philadelphia CON-95-A-2554-B will begin at 2 p.m.; Children's Hospital of Philadelphia CON-95-A-2553-B will begin at 2:30 a.m.; and Frankford Hospital will begin at 3 p.m. Persons who need an accommodation due to a disability and want to attend a meeting should contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

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

DANIEL F. HOFFMANN, FACHE,  
Acting Secretary

[Pa.B. Doc. No. 96-868. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania High Roller Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania High Roller.

2. *Price:* The price of a Pennsylvania High Roller instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania High Roller instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: a die containing one spot (ONE), a die containing two spots (TWO), a die containing three spots (THREE), a die containing four spots (FOUR), a die containing five spots (FIVE) and a die containing six spots (SIX).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$5, \$10, \$25 and \$500.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,141,200 tickets will be printed for the Pennsylvania High Roller instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three dice containing six spots (SIX) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$500.

(b) Holders of tickets with three dice containing five spots (FIVE) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$25.

(c) Holders of tickets with three dice containing four spots (FOUR) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$10.

(d) Holders of tickets with three dice containing three spots (THREE) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$5.

(e) Holders of tickets with three dice containing two spots (TWO) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$2.

(f) Holders of tickets with three dice containing one spot (ONE) play symbols in the "Play Area," on a single ticket, shall be entitled to a prize of \$1.

(g) A prize will be paid only for the highest Pennsylvania High Roller instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,141,200 Tickets</i>
3 x "1"	\$1	1:6	1,690,200
3 x "2"	\$2	1:20	507,060
3 x "3"	\$5	1:50	202,824
3 x "4"	\$10	1:150	67,608
3 x "5"	\$25	1:300	33,804
3 x "6"	\$500	1:18,780	540

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania High Roller instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania High Roller, prize money on winning Pennsylvania High Roller instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of Pennsylvania High Roller, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania High Roller or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-869. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Pennsylvania Instant Fireworks '96 Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Instant Fireworks '96.

2. *Price:* The price of a Pennsylvania Instant Fireworks '96 instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Instant Fireworks '96 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Moon Symbol (MOON), Star Symbol (STAR), Ice Cream Symbol (ICE CREAM), Popcorn Symbol (POPCORN), Soda Symbol (SODA), Blanket Symbol (BLANKET), Firecracker Symbol (FIRECRACKER), Beach Chair Symbol (BEACH CHAIR), Radio Symbol (RADIO) and Fireworks Symbol (FIREWORKS).



4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize Star" area are: \$2<sup>00</sup> (TWO), \$4<sup>00</sup> (FOUR), \$7<sup>00</sup> (SEVEN), \$21\$ (TWEN-ONE), \$74\$ (SVNTY FOR), \$1776 (SVNTNSVNSX) and \$74000 (SVNFRTHO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$7, \$21, \$74, \$1,776 and \$74,000.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,534,800 tickets will be printed for the Pennsylvania Instant Fireworks '96 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$74000 (SVNFRTHO) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$74,000.

(b) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$1776 (SVNTNSVNSX) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$1,776.

(c) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$74\$ (SVNTY FOR) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$74.

(d) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$21\$ (TWEN-ONE) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$21.

(e) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$7<sup>00</sup> (SEVEN) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$7.

(f) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$4<sup>00</sup> (FOUR) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$4.

(g) Holders of tickets with three matching play symbols in the "Play Area" and a prize play symbol of \$2<sup>00</sup> (TWO) in the "Prize Star" area, on a single ticket, shall be entitled to a prize of \$2.

(h) A prize will be paid only for the highest Pennsylvania Instant Fireworks '96 instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners Per 7,534,800 Tickets
\$2	1:6	1,255,800
\$4	1:15	502,320
\$7	1:30	251,160
\$21	1:100	75,348
\$74	1:5,980	1,260
\$1,776	1:301,392	25
\$74,000	1:753,480	10

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Instant Fireworks '96 instant lottery game

tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Instant Fireworks '96, prize money on winning Pennsylvania Instant Fireworks '96 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Instant Fireworks '96 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Instant Fireworks '96 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-870. Filed for public inspection May 24, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation, under 71 P. S. § 513(e)(7), intends to sell certain land owned by it located at the Kernville Viaduct between Haynes Street and Somerset Street in the City of Johnstown, consisting of five parcels totaling 10,971 square feet.

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: Earl L. Neiderhiser, P.E., District Engineer, Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

BRADLEY MALLORY,  
Secretary

[Pa.B. Doc. No. 96-871. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Enhancement to the Dealer Late Submission and Nonsubmission of Vehicle Registration Program Documents

The Department of Transportation (Department) is responsible for monitoring the compliance by title agents

and motor vehicle dealers, acting on behalf of purchasers of motor vehicles, with the titling and registration requirements of the Vehicle Code. As one of these efforts, the Department proposes to enter into an agreement with a third party vendor which will operate and maintain a system that monitors motor vehicle dealer compliance with the 20 day submission requirement. The vendor will develop, operate and maintain a relational database on its computer system by interfacing with bank loan departments' records. The database will compare loan data from the system and motor vehicle registration data provided by the Department. The vendor will utilize the database to perform the following services:

(1) Comparison of the two databases by vehicle identification number (VIN) to determine instances whereby the submission of the application is late.

(2) Comparison of the two databases by VIN to determine instances whereby the application is never received by the Department.

(3) Development of customized reports for the Department that delineate situations whereby elements of the two databases do not agree in form or content.

(4) Development of a personal computer access facility that will enable Department personnel access to the database in order to perform inquiry functions and generate reports.

(5) Development of custom reports for the Department for use in prosecution.

Interested vendors may contact Gary Skovron in Room G-100, Transportation and Safety Building, Harrisburg, PA 17120, phone number (717) 787-4290. Questions should be submitted in writing to Gary Skovron by May 31, 1996, by 4 p.m. Letters of interest must be received in Room G-100A by 4 p.m., June 14, 1996. Also, letters of interest can be mailed or delivered to the Bureau of Motor Vehicles, Room G-100A, Transportation and Safety Building, Harrisburg, PA 17120, Attention: Gary Skovron. Late responses will not be considered.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-872. Filed for public inspection May 24, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Keystone Cement Company v. DEP; EHB Doc. No. 95-151-MG

The Department of Environmental Protection (Department) and Keystone Cement Company (Keystone) have agreed to a partial settlement of the above-captioned matter regarding its two cement kilns located in East Allen Township, Northampton County.

The Department had issued Air Quality Operating Permits (Permits) to Keystone on June 19, 1995, authorizing Keystone to operate the cement kilns in accordance with the waste fuel feed rates, emission limitations, monitoring requirements and other conditions set forth in the Permits. Keystone filed a timely appeal challenging the waste fuel feed rates, emission limitations, the requirement to perform a risk assessment and other permit conditions.

The parties have agreed to a partial settlement, the major provisions of which include:

1. Within 30 days, the Department will prepare, for publication and comment, the following draft modifications to Keystone's Permits, published in the *Pennsylvania Bulletin* on August 12, 1995:

a. Condition No. 6, relating to the metal concentration limits, shall be modified to read as follows:

The Permittee shall not fire any waste fuels in the cement kiln having as fired metal concentrations in excess of the following limits:

arsenic	— 100 ppm
beryllium	— 20 ppm
cadmium	— 1000 ppm
hexavalent chromium	— 1000 ppm
mercury	— 10 ppm
nickel	— 1000 ppm
lead	— 2500 ppm

The Permittee shall not accept waste fuels with metal concentrations limits in excess of the "as fired" limits, unless Permittee applies for and receives a hazardous waste treatment permit authorizing the blending of the waste fuels or the Department or Environmental Quality Board determines that such a permit is not required.

b. Condition No. 11e, relating to the automatic operation of the interlocks with visible air contaminants, shall be modified to read as follows:

Visible air contaminants from the kiln as measured by opacity is equal to or greater than 20% for any 6 minute rolling average, or equal to or greater than 60% for any 1 minute block average.

c. Condition No. 13, relating to stack sampling for metals, chlorine and particulates, shall be deleted. (See Paragraph 2.e. below.)

d. Condition No. 14, relating to stack sampling for PCDD and PCDF, shall be deleted. (See Paragraph 2.e. below.)

e. Condition No. 15, which requires stack sampling for arsenic, beryllium, cadmium, hexavalent chromium, mercury, nickel, lead, HCl, chlorine, particulates, PCDD and PCDF, at a frequency prescribed by the Department but at a minimum every 6 months for the first 18 months, then annually thereafter, shall be modified to read as follows:

The Permittee shall conduct stack sampling for the following pollutants on an annual basis: arsenic, beryllium, cadmium, hexavalent chromium, mercury, nickel, lead, HCl, chlorine, particulates, PCDD and PCDF. All stack sampling and analysis shall be conducted by an independent Department approved third party and shall be conducted while the source is operating at maximum routine operating conditions. The Department reserves the right to require the Permittee to sample the emissions in accordance with such methods and procedures and at such locations and intervals of time as the Department may reasonably prescribe and provide the Department with the results, as authorized by law.

f. Condition No. 24, relating to notification of the Department in the case of exceedances of emission limits, shall be modified to read as follows:

The Permittee shall promptly notify the Department at (610) 861-2070 of the sources or associated air cleaning devices which results in, or may possibly be resulting in, the emission of air contaminants in excess of the regula-

tion contained in Article III of the Rules and Regulations of the Department of Environmental Resources.

2. The Department and Keystone will follow the public notice provisions set forth in 25 Pa. Code § 127.424, and the Department will take final action on the modifications after consideration of any comments received.

3. Keystone will not appeal the final modifications as long as the terms and conditions thereof are not materially different from those set forth above, but reserve the right to appeal the final modifications if they are materially different.

Copies of the full agreement are in the hands of:

Barbara L. Smith, Assistant Counsel, Office of Chief Counsel, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2519;

Howard J. Wein, Esquire, Klett, Lieber, Rooney & Schorling, One Oxford Centre, 40th Floor, Pittsburgh, PA 15219-6498, (412) 392-2160;

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

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, P. O. Box 8457, Harrisburg, PA 17105-8457.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement, if no objection is timely filed with the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-873. Filed for public inspection May 24, 1996, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
6-253	Department of Education Private Licensed Schools	5/14/96
	JOHN R. MCGINLEY, Jr., <i>Chairperson</i>	

[Pa.B. Doc. No. 96-874. Filed for public inspection May 24, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Limited Liability Companies; Notice 1996-07

Pennsylvania's Business Corporation Law prohibits "limited liability companies" from being organized to conduct the business of insurance (15 Pa.C.S. § 8911.(a)). Historically, the Insurance Department has construed this prohibition as preventing limited liability companies from conducting business as an agent or broker, in addition to prohibiting activity as an insurer.

The Insurance Commissioner has now determined that this law was not designed to prevent insurance agencies or brokers from being incorporated as limited liability companies. Accordingly, the Insurance Department will consider agent and broker applications from limited liability companies, whether resident or nonresident.

Limited liability companies interested in applying for a certificate of qualification as an agent or for a broker's license in Pennsylvania should contact the Insurance Department's Bureau of Producer Licensing, 13th Floor, Strawberry Square, Harrisburg, PA 17120, telephone (717) 787-3840.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-875. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Shelley L. Barrow; file no. 96-124-00546; Mountain Laurel Insurance Company; doc. no. P96-04-067; June 13, 1996, at 10 a.m.;

Appeal of Willie J. Wimbley; file no. 96-308-70988; MIC General Insurance Corporation; doc. no. P196-04-092; June 18, 1996, at 11 a.m.;

Appeal of Rachel Kuhr; file no. 96-121-02586; Penn National Insurance Company; doc. no. P96-04-105; June 18, 1996, at 1 p.m.;

Appeal of Caryl and Nathan Marks; file no. 96-265-32468; West American Insurance Company; doc. no. PH96-04-107; June 18, 1996, at 2 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-876. Filed for public inspection May 24, 1996, 9:00 a.m.]

### Review Procedure Hearings under The Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Rosemary Scott; file no. 92-264-31525; Nationwide Insurance Company; doc. no. PH96-04-095; June 18, 1996, at 9 a.m.;

Appeal of M. Drew Brown; file no. 96-215-31977; American Motorists Insurance; doc. no. PH96-04-093; June 18, 1996, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to

those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-877. Filed for public inspection May 24, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before June 17, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

#### Applications of the following for approval of the right to *begin* to operate as a *broker* for the transportation of *persons* as described under each application.

**A-00113026. Pure Tech, Inc., t/d/b/a Bradford Travel Service** (50 Davis Street, Bradford, McKean County, PA 16701), a corporation of the Commonwealth of Pennsylvania—brokerage license, evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* Pecora & Duke, 222 West Washington Street, Bradford, PA 16701.

#### 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-00113045. Dennis K. Dum, t/d/b/a Dum's Bus Service** (R. R. 2, Box 78, Elliotsburg, Perry County, PA 17024)—persons in group and party service, between points in the counties of Perry, Dauphin, Franklin, Lebanon, Adams, Lancaster, Cumberland, Snyder, Juniata, Northumberland, Mifflin, Centre and York, and from points in said counties, to points in Pennsylvania, and return; subject to the following condition: that the service be provided in school-bus type vehicles with a seating capacity in excess of 15 passengers.

#### Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carri-

**ers for the transportation of persons by transfer of rights as described under each application.**

**A-00113025. New Media Express, Inc., t/d/b/a The Embassy Limousine Company and Wheels Limousine** (2215 Harcum Way, Pittsburgh, Allegheny County, PA 15203), a corporation of the Commonwealth of Pennsylvania—persons in limousine service from points in the townships of Pine, Ross, Richland and McCandless, Allegheny County, to points in the counties of Butler and Beaver, which are within an airline distance of 30 statute miles of the township of Pine, Allegheny County, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00110437 to Paul Michael Kelly, t/d/b/a Wheels Limousine, subject to the same limitations and conditions. *Attorney:* Pamela L. Leyden, Two PPG Place, Suite 400, Pittsburgh, PA 15222-5402.

**Applications of the following for approval of discontinuance of service for the transportation of persons as described under each application.**

**A-00105653, Folder 1, AM-B. Apple Line Transportation, Inc.** (Rear 257 North Fourth Street, P. O. Box 4415, Gettysburg, Adams County, PA 17325), a corporation of the Commonwealth of Pennsylvania—discontinuance of service—persons in paratransit service, between points in the county of Adams, and from points in said county, to points in the counties of Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York, and return; subject to the following condition: that the service herein authorized is limited to the transportation in vehicles having a seating capacity of not more than 30 persons, including the driver. *Attorney:* David H. Radcliff, 2216 Walnut Street, Harrisburg, PA 17103.

**Notice of Motor Carrier Applications—Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before June 10, 1996.

- A-00113038 Joseph Altier, t/d/b/a Altier Recovery and Trucking  
Route 6, Box 710, Mayfield, PA 18433
- A-00113039 Daniel James Gallagher, t/d/b/a Gallagher Trucking  
P. O. Box 140, Sheppton, PA 18248
- A-00113040 Amma Trucking Corporation  
80 Bomont Place, Totowa, NJ 07512
- A-00113051 Brink Transportation, Inc.  
R. R. 1, Box 316-H, Houtzdale, PA 16651; Dwight L. Koerber, Jr., 110 North Second Street, P. O. Box 1320, Clearfield, PA 16838
- A-00113055 Emanuel Garrison, t/d/b/a E. Garrison Deliverys  
7516 Ormond Street, Swissvale, PA 15218
- A-00113048 Damage Recovery Systems, Inc.  
31 Robinson Street, Pottstown, PA 19464
- A-00113049 Walter V. Lutomski, t/d/b/a Tori Trucking  
151 Navajo Trail, Gouldsboro, PA 18424
- A-0011350 Premier Delivery Service, Inc.  
708 B Pulaski Highway, Joppa, MD 21085

- A-00113057 Harold M. Nolt  
R. D. 2, Box 2045A, Fleetwood, PA 19522
- A-00113058 T. S. Transfer, Inc.  
103 Sunset View Drive, New Cumberland, PA 17070-2525
- A-00113059 M.N.H. Associates, Inc.  
P. O. Box 826, St. Marys, PA 15857
- A-00113060 R & G Trucking Corp.  
80 Bomont Place, Totowa, NJ 07512
- A-00113061 Arco Enterprises, Inc.  
1125 Garden Street, Greensburg, PA 15601
- A-00113062 3-D Trucking, Inc.  
394 Old Pittsburgh Road, Uniontown, PA 15401; John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219
- A-00113063 Sun Energy Co., Inc.  
6599 Stone Quarry Road, Union City, PA 16438

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-878. Filed for public inspection May 24, 1996, 9:00 a.m.]

**Sewer Service  
Without Hearing**

**A-230030F2000. Borough of Bellwood.** Application of Borough of Bellwood for approval of the abandonment of sewer service in the Township of Antis, Blair County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before June 10, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Alan R. Krier, Esquire, 10 Sheraton Drive, P. O. Box 2024, Altoona, PA 16603.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-879. Filed for public inspection May 24, 1996, 9:00 a.m.]

**Telecommunications Service  
Without Hearing**

**A-310412. Digital Services Corporation.** Application of Digital Services Corporation for 1) A certificate of public convenience and necessity to offer, render, furnish or supply intrastate interlata and intralata telecommunications services as a non-switched competitive access provider within the Commonwealth of Pennsylvania and; 2) petition for protective order.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before June 10, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Derrick P. Williamson, David M. Kleppinger, McNeese, Wallace & Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-880. Filed for public inspection May 24, 1996, 9:00 a.m.]

Telephone  
Without Hearing

**A-310046F5000. Capital Network System, Inc. to AMNEX, Inc.** Application for Authority to Transfer Control of Capital Network System, Inc. to AMNEX, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before June 10, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicants:* Marieann K. Zochowski, 1200 19th Street, N.W., Suite 500, Washington, DC 20036.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-881. Filed for public inspection May 24, 1996, 9:00 a.m.]

Water Service  
Without Hearing

**A-220300F2000. Borough of Bellwood.** Application of the Borough of Bellwood for approval of the abandonment of all water service to the public in the Township of Antis, Blair County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before June 7, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Alan R. Krier, Esquire, Jubelirer, Carothers, Krier & Halpern, Park View Center, Post Office Box 2024, Altoona, PA 16603.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-882. Filed for public inspection May 24, 1996, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9604.1b, Rehabilitation of Fender System, at Pier 80 South until 2 p.m. on Thursday, June 13, 1996. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 8th Fl., Phila., PA 19106, (215) 928-9100 and will be available May 28, 1996. The cost of the bid document is \$35 (includes 7% PA sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held June 6, 1996, 10 a.m. at the job site.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-883. Filed for public inspection May 24, 1996, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Director of Purchases, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

**Contract No. 94-002-FS52-C.** Construction of wetland replacement for Mon/Fayette Expressway, S. R. 0043 Section 52W, in Allegheny County, PA.

*Bid Opening:* June 20, 1996, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (No cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676; Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

A mandatory prebid meeting will be held at 10 a.m., on June 4, 1996, at PA Turnpike West Regional Office, telephone number (412) 925-6500.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-884. Filed for public inspection May 24, 1996, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

⑥ Duration

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

**GET THAT COMPETITIVE EDGE—FOR FREE!**

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

CATHERINE BAKER KNOLL,  
*State Treasurer*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x337**

**Commodities**

**PR-1061206** Clothing and individual equipment—439 each; coats, rain, uniform, reversible, fluorescent orange and black, for PA State Police men and women.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA 17103  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-8231640** Construction, mining, excavating and highway maintenance equipment—1 each; conveyor, side attachment—1 each; option: same as item No. 1.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA 17120  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-2242115** Household and commercial furnishings and appliances—1 each; tray machine (dishwasher) comparable to Jackson 76 series or Hobart CRS-86, must be right to left operation steam heat coils 14—16 ga. stainless construction 208 volt, auto tank fill.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA 19426-0246  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-1050156** Laboratory equipment and supplies—1 lot; furnish and set-up one (1) Doran Scale, Model No. DMS 3636. No substitute—1 lot; four (4) each Sartorius F150s-000U industrial precision scale, no substitute.

**Department:** University of Pittsburgh  
**Location:** Pittsburgh, Allegheny County, PA 15203  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-1033126** Paper and printing—139.2 m; JTPA-2 JTPA MIS change and termination notice. 2 part snap-out set.

**Department:** Labor and Industry  
**Location:** Harrisburg, Dauphin County, PA 17121  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-1037206** Paper and printing—30 M; unattended vehicle tag, two (2) part carbon interleaved snapout.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA 17110  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**PR-8231090** Trucks and construction vehicles—various amounts; 1997 Model truck, crew cab, different models w/options same as item No. 1.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA 17120  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**SERVICES****Advertising—01**

**SP 281316** The Department of Revenue, Pennsylvania Lottery is contracting to acquire advertising services for the advertising, promotion, and support of its Lottery games. The Lottery sales are currently about 1.6 billion dollars.

**Department:** Revenue  
**Location:** Lottery, 2850 Turnpike Industrial Drive, Middletown, PA 17057  
**Duration:** Three to five years  
**Contact:** Daniel K. Cook, (717) 986-4762



**Agricultural Services—02**

**X54049** Contractor to perform bat surveys to determine if the endangered Indiana Bat species is using portals which DEP is backfilling as a bat habitat. The surveys will be conducted as required under the Endangered Species Act which is enforced through compliance with the National Environmental Policy Act.

**Department:** Environmental Protection  
**Location:** Bureau of Abandoned Mine Reclamation, various sites throughout PA  
**Duration:** 7/1/96—6/30/97 with option to renew  
**Contact:** Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

**1240-AG** The Pennsylvania Department of Transportation requires approximately 28 mowing cycles, herbicide application, spring clean up and turf fertilization at safety rest area site on I-70 Eastbound in Washington County. Specifications may be obtained by contacting the District Roadside Specialist, Monday through Friday, 8:00 a.m. to 3:00 p.m.

**Department:** Transportation  
**Location:** Washington County (1240) I-70 to Eastbound Donegal Township  
**Duration:** 7-1-96 to 6-30-97  
**Contact:** Brian S. Hart, (412) 439-7156

**Audio/Video—04**

**M35046** The contractor shall provide service on NC300 Nurse Call System, all system device inspected, tested and adjusted as needed. Two inspections per year. Interested vendors can call Mr. David Schultz at (412) 761-1955, ext. 260.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, P. O. Box 99901, Pittsburgh, PA 15233  
**Duration:** July 01, 1996 to June 30, 1999  
**Contact:** Ronald J. Dudek, Purchasing Agent, (412) 761-1955

**Computer Related Services—08**

**RFP 1996-10; ME No. 60034** The contractor will be required to provide a comprehensive education program and services for 50 Pennsylvania juvenile delinquents incarcerated at the South Mountain Secure Treatment Unit. Programs must comply with the Pennsylvania School Code and other contractual requirements designated by the Commonwealth and its agencies.

**Department:** Education  
**Location:** Bureau of Correction Education, South Mountain Secure Treatment Unit, South Mountain Restoration Center, South Mountain, Franklin County, PA 17261-9999  
**Duration:** 12/96—6/30/2001 with 1 year budget renewals  
**Contact:** James H. Keeley, (717) 783-9202

**RFP 1996-11; ME No. 60035** The contractor will be required to provide a comprehensive education program and services for 50 Pennsylvania juvenile delinquents incarcerated at the Cresson Secure Treatment Unit. Programs must comply with the Pennsylvania School Code and other contractual requirements designated by the Commonwealth and its agencies.

**Department:** Education  
**Location:** Bureau of Correction Education, On grounds of State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16699-0001  
**Duration:** 12/96—6/30/2001 with 1 year budget renewals  
**Contact:** James H. Keeley, (717) 783-9202

**SP-299336** The awarded contractor shall provide remedial maintenance coverage for two Liebert Power Distribution Units (PDU's) to include annual inspections, and two Liebert CSU3000 Dual Chillers with Dry Coolers to include monthly and semi-annual inspections. The equipment is located at the Department of Public Welfare satellite computer facility at 787 Eisenhower Boulevard, Harrisburg, PA.

**Department:** Public Welfare  
**Location:** 787 Eisenhower Boulevard, Harrisburg, PA 17111  
**Duration:** 7/01/96—6/30/97  
**Contact:** Raymond Marshalek, (717) 783-6322

**Construction Maintenance—09**

**080898** Crawford County, SR 2008-B00; Erie County, SR 3001-B00; Potter County, SR 3009-228; Districtwide 3-0, ATR/WIM locations: Bradford County, SR 1038-004; Bradford County, SR 0220-53M; Lackawanna County, GR 4-96-MB1; Luzerne County, GR 4-96-ST6; Luzerne County, GR 4-96-MB2; Luzerne County, GR 4-96-ST7; Lehigh County, SR 378-01P; Schuylkill County, SR 4002-01B; Cumberland County, GR 8-96-GR2; Franklin County, SR 995-001; Dauphin County, SR 3012-007; Lancaster County, SR 722-006/002; Lancaster County, GR 8-96-GR7; Districtwide 9-0, GR 9-96-RPM1; Districtwide 9-0, GR 9-96-SRS; Districtwide 10-0, GR 10-96-ATR.

**Department:** Transportation  
**Location:** Districts 1, 2, 3, 4, 5, 8, 9 and 10  
**Duration:** FY 1996/1997  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**080899** Erie County, SR 90-AC5; Erie County, GR 1-96-200; Venango County, SR 62-03M; Districtwide 2-0, RPM; Clearfield County, GR 2-96-ST5; Clearfield County, SR 322-219; Districtwide 3-0, MSRS; Districtwide 8-0, RPMS; Adams County, SR 30-028; Adams County, SR 116-005; York County, SR 462-008; Armstrong County, SR 85-150; Clarion County, SR 80-350, 351, 552; Beaver County, GR 112-96-7135-1; Beaver County, SR 60-B11.

**Department:** Transportation  
**Location:** Districts 1, 2, 3, 8, 10 and 11  
**Duration:** FY 1995/1996  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**080897** Highway construction project, Lycoming S. R. 1004-(011).

**Department:** Transportation  
**Location:** District 03  
**Duration:** FY 1995-96  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**SP No. 263215** Construct concrete bulkheads and sidewalk (approximately 120' long) at the Canoe Creek beach area for wheelchair accessibility. See bid for detailed specifications. Bid opening date and time: 06/12/96, 3 p.m.

**Department:** Conservation and Natural Resources  
**Location:** Canoe Creek State Park, R. R. 2, Box 560, Hollidaysburg, PA 16648-9752  
**Duration:** Work must be completed by 06/30/96  
**Contact:** Terry L. Wentz, Park Manager, (814) 695-6807

**Contract No. FDC-020-181** Work consists of Bituminous Surface Treatment and Paving; No. 2A aggregate; riprap and 18-inch corrugated plastic pipe. All work is in Forest District No. 20 near Worlds End State Park.

**Department:** Conservation and Natural Resources  
**Location:** Hills Grove and Shrewsbury Townships, Sullivan County, PA  
**Duration:** 45 days after notice to proceed  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FBP-95-7-0059A** Work involves removal of existing steel I beam bridge and concrete filled steel grid deck; construction of a new superstructure with prestressed concrete spread box beams and reinforced concrete deck; and placing steel piling/concrete jacket on existing abutments and pier. All work is located in Forest District No. 7, in the Village of Weikert.

**Department:** Conservation and Natural Resources  
**Location:** Hartley Township, Union County  
**Duration:** Complete all work by December 31, 1996  
**Contact:** Construction Management, (717) 787-5055

**Environmental Maintenance Service—15**

**SPC-AER** For the rental of Calcium Chloride dispensing system for use at various sites in Lackawanna, Luzerne, Pike, Wayne and Susquehanna Counties. Contract shall be renewable at the prices quoted for four (4) one-year renewals. Contact Mr. A. E. Ridall at (717) 963-4032 for bid packages.

**Department:** Transportation  
**Location:** Lackawanna, Luzerne, Pike, Wayne and Susquehanna Counties  
**Duration:** November 15, 1996 to November 14, 1997  
**Contact:** A. E. Ridall, (717) 963-4032

**BOGM 95-11** Cleaning out and plugging one Abandoned Gas Well estimated to be 5,590 feet deep on the Mink property.

**Department:** Environmental Protection  
**Location:** Wheaton Township, Potter County, PA  
**Duration:** 30 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**BOGM 95-4** Clean out and plug two abandoned oil wells, estimated to be 2,000 feet deep, on the Kimmel and Lawson properties and restore the disturbed areas.

**Department:** Environmental Protection  
**Location:** Slade Township, Warren County  
**Duration:** 60 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**Financial and Insurance Consulting—17**

**X102129** Provide credit bureau inquiry services to include Trace, Hawk and Atlas services.

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** 7/1/96—6/30/98 with option to renew  
**Contact:** Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

**019** RFP for development, preparation, administration, grading, and related services of examinations for candidate certification as residential and general real estate appraisers and Pennsylvania evaluation for the State Board of Certified Real Estate Appraisers in the Bureau of Professional and Occupational Affairs. Note: Copies of the RFP containing specifications may be obtained by written request to: Office of Operations and Contract Management, P. O. Box 2649, Harrisburg, PA 17105-2649. Refer to RFP No. 96-001.

**Department:** State  
**Location:** Harrisburg, PA  
**Duration:** Five years—January 1, 1997 through December 31, 2001  
**Contact:** Virginia R. Rosen, Contract Management, (717) 783-7223

**Firefighting Services—18**

**M35045** The contractor shall provide service for inspection, cleaning and calibration, along with testing all applicable fire alarm control panels and associated field equipment. Interested vendors can call Mr. David Schultz at (412) 761-1955, ext. 251.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, P. O. Box 99901, Pittsburgh, PA 15233  
**Duration:** July 01, 1996 to June 30, 1999  
**Contact:** Ronald J. Dudek, Purchasing Agent, (412) 761-1955

**FS/96/14** Vendor to provide fire extinguishers services to SCI-Graterford. Service will include recharging of chemical extinguishers, hydro test and maintenance for chemical extinguishers. Test and maintain water extinguishers. Approximately 2000 units. Also required will be the six year service and marking units that are due for such service as per NFPA-10. Contract is as needed.

**Department:** Corrections  
**Location:** State Correctional Institution Graterford, Box 246, Graterford, PA 19426  
**Duration:** 3 years  
**Contact:** Kelly Richardson, (610) 489-4151

**Food—19**

**HUN 299** Processed meats and cheese: turkey ham, turkey salami, pork loin, boneless chicken thigh, beef liver, turkey bologna, pork sausage patty, hot Italian sausage, bacon, sandwich steaks, Lebanon bologna and cheese and any other processed meats as may be required by the Agency. Monthly bids. Bid proposal on file with the Agency.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654  
**Duration:** 7-1-96 to 6-30-97  
**Contact:** Robert Jessell, (814) 643-2400

**HUN 300** Fresh produce: lettuce, celery, carrots, apples, potatoes, oranges, onions, bananas, cabbage, grapefruit, tomatoes, peppers, cucumbers and any other vegetable or fruit as required by the agency. Note: cantaloupe, watermelon and tangerines in season. PA Spec. F-46 for fresh fruit and PA Spec. V-14 for fresh vegetables. Monthly bids—weekly deliveries. Group bid awards. Bid proposal on file within the Agency.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654  
**Duration:** 7-1-96 to 6-30-97  
**Contact:** Robert Jessell, (814) 643-2400

**N-15-96** Coffee. Call Purchasing for details.

**Department:** Public Welfare  
**Location:** Institution Warehouse, White Haven Center, White Haven, PA 18661-9602  
**Duration:** July 1, 1996 to June 30, 1998  
**Contact:** Sandra A. Repak, Purchasing Agent, (717) 443-4232

**320-183921** Groceries and frozen foods.

**Department:** Military Affairs  
**Location:** PA Soldiers and Sailors Home, 560 East 3rd Street, P. O. Box 6239, Erie, PA 16512-6239  
**Duration:** July 1, 1996 through December 31, 1996  
**Contact:** Jeanette Gualtieri, (814) 878-4930

**No. FA-596-91** Raw milk; Grade A; to conform with the chemical, bacteriological and temperature standards and the sanitation requirements of the Bureau of Food Safety and Lab Services, Pennsylvania Department of Agriculture. Milk must be supplied and delivered at buyer's request with a minimum of two (2) days notice. Milk samples must also be made available with each shipment. Estimated weekly requirements—80,000 lbs.

**Department:** Correctional Industries  
**Location:** Correctional Industries Dairy Farm, State Correctional Institution Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
**Duration:** July 1, 1996 to and including June 30, 1996  
**Contact:** Jim Miller, Purchasing Agent II, (814) 643-2400, ext. 261

**96-100** Juice, drink, iced tea and lemonade, packaged in 8 oz. containers.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-101** Ice cream and related products: ice cream, sliced, chocolate, vanilla, and strawberry twin pops, iced various flavors. Items to be bid on a monthly basis. Deliveries to be on a weekly basis for period of July 1, 1995 to June 30, 1996 or as needed for menu compliance.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-102** Pancakes, frozen, must be 96 per case. Waffles, frozen, .83 oz. must be 144 per case.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** October 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-103** Bakery products: bread, round rolls, snack cakes, breakfast buns, granola bars, or any other related items.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-104** Fruit and vegetables: fresh lettuce, celery, cabbage, carrots, oranges, grapefruit, apples, bananas, tomatoes, lemons, onions, potatoes, tangerines, nectarines, cantaloupes, watermelons, and related items as required by agency. Bids to be submitted on a weekly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-105** Dairy products: 1/2 pints of milk, homogenized 2% milk, homogenized, vitamin D in 5 gallon plastic bags. Buttermilk, cottage cheese, large curd, 4% milkfat minimum, 5 lb. containers.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-106** Fish and seafood: whittings breaded; haddock, unbreaded and clams, minced and any other seafood item as may be required by agency. Items to be bid on a monthly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-107** Poultry and poultry products: chicken fryers, split; turkey roast; chicken patties; chicken pies; turkey pies and related items. Items to be bid on a monthly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-108** Processed meats: turkey ham; minced turkey bologna; turkey salami (no pork product); Lebanon bologna; bacon; turkey franks; veal patties; Pullman hams and any other meat products as may be required by agency. Items to be bid on a monthly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-109** 1. Oleo margarine, Type 2, shall be prepared from domestic edible vegetable oil, prints, 1 lb. net wt., wrapped in parchment paper, 30 lb. per case. Must be colored—white not acceptable. 2. Oleo margarine—patties, 12 lb./case, 1080 rations per case.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-110** Eggs, fresh, Grade A, medium. Frozen eggs, whole and whites—30 lb. cans.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-111** Vegetables, frozen: cauliflower, broccoli, chopped brussel sprouts and any other frozen vegetable as may be required by agency. Items to be bid on a monthly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-112** Shortening compound, Type A, Class I, general purpose, 50 lb. container (no animal fat). Salad oil, all vegetable, one gallon containers.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-113** Pizza and pizza products: pizza squares, French bread pizza, pastrolis and any other pizza item as may be required by agency. Product to be bid on a monthly basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-114** Pullman hams, canned, fully cooked, 10 lb. average, chilled.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-115** Dry barley 24—1 lb./cs.; cornmeal 8—5 lb./cs.; arkyad 50 lb. bags; yellow food coloring 1 qt. size; onion powder 1 lb. size; baking soda 1 lb. size; onion salt 1 lb. size; parsley flakes 1 lb. size; pastry flour 100 lb. bags; potato whitener 1 lb. size; Kitchen Bouquet 1 qt. size; celery salt 1 lb. size; dill pickles, sliced 1 gallon size; baking powder 50 lb. bags. Groceries and related items.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-116** Corned beef, canned, Type I, standard commercial product, 6 lb. wt. per round or rectangular container, 6 cans/cs.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531

**96-118** Powdered milk, non-fat dry, 50 lb. multiwalled paper bag.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, 2500 Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531, ext. 4370

**96-119** Vendor to furnish cola syrups and dispensers to dispense cola. Cola, Dr. Pepper, orange, Mr. Pibb, ginger ale. Approximately 5,000 gallons. Diet cola and/or Sprite—approximately 5,000 gallons.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P. O. Box 8837, 2500 Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** July 1, 1996 to June 30, 1997  
**Contact:** Delores Stephens, (717) 737-4531, ext. 4370

**M-862** Meat and meat products; poultry and poultry products; fish; cheeses. "Quantities may be obtained from facility; deliveries to be made only at facility's request."

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, PA 15905  
**Duration:** July, August, September, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**I-143** Ice cream/sherbet products; frozen yogurt (Delivery only at facility's request). Quantities may be obtained from facility.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** July 1, 1996 through December 31, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**FIQ-09** Frozen items: vegetables, juices, meat entrees, specialty sandwich breads, breads, pastries, etc. To be delivered only at request of facility (on weekly basis). Contact facility for quantities/specifications.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** July, August, September, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**BG-069** Baked goods (to be delivered only at facility's request). Specifications/quantities may be obtained from facility.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** July 1, 1996 through December 31, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**B-142** Bread and bread products (to be delivered only at facility's request). Quantities and specifications available from facility.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** July 1, 1996 through December 31, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**6788** Meat and meat products.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648  
**Duration:** August, 1996  
**Contact:** Nancy B. Keith, Purchasing Agent, (814) 696-5210

**FS 001** Beans, dry: PA Spec. B-72, Eff. 3/77, and Amend. No. 1 Eff. 6/79. 100 lb. bags net wt. Including but not limited to lima, Type A, Extra No. 1; Type C, choice handpicked; red kidney, Type E, U. S. No. 1, blackeyed peas, pinto beans and other related items as required.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 002** Prepared foods: including but not limited to Rellendos De Papas and Alcapurrias.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 003** Vega-Jel desserts: all vegetable products.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 004** Processed meats: including but not limited to, turkey ham, turkey bologna, turkey salami, beef, Lebanon bologna, bacon, turkey franks, veal patties, and Pullman hams.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 005** Fish and seafood: haddock and cod, breaded and unbreaded; minced clams, and other seafood as required.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 006** 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 at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 007** Canned vegetables: as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 008** Bread: fresh, white, 23 oz. loaves, 28 usable slices, excluding heels. Items to be bid as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 009** Produce: fresh fruits and vegetables, ready-to-use vegetables. Including but not limited to garlic, lettuce, celery, cucumbers, carrots, oranges, apples, potatoes, onions, kale, spinach, bananas, cabbage, grapefruit, tomatoes, peppers, watermelon, tangerines, cantaloupe and similar items. Items to be bid as needed.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 010** Noodles and pasta.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 011** Condiments: including but not limited to catsup, dressings, mustard, pickles/relish, spices, horseradish, jelly, etc.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 012** Frozen items: including but not limited to vegetables, bakery products, entrees, pizza, etc.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 013** Eggs: shell, White, Grade A, Class 1, medium, naturals, PA Spec. E-10, Eff. 05/01/74, 30 dozen per case. Item to be bid periodically as needed. Eggs must be delivered in a refrigerated truck.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 014** Poultry and poultry products: chicken fryers, turkey roast, ground turkey, stewing chickens, chicken wing dings, drumsticks, chicken breast fillets, whole turkeys 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, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 015** Frozen eggs/frozen egg products.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 016** Baking products—canned sauces and related items as required. Bid as required. Items to consist of some of the following: waffles, pizza shells, tacos, taco seasonings, baking powder, baking soda, yeast, various extracts, pizza sauces, flour/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, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 017** Cheese—consisting of yellow or white American cheese, shredded mozzarella or various block cheeses and related items, as required.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

**FS 018** Ice cream/coffee creamers/cottage cheese—ice cream—vanilla and Neapolitan slices and similar items as required (no pork products). Coffee creamers, cottage cheese—large curd.

**Department:** Corrections  
**Location:** State Correctional Institution at Smithfield, P. O. Box 999, 1120 Pike Street, Huntingdon, PA 16652  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Sharon M. Burks, Purchasing Agent, (814) 643-6520, ext. 125

## Fuel Related Services—20

**M-34960** The contractor shall provide service on three Keeler type MKB boilers rated at 27,000 lbs./hour. Each boiler to be serviced once annually, service to be performed by qualified factory trained technicians for Laclede Stokers. Interested vendors can call Mr. Rege Gmuier at (412) 761-1955, ext. 251.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, P. O. Box 99901, Pittsburgh, PA 15233  
**Duration:** July 01, 1996 to June 30, 1999  
**Contact:** Ronald J. Dudek, Purchasing Agent, (412) 761-1955

**B-6617** State Correctional Institution Graterford is requesting a vendor to perform major brick replacement on three Keeler boilers. Also, vendor is to repair fire brick on No. 4 oil unit.

**Department:** Corrections  
**Location:** State Correctional Institution at Graterford, Box 246, Route 29, Graterford, PA 19426  
**Duration:** 6 months  
**Contact:** Kelly Richardson, (610) 489-4151

**Project No. DGS A 503-107** Project title: Steam Generation Equipment for Boiler Plant Repairs. Brief description: provide a new 20,000 lb./hr. packaged water tube steam generator, combination gas/oil burner and associated aboveground fuel oil tanks, fuel oil pumpset, breeching, ladders and walkways, structural steel, concrete pads, piping, controls, electrical equipment and wiring, excavation and insulation. Mechanical construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** Danville State Hospital, Danville, Montour County, PA  
**Duration:** 180 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Hazardous Material Services—21**

**1000-053** Qualified waste management firms to provide services to dispose of hazardous and residual wastes located at county waste storage sites and within roadway rights-of-way within the counties of Engineering District 10-0. Services include sampling and testing for identification, providing overpacks when necessary, loading, transporting and disposal. Bids must be submitted on the Commonwealth's Service Purchase Proposal/Contract form with required attachments which are to be obtained from PennDOT Engineering District Office 10-0.

**Department:** Transportation  
**Location:** Engineering District 10-0  
**Duration:** Indeterminate 1995-96  
**Contact:** P. R. Paulina, (412) 357-2808

**Project No. DGS 948-41.OA** Project title: Environmental Consultant Services for the Abatement of Hazardous Substances. Brief description: design and development of plans and specifications for the abatement of hazardous substances in the Transportation and Safety Building, in preparation for its demolition. QA/QC Sampling and Testing during abatement, post abatement clearance testing, during and after demolition. RFP price: \$150.00 (includes PA Sales Tax) per RFP, payable to: Commonwealth of Pennsylvania. This price is non-refundable. Mail requests to: Department of General Services, BPSAS, Room 107 Headquarters Building, Harrisburg, PA 17125. Contact (717) 787-3923. Building walk-through on Wednesday, June 5, 1996 at 4:00 p.m. in the Auditorium, State Museum of PA, 3rd and North Streets, Harrisburg, PA 17125. Pre-proposal conference immediately following building walk-through. Questions must be received in writing by the issuing office (FAX: (717) 772-2036) no later than 5:00 p.m. Friday, May 31, 1996. In addition, all proposers shall FAX attendance information with names of the individuals (maximum 2) that will be present at these meetings. All proposals are due Tuesday, June 25, 1996, no later than 2:00 p.m.

**Department:** General Services  
**Location:** Transportation and Safety Building, Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Contract Bidding Section, (717) 787-6556

**Heating, Ventilation and Air Conditioning—22**

**Project No. DGS A 202-5** Project title: Boiler Replacement. Brief description: remove existing oil fired hot water boiler and replace with new. Heating construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 11:00 a.m.

**Department:** General Services  
**Location:** PA State Police Troop "L" Headquarters, Reading, Berks County, PA  
**Duration:** Proposed date of completion—October 18, 1996  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Project No. DGS A 572-26** Project title: Dust Collection System. Brief description: provide new dust collector, exhaust fan, ductwork and related fire protection and alarm system. Electrical circuits, excavation, structural steel and concrete, piping, controls and control wiring. Mechanical and electrical construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** State Correctional Institution, Huntingdon, Huntingdon County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Janitorial Services—23**

**JC-19-96** Janitorial services: to be provided on a daily basis after 5:00 p.m., Monday through Friday, except State holidays. Involves approximately 7,375 square feet of office space.

**Department:** Labor and Industry  
**Location:** Charleroi Job Center, Speers Industrial Park, Charleroi, Washington County, PA 15022-0210  
**Duration:** October 1, 1996 through September 30, 1998  
**Contact:** Thomas E. Rusnack, Manager, (412) 483-6886

**JC-20-96** Janitorial services: to be provided on a daily basis, Monday through Friday, except State holidays, after 5:00 p.m. Involves approximately 13,300 square feet of office space.

**Department:** Labor and Industry  
**Location:** Uptown Job Center, 1300 Fairmount Avenue, Philadelphia, Philadelphia County, PA 19123  
**Duration:** October 1, 1996 through September 30, 1998  
**Contact:** Shirley V. Young, Manager, (215) 560-5482

**Lodging/Meeting Services—27**

**IFB 95-07-25** The Bureau of HIV/AIDS will be convening approximately four (4) meetings in calendar year 1996 and approximately nine (9) meetings in calendar year 1997 for the HIV Prevention Community Planning Committee. The participants on this Statewide advisory group will require meals and a meeting facility located in the greater Harrisburg area.

**Department:** Health  
**Location:** Greater Harrisburg Area  
**Duration:** August, 1996—December, 1997  
**Contact:** Darlene Moore, (717) 783-0572

**Medical Services—29**

**RFP No. 3-96** This RFP solicits bids from counties and private sector managed care organizations (MCOs) to become contractors in the Commonwealth's mandatory managed care program for mental health, drug and alcohol and EPSDT rehabilitation services for residents of Bucks, Chester, Delaware, Montgomery and Philadelphia Counties. The Commonwealth will introduce a new healthcare delivery system to serve selected Medical Assistance eligible persons who require medically necessary psychiatric and substance abuse treatment services. All recipients who are categorically eligible to receive physical health services through an HMO are also categorically eligible to receive mental health and substance abuse services through a separate behavioral health MCO as described in the RFP.

**Department:** Public Welfare  
**Location:** Services will be provided by Bucks, Chester, Delaware, Montgomery and Philadelphia Counties in the Southeast service area of Pennsylvania.  
**Duration:** This is a three year contract, with the option for two one-year extensions.  
**Contact:** Polly Hahn, (717) 787-7585

**Property Maintenance—33**

**M30932** To provide cleaning and repairs to brick chimney, height 175 feet, base I.D. 12 feet 4 inches, top I.D. 8 feet. There are various open eroded mortar and stress cracks throughout. Interested vendors can call Mr. Rege Gmuer at (412) 761-1955, ext. 251 for additional information.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, P. O. Box 99901, Pittsburgh, PA 15233  
**Duration:** July 01, 1996 to June 30, 1997  
**Contact:** Ronald J. Dudek, Purchasing Agent, (412) 761-1955

**CPC Project No. 93.016** Project title: Cleaning and Conservation of the Rotunda. Brief description: this project is for qualified, experienced, historic preservation technical personnel who have expertise in scientific decorative analysis for polychromed finishes on multiple elements, and for qualified and experienced personnel in conservation cleaning of monumental marble, bronze, and decorative plaster elements. Plans deposit: \$100.00 per set. Payable to: Capitol Preservation Committee. Refundable upon return of plans and specifications in reusable condition. Mail request to: Capitol Preservation Committee, Room 30, Capitol Annex, Harrisburg, PA 17120; telephone: (717) 783-6484. Bid date: Monday, June 10, 1996 at 2:00 p.m. The bidder is responsible for the cost of delivery. A mandatory prebid conference and detailed site inspection will be held Tuesday, May 28, 1996 at 11:00 a.m. in Room 30 of the Capitol Annex Building, Harrisburg, PA. Special insurance, contractor qualification and historic conservation qualification forms are included in the bid package and must be completed and submitted with the bids.

**Department:** Capitol Preservation Committee  
**Location:** Capitol Building, Harrisburg, Dauphin County, PA  
**Duration:** 305 calendar days from date of award of contract  
**Contact:** Capitol Preservation Committee, (717) 783-6484

**Project No. DGS A 372-1 Revised Rebid** Project title: Security Fence. Brief description: furnish and install approximately 480 linear feet of 12" vinyl clad fence and approximately 6500 square feet of concrete sidewalk. Miscellaneous construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 11:00 a.m.

**Department:** General Services  
**Location:** Greene State Correctional Institution, Waynesburg, Greene County, PA  
**Duration:** 60 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Project No. DGS A 251-141** Project title: Sheet Metal Building Repairs. Brief description: install roof coating on metal buildings. Paint wall panels concrete walls. Revise and replace base of existing wall panels. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of PA, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 11:00 a.m.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, District 3-6, Laporte, Sullivan County, PA  
**Duration:** 150 calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Contract No. FDC-012-101** Construction of an approximate 40' x 80' wood framed/wood sided maintenance building along PA Route 44 in Northern Lycoming County, Forest District No. 12. Work includes a minimal amount of concrete, plumbing and electrical work.

**Department:** Conservation and Natural Resources  
**Location:** Brown Township, Lycoming County  
**Duration:** 120 days after notice to proceed  
**Contact:** Construction Management, (717) 787-5055

**Project No. DGS A 960-62** Project title: Roof Replacement Administration Building 047. Brief description: remove existing gravel, built-up roof, all insulations and flashings. Install new tapered insulation, membrane roofing and flashings. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Telephone: (717) 787-3923. Bid date: Wednesday, June 12, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** Fort Indiantown Gap Military Reservation, Fort Indiantown Gap, Lebanon County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Real Estate Services—35**

**901A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Labor and Industry with a minimum of 5,825 useable square feet of new or existing office space in Wayne County, PA, within the following boundaries: The entire town of Honesdale and three (3) miles North and South of Honesdale on Route 191 from its corporate limits and three (3) miles East and West of Honesdale on Route 6 from its corporate limits. All property must be on or near Routes 191 and 6, with minimum parking for thirty (30) vehicles. In areas where street or public parking is not available, an additional twenty (20) parking spaces are required. Proposals due: July 15, 1996. Solicitation No.: 092177.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or John Hocker, (717) 787-4394

**902A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Public Welfare with 9,511 useable square feet of new or existing office space in Pittsburgh, Allegheny County, PA, within the following boundaries: North: Allegheny River; South: Monongahela River; East: Grant and 10th Streets; West: Ohio River, with zero parking. Proposals due: July 8, 1996. Solicitation No.: 092272.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or Cynthia Lentz, (717) 787-4394

**120-000208** Provide professional appraisal services for various property acquisitions identified on official plans related to the construction or improvement of S. R. 0119 Section B11, located in Point Marion Borough and Spring Hill Township, Fayette County, PA. The appraiser must be generally State Certified and currently on the Department's Pre-Qualified Fee Appraiser and Consultant list.

**Department:** Transportation  
**Location:** R/W Unit, District 12-0, Uniontown, PA 15401; Properties to be appraised are located at the intersections of S. R. 0119 and S. R. 0166 in Point Marion Borough and Spring Hill Township, PA  
**Duration:** 90 days from the publication date  
**Contact:** Samuel Gallaher, District 12-0 Chief Appraiser, (412) 439-7283

**Sanitation—36**

**030-0274** Removal of trash, garbage, and various types of refuse from I-80 Roadside Rest Area (Eastbound and Westbound), two stocking areas (Buckhorn and Lime Ridge), and the Bloomsburg Maintenance Building. All sites are located in Columbia County. Contractors must supply containers.

**Department:** Transportation  
**Location:** Maintenance District 0310, Columbia County, PA  
**Duration:** 12 months  
**Contact:** Susan A. Hunsinger, (717) 387-4250

**03050208002** Trash and garbage removal as follows: placement of seven (7) 1 1/2—2 yard stationary covered containers located in designated areas of the park: scheduled pickups: each Tuesday and Friday: July, August, September, May, June. Each Friday: October, November, December, January, February, March and April for the year 96/97.

**Department:** PA Historical and Museum Commission  
**Location:** Brandywine Battlefield Park, U. S. Route 1, Chadds Ford, PA 19317  
**Duration:** 7/1/96—6/30/97  
**Contact:** Bruce S. Bazelon, (717) 783-9935

**0450** Garbage pick up. Garbage pick up at Building No. 046-5762 in District 4-5 TR. 706, 2.5 miles east of Montrose. Provide one (1) 30 cubic yard storage container with a minimum of twelve (12) pick-ups and/or a maximum of thirty-six (36) pick-ups for the period 09/01/96 to 08/31/97.

**Department:** Transportation  
**Location:** R. D. 1, Box 40, Montrose, District 0450, PA 18801  
**Duration:** 09/01/96 to 08/31/97  
**Contact:** William Benedict, (717) 278-1171

### Security Services—37

**1000-052** Provide on-call maintenance and protection of traffic services in Engineering District 10-0 including Armstrong, Butler, Clarion, Indiana and Jefferson Counties.

**Department:** Transportation  
**Location:** Armstrong, Butler, Clarion, Indiana and Jefferson Counties, District 10-0, Indiana, PA 15701  
**Duration:** 08/01/96—07/31/97  
**Contact:** Richard McClowry, (412) 357-2937

### Vehicle, Heavy Equipment and Powered Machinery Services—38

**121037** Completely sandblast and paint (one prime coat and one finish coat) of one (1) Rogers LowBoy trailer; two (2) John Deere Loaders; one (1) air compressor; one (1) trailer; two (2) 3-wheel rollers and one (1) Beuthling roller. Vendors interested in bidding must contact Angelo J. Crocetti, Fayette County Equipment Manager, at (412) 439-7470 for detailed specifications.

**Department:** Transportation  
**Location:** Fayette County, SR 0119, North Gallatin Avenue Extension  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Maintenance District 1210, (412) 439-7470

**121038** Completely refinish cabs, beds (except aluminum beds), frames and wheel areas and make any repairs to all areas as needed on the following equipment: four (4) Mack tandems; two (2) Chevy crew cabs. Vendors interested in bidding must contact Angelo J. Crocetti, Fayette County Equipment Manager, at (412) 439-7470 for detailed specifications.

**Department:** Transportation  
**Location:** Fayette County, SR 0119, North Gallatin Avenue Extension  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Maintenance District 1210, (412) 439-7470

### Miscellaneous—39

**SSSD-96-011** Provide service maintenance for IBM and Sharp electric and electronic typewriters and Sharp and Victor calculators for a two-year period.

**Department:** Education  
**Location:** Scranton State School for the Deaf, 1800 North Washington Avenue, Scranton, PA 18509  
**Duration:** 7-1-96 to 6-30-98  
**Contact:** Sharon Hafner, Purchasing Agent, (717) 963-4541

**SP 295447** Packaging of Whitepine tree seeds. Seeds and text for printing of seed packages will be provided by the Bureau of Forestry.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Penn Nursery, Spring Mills, PA  
**Duration:** Through 6/30/97 with option to renew  
**Contact:** Corinna Gaiski, (717) 783-0760

**9999-4000-00** Request for Proposal—The contractor shall provide chaplaincy services for the institutional residents of the Protestant faith.

**Department:** Corrections  
**Location:** State Regional Correctional Facility-Mercer, 801 Butler Pike, Mercer, PA 16137-9651  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** John J. Pitonyak, (412) 662-1837, ext. 194

**RFP001** Education and support services for the education of migratory children are accepting proposals until 4:00 p.m.: 7/8/96 for educational and support services for education of migratory children. Additional information can be obtained by contacting Dr. Manuel Ricio, Chief, Division of Migrant Education, PA Department of Education, 5th Floor, 333 Market Street, Harrisburg, PA 17126-0333 or call (717) 783-6467, text telephone TTY (717) 783-8445.

**Department:** Education  
**Location:** Division of Migrant Education, PA Department of Education, 5th Floor, 333 Market Street, Harrisburg, PA 17126-0333  
**Duration:** Indeterminate 1995-96  
**Contact:** Paula Stoup, (717) 783-6465

**X101393** Provide delivery of bulk water to a 1300 gallon tank for a residence located in Corsica, PA.

**Department:** Environmental Protection  
**Location:** Corsica, PA  
**Duration:** Through 6/30/97  
**Contact:** Ally Castaneira, (717) 787-2471/TDD users 1-800-654-5984

[Pa.B. Doc. No. 96-885. Filed for public inspection May 24, 1996, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction Maintenance: Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*



## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
0007-01	05/14/96	Unisource	598,000.00
0007-01	05/14/96	Dillard Paper Co.	10,000.00
0007-01	05/14/96	Colony Papers, Inc.	10,000.00
1784135-01	05/08/96	Singer Equipment Co., Inc.	13,286.00
2274115-01	05/14/96	Lighthouse Electric	22,300.00
2304205-01	05/08/96	Winner Group, Inc.	18,181.00
2318115-01	05/08/96	ATD American Co.	44,820.00
2322355-01	05/08/96	Xontech, Inc.	9,156.00
2337385-01	05/08/96	F & S Supply Co., Inc.	27,720.00
2339385-01	05/14/96	Joseph Krempasky	38,492.00
2345385-01	05/08/96	Dugan Tractor, Inc.	20,749.00
2346385-01	05/08/96	Dugan Tractor, Inc.	17,989.00
2361385-01	05/14/96	Boyd Instrument Supply	52,900.00
2407215-01	05/08/96	Rohrer Bus Sales	29,211.00
2417385-01	05/14/96	American Eagle Mfg.	45,352.19
2433135-01	05/08/96	Essbar Equipment Company	36,378.00
2455305-01	05/08/96	Krempasky Equipment Co.	38,886.00
2488115-01	05/08/96	Blackstone Construction	16,804.00
2499355-01	05/14/96	IDC Technologies, Inc.	36,852.00

Requisition or Contract #	Awarded On	To	In the Amount Of
2511155-01	05/08/96	TBJ, Inc.	16,170.00
2527205-01	05/08/96	Public Safety Equipment	8,838.00
2545215-01	05/08/96	Phillips Business Systems	22,249.00
2553115-01	05/08/96	Hayes Mfg.	16,990.16
2580215-01	05/07/96	Powerhouse Technology, Inc.	27,555.00
2618115-01	05/14/96	Barbieri & Kline, Inc.	26,247.50
2633205-01	05/08/96	Clarion Office Equipment	39,858.00
3997356-01	05/14/96	Entech Instruments	38,015.00
7313420-01	05/14/96	Mail-Well Envelope Co.	2,765.00
7313450-01	05/07/96	Lan Comm, Inc.	28,516.48
7313500-01	05/08/96	Academy Industries, Inc.	40,575.00
8129570-01	05/08/96	Calcium Chloride Sales, Inc.	113,859.90
8231280-01	05/08/96	Plasterer Equipment Co., Inc.	34,630.00
8231390-01	05/14/96	Stephenson Equipment, Inc.	165,411.00
8231520-01	05/08/96	Fresia Engineering, Inc.	19,643.66
8231540-01	05/08/96	Valk Mfg. Co.	17,376.00
8502970-01	05/07/96	J. Wong & Associates, Inc.	28,707.00

GARY E. CROWELL,  
Secretary

[Pa.B. Doc. No. 96-886. Filed for public inspection May 24, 1996, 9:00 a.m.]