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# PENNSYLVANIA BULLETIN

Volume 26

Number 25

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Pages 2893—2974

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Turnpike Commission

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

**No. 259, June 1996**

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**BULLETIN**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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

#### Printing Format

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

#### Fiscal Notes

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

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

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# THE COURTS

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Amendment to Family Court Administrative Regulation 90-1; Juvenile Cases Dismissed or Withdrawn at Bar of Court

Where a juvenile petition has been dismissed without prejudice or prosecution withdrawn without prejudice, the procedure for reinstatement of said petition or appeal by way of re-arrest, is as follows:

1. *Administrative Judge to Entertain Petition:* A Petition to Reinstate Juvenile Petition/Petition to Re-Arrest and Rule to Show Cause shall be filed with Clerk of Courts, Juvenile Branch, who shall time-stamp, record and transmit said Petition, with the original petition, to the Administrative Judge of the Family Division, Court of Common Pleas, or his/her designee.

2. The Administrative Judge or his/her designee, without a hearing, shall grant or deny the Rule to Show Cause.

3. *If Rule denied by Administrative Judge:* If the Rule is denied, the Court shall state on the Rule the reason(s) for said denial and no further proceeding shall be held on the matter;

4. *If Rule issued by Administrative Judge:* If the Rule is issued:

(a) The Commonwealth shall serve by personal service or certified mail a copy of the Petition and the Rule to Show Cause, with a date, place, time of hearing and the name of the designated Judge upon the attorney of record and juvenile, within five (5) days of the date of the hearing.

(b) The designated presiding Judge shall take testimony and decide the issue of Reinstatement of Petition and/or Re-Arrest;

5. If the designated presiding Judge grants Reinstatement of Petition and/or Re-Arrest, the Certification/Adjudicatory Hearing shall proceed in accordance with the Rules of Court and the Juvenile Act.

6. *Contents of the Petition to Reinstate Juvenile Petition/Petition to Re-Arrest:* The Petition to Reinstate Juvenile Petition/Petition to Re-Arrest shall state the following:

a. Prior to disposition of the case, reason(s) for said disposition, date of disposition, name of presiding Judge;

b. The relief requested and specific reason(s) why said relief should be granted;

c. The present custody/commitment status of the juvenile.

7. *Time of Petition to Reinstate Juvenile Petition/Petition to Re-Arrest:* The Petition to Reinstate Juvenile Petition/Petition to Re-Arrest shall be filed and served within thirty (30) days after a juvenile petition has been dismissed without prejudice or prosecution with-

drawn without prejudice unless the time of filing has been extended by the Court for cause shown.

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

[Pa.B. Doc. No. 96-1005. Filed for public inspection June 21, 1996, 9:00 a.m.]

### PHILADELPHIA COUNTY

#### Family Court Administrative Regulation No. 96-6; Juvenile Court Detention and Pre-Trial Procedures

*And Now*, this 6th day of June, 1996, in order to maintain an efficient Juvenile Pre-Trial and Detention procedure, it is hereby *Ordered* and *Decreed* that:

1. Effective June 17, 1996, all Juvenile Pre-Trials shall be scheduled for hearing in Courtroom "A", 1801 Vine Street, Philadelphia, PA. Further, detention hearings shall be scheduled in Courtroom "A" on days listed for Pre-Trials.

2. All discovery shall be completed prior to or at Pre-trial listing.

3. Counsel for juveniles will be appointed promptly and counsel shall be prepared to discuss all issues at Pre-Trial Conference, including number of witnesses, length of trial, discovery and pre-trial motions.

4. Counsel shall make every effort to resolve the case at the Pre-Trial Conference by way of Consent Decree, Admission or Plea Agreement.

5. Pre-trial Conferences and detention hearings shall be scheduled on Tuesday, Wednesday and Thursday of each week, except as shall be modified by the Administrative Judge.

6. The Juvenile Master shall hear detentions the entire day at the Youth Study Center on Monday (or first day of week if a holiday) and Friday, except as shall be modified by the Administrative Judge.

7. The Master shall be available for further assignment at the discretion of the Administrative Judge.

8. All Violation of Probation Motions shall be listed before the Judge who entered the Order or the presiding Judge in "J" Court. No Master shall hear Violation of Probation Motions.

9. All Status of Transfer cases that involve commitment by a Judge shall be listed before the sentencing Judge.

10. Master at Detention Hearing shall order cases with multiple petitions to be scheduled for "A" Court for possible disposition and/or consolidation of cases. The cases will be placed on a Pre-trial list for the Court to resolve outstanding petitions and, if necessary, assign the cases to appropriate Courtroom(s).

11. Courtroom "A" shall be a general supervisory room. In the event the Master has inquiry regarding any procedure, he or she shall consult with Judge in Courtroom "A", 1801 Vine Street, Philadelphia, PA. This is

intended primarily for detention review inquiries by the Master.

12. All miscellaneous motions and requests of Master, ADA, Public Defender or counsel shall be made to the Judge presiding in "A" Court or a designee to be named by the Administrative Judge.

This Order is issued in accordance with Pa. Juvenile Act and Pa.R.C.P. No. 6 and shall become effective June 17, 1996. As required by Pa.R.C.P. No. 6, the original Order shall be filed with the Prothonotary and copies shall be distributed as provided by said Rule and shall be submitted to The Legal Intelligence, Jenkins Memorial Law Library and the law library for the First Judicial District.

PAUL P. PANEPINTO,  
Administrative Judge  
Family Court Division

[Pa.B. Doc. No. 96-1006. Filed for public inspection June 21, 1996, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### LEHIGH COUNTY

#### Amendment to Local Rule CR-101A: Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth; File No. 288-M-96

#### Order

And Now, this 6th day of June, 1996, *It Is Ordered* that the local rule for Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth in the 31st Judicial district composed of Lehigh County be, and the same is, hereby amended, to become effective thirty (30) days after the publication of the rule in the *Pennsylvania Bulletin*; that seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Courts of Common Pleas of Lehigh County.

By the Court

JAMES N. DIEFENDERFER,  
President Judge

#### Rule CR-101A. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.

The District Attorney of Lehigh County having filed a certification pursuant to Pa.R.Crim.P. 107:

##### 1. Enumerated Offenses.

Criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging one or more of the following offenses shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing:

(a) Criminal homicide in violation of 18 Pa.C.S. § 2501; murder of any degree in violation of 18 Pa.C.S. § 2502;

voluntary manslaughter in violation of 18 Pa.C.S. § 2503; involuntary manslaughter in violation of 18 Pa.C.S. § 2504; homicide by vehicle in violation of 75 Pa.C.S. § 3732; or homicide by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735;

(b) Rape in violation of 18 Pa.C.S. § 3121; statutory sexual assault in violation of 18 Pa.C.S. § 3122.1; or involuntary deviate sexual intercourse in violation of 18 Pa.C.S. § 3123;

(c) Any offense enumerated in Act No. 1995-33 (SS1) which is *not* a "delinquent act" as defined in § 6302<sup>1</sup>(2)(i), (ii), and (iii) (delinquent act), and which is now treated as an adult offense.

##### 2. Re-Arrests and Refilings.

Police criminal complaints or arrest warrant affidavits shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing where the complaint or arrest warrant are for the rearrest of a defendant previously discharged, or to reinstitute a charge or charges previously dismissed by an issuing authority for failure to prove a prima facie case, provided the current and the former cases arise out of the same criminal episode.

##### 3. Arrest Warrant Affidavits Requiring Sealing.

Arrest warrant affidavits shall not hereafter be accepted by any judicial officer unless the arrest warrant affidavit has the approval of an attorney for the Commonwealth prior to filing in any case where the affidavit contains information the disclosure of which, in the opinion of the police, would endanger the safety of an informant, jeopardize the integrity of an ongoing criminal investigation, or which for any other reason should not be disclosed at or about the time of the execution of the warrants. The judicial officer shall ask the police, prior to accepting an affidavit, whether it contains any such information, and if the police indicate it does, the judicial officer shall require that it be submitted to an attorney for the Commonwealth for approval in accordance with

<sup>1</sup> 6302(2) The term shall not include:

(i) The crime of murder.

(ii) Any of the following prohibited conduct where the child was 15 years of age or older at the time of the alleged conduct, and a deadly weapon as defined in 18 Pa.C.S. § 2301 (relating to definitions) was used during the commission of the offense, which, if committed by an adult, would be classified as:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

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

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

(E) Robbery of motor vehicle as defined in 18 Pa.C.S. § 3125 (relating to robbery of motor vehicle).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Kidnapping as defined in 18 Pa.C.S. § 2901 (relating to kidnapping).

(H) Voluntary manslaughter.

(I) An attempt, conspiracy or solicitation to commit murder or any of these crimes, as provided in 18 Pa.C.S. §§ 901 (relating to criminal attempt), 902 (relating to criminal solicitation) and 903 (relating to criminal conspiracy).

(iii) Any of the following prohibited conduct where the child was 15 years of age or older at the time of the alleged conduct, and has been previously adjudicated delinquent of any of the following prohibited conduct, which, if committed by an adult, would be classified as:

(A) Rape as defined in 18 Pa.C.S. § 3121.

(B) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123.

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

(D) Robbery of motor vehicle as defined in 18 Pa.C.S. § 3702.

(E) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125.

(F) Kidnapping as defined in 18 Pa.C.S. § 2901.

(G) Voluntary manslaughter.

(H) An attempt, conspiracy or solicitation to commit murder or any of these crimes as provided in 18 Pa.C.S. §§ 901, 902 and 903.

this Rule. If the police indicate it does not, the judicial officer shall accept the affidavit.

This Rule shall become effective on June 17, 1996.

[Pa.B. Doc. No. 96-1007. Filed for public inspection June 21, 1996, 9:00 a.m.]

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**NORTHAMPTON COUNTY**  
**Rules of Civil Procedure; 1996-CM-4699**

**Order of Court**

*And Now*, this 7th day of June, 1996, Northampton County Rule of Civil Procedure N1915.8—Disclosure of Expert Evaluations of Persons and Residences in Custody, Partial Custody or Visitation Actions—is hereby adopted as follows, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

Northampton County Rule of Civil Procedure N2064—Compromise Settlement and Physician's Statement of Extent of Injury—is hereby amended as follows, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

Seven (7) certified copies of the within rules shall be filed with the Administrative Office of Pennsylvania Courts; two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy shall be filed with the Pennsylvania Civil Procedural Rules Committee and one (1) certified copy shall be filed with the Pennsylvania Domestic Relations Committee. One (1) copy of this rule shall be kept available in the Office of the Clerk of

Courts. A copy is directed to be published in the *Northampton County Reporter*.

*By the Court*

ROBERT A. FREEDBERG,  
*President Judge*

**Rule N1915.8. Disclosure of Expert Evaluations of Persons and Residences in Custody, Partial Custody or Visitation Actions.**

A party to a custody, partial custody, or visitation action shall not disclose the contents of an expert report prepared pursuant to Pa.R.C.P. 1915.8, including home study evaluations, and physical, mental and drug and/or alcohol evaluations, to anyone except an attorney, a party, or an expert consultant. Disclosure to an unauthorized person, including the child who is the subject of the action, may result in sanctions. An attorney who provides said report to a party whom he represents or the Custody Conference Officer who provides said report to an unrepresented party shall advise the party of the limits on disclosure imposed by this rule.

**Rule N2064. Compromise Settlement and Physician's Statement of Extent of Injury.**

In cases involving personal injury, a written statement by the attending physician as to the nature and extent of the incapacitated person's injuries, the present condition, and prognosis shall be annexed to said petition, and no compromise order shall be entered by the Court unless said incapacitated person shall have appeared in court or shall have been excused from such appearance by the Court.

[Pa.B. Doc. No. 96-1008. Filed for public inspection June 21, 1996, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 13—COMMERCE AND TRADE

### DEPARTMENT OF COMMERCE

#### [13 PA. CODE CH. 57]

#### Private Activity Bonds—Allocation

The Department of Commerce (Department) amends § 57.1 (relating to allocations) to read as set forth in Annex A. The regulation is amended under authority of section 7(4) of the Tax-Exempt Bond Allocation Act (act) (73 P. S. § 397.7(4)).

#### *Background*

The Federal Internal Revenue Code of 1986 (IRC) imposes a State ceiling on the aggregate amount of private activity bonds that may be issued in each calendar year by or on behalf of the Commonwealth and its political subdivisions.

The General Assembly adopted the act in 1985 to provide for the allocation of the State ceiling. Section 7(4) of the act authorizes the Secretary of Commerce to promulgate regulations as may be necessary to carry out the purposes set forth in the act.

This amended regulation provides for the 1996 allocation of the State ceiling. The amendment is needed because the current regulation provides allocations only for calendar year 1995.

#### *Amendment*

Section 57.1 is amended to establish the private activity bond allocations for calendar year 1996.

#### *Notice*

Notice of proposed rulemaking has been omitted under section 204(3) of the act of July 31, 1968 (CDL) (P. L. 769, No. 240) (45 P. S. § 1204(3)), which specifies that a regulation may be adopted without notice of proposed rulemaking if proposed rulemaking procedures are "in the circumstances impracticable, unnecessary, or contrary to the public interest." The proposed rulemaking procedures are unnecessary, since the regulation simply establishes the private activity bond allocations for calendar year 1996. Since the allocations are made under the formula set forth in the act, public comments will have no impact upon the allocation.

#### *Fiscal Impact*

This amendment has no fiscal impact on the Commonwealth, political subdivisions or the public. The amendment does not affect the total dollar amount of private activity bonds, as these ceilings are determined by Federal law. No Commonwealth funds are involved in the issuance of private activity bonds. All costs of bond issuance are paid for by bond proceeds or through funds of the issuer or borrower. The amendment will result in the use of private activity bonds to their maximum benefit, thereby increasing available resources.

#### *Paperwork Requirements*

Additional paperwork requirements are not imposed as a result of the amendment.

#### *Regulatory Review*

Under section 5(f) of the Regulatory Review Act (71 P. S. § 745.5(f)), the Department submitted a copy of this regulation with proposed rulemaking omitted on April 5, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Business and Commerce and the Senate Committee on Community and Economic Development. On the same date, the amendment was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506). In accordance with section 5(c) of the Regulatory Review Act, this regulation was approved by the House Committee on May 1, 1996, and was deemed approved by the Senate Committee on May 6, 1996. IRRC approved the regulation on May 2, 1996.

#### *Contact Person*

For further information regarding the amended regulation, contact Jill Busch, Deputy Chief Counsel, Office of Chief Counsel, Department of Commerce, Room 416 Forum Building, Harrisburg, PA 17120, (717) 783-8452.

#### *Findings*

The Department finds that:

(1) The proposed rulemaking procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202), are unnecessary, since the regulation simply establishes the private activity bond allocations for calendar year 1996. Since the allocations are made under the formula set forth in the act, public comments will have no impact upon the allocation.

(2) Public notice of intention to adopt the regulation has been omitted under section 204 of the CDL and the regulations thereunder, 1 Pa. Code § 7.4.

(3) Delay in implementing the regulation will have a serious adverse impact on the public interest.

#### *Order*

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 13 Pa. Code Chapter 57, are amended by amending § 57.1 to read as set forth in Annex A.

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

(c) The Secretary of Commerce 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*.

THOMAS B. HAGEN,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 2369 (May 18, 1996).)*

**Fiscal Note:** 4-58. No fiscal impact; (8) recommends adoption.

## Annex A

**TITLE 13. COMMERCE AND TRADE**  
**PART I. DEPARTMENT OF COMMERCE**  
**CHAPTER 57. PRIVATE ACTIVITY**  
**BONDS—ALLOCATION**

**§ 57.1. Allocations.**

(a) *Authority for allocations.* The State unified volume cap for the issuance of qualified private activity bonds provided by section 146(d) of the Internal Revenue Code (26 U.S.C.A. § 146(d)) for calendar year 1996 will be allocated utilizing the authority provided by section 146(e) of the Internal Revenue Code and section 7(4) of the Tax-Exempt Bond Allocation Act (73 P. S. § 397.7(4)) in the manner provided by this chapter.

(b) *Housing related bonds.* An amount equal to \$175 million will be allocated for housing related bonds, including qualified residential rental projects and qualified mortgage bonds as defined by sections 142(d) and 143(a) of the Internal Revenue Code (26 U.S.C.A. §§ 142(d) and 143(a)). Requests to apply the housing related bond allocation to specific projects or uses, including mortgage credit certificate programs, will be reviewed and may be approved or disapproved by the Board of the Housing Finance Agency. Applications for housing related bond allocations shall be made to the Executive Director of the Housing Finance Agency.

(c) *Qualified student loan bonds.* No amount will be allocated to the Higher Education Assistance Agency for qualified student loan bonds provided by section 144(b) of the Internal Revenue Code (26 U.S.C.A. § 144(b)).

(d) *Qualified small issue bonds.*

(1) An amount equal to \$152,600,000 will be allocated for qualified small issue bonds under section 144(a) of the Internal Revenue Code. Of this amount, \$26,800,000 will be used to allocate \$400,000 to each county. The remaining \$125,800,000 will be allocated among the counties in accordance with the following formula:

(i) The Secretary will determine the ratio of the county's total 1994 and 1995 allocation usage to the sum of every county's 1994 and 1995 allocation usage.

(ii) The Secretary will multiply the ratio determined in subparagraph (i) by \$125,800,000.

(2) Requests to apply this allocation to specific projects or uses will be reviewed and may be approved or disapproved by the Secretary. Applications for allocations shall be made to the Bonds Office in the Department. The Secretary will provide allocations for qualified small issue bonds utilizing the procedures and subject to the requirements imposed by § 55.6 (relating to allocation procedures).

(e) *Other qualified private activity bonds.* An amount equal to \$225 million will be allocated to other qualified private activity bonds, including qualified redevelopment bonds as defined by section 144(c) of the Internal Revenue Code, exempt facility bonds as defined by section 142 (excluding section 142(d)) of the Internal Revenue Code, and enterprise zone bonds as defined by section 1394 of the Internal Revenue Code, all of which are subject to the unified volume cap provided by section 146 of the Internal Revenue Code. Requests to apply this allocation to specific projects or uses will be reviewed and may be approved or disapproved by the Secretary. Applications for allocations shall be made to the Bonds Office in the Department. The Secretary will provide allocations for qualified private activity bonds utilizing the procedures and subject to the requirements imposed by § 57.3 (relating to procedures). An allotment of at least 25% of the total amount for other qualified private activity bonds is reserved for solid waste disposal projects.

(f) *Special allocation pool.* The Secretary may utilize not more than \$50 million for a special allocation pool for projects which require more bond authority than a given county currently has available to it. To qualify for consideration to use this pool, local issuing authorities shall demonstrate to the Secretary's satisfaction that they have acted responsibly in selecting projects which maximize long-term net new job creation, consistent with the intent of the Tax-Exempt Bond Allocation Act (73 P. S. §§ 397.1—397.8). Decisions regarding use of the special allocation pool for small issue purposes will be based upon the characteristics and merits of individual projects proposed, and upon the record of the issuing authority in utilizing industrial development financing to create or retain jobs. A project may be considered if the entire allocation for the county in which the project is proposed has been obligated. In determining approval or disapproval of allocation requests from this pool, the Secretary will consider the following:

- (1) The amount of the allocation available.
- (2) The size of the project.
- (3) The level of economic distress.
- (4) The number of net new jobs to be created.
- (5) The ability to undertake the project without approval.
- (6) The amount of private funds leveraged.
- (7) The project's consistency with the economic development plans of the Commonwealth and of municipalities and regions.
- (8) The date the bonds are to be issued.

[Pa.B. Doc. No. 96-1009. Filed for public inspection June 21, 1996, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE POLICE

[37 PA. CODE CH. 55]

### Megan's Law

As a requirement of 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders) (act), these proposed regulations are necessary for the general administration of the act (relating to Megan's Law). The effective date of the act was April 21, 1996. As set forth, the proposed regulations define what a neighbor will be for the purposes of community notification when sexually violent predators are released from incarceration or change residences.

#### *Effect*

The proposed regulations will affect all Commonwealth law enforcement agencies.

#### *Fiscal Impact*

The proposed regulations will not impose costs on State and local government.

#### *Paperwork Requirements*

The proposed regulations will not require the completion of additional forms, reports or other paperwork.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the State Police submitted a copy of these proposed regulations on June 4, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Judiciary Committee and the Senate Law and Justice Committee. In addition to submitting the proposed regulations, the State Police 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 the material is also available to the public upon request.

If IRRC has objections to any portion of the proposed regulations, it will notify the State Police 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 proposed regulations, by the State Police, the General Assembly and the Governor of objections raised.

#### *Sunset Date*

No sunset date has been assigned. However, due to the sensitivity and emotion that crimes like this evoke in people and communities, every facet of these proposed regulations will be continuously reviewed for effectiveness, clarity and whether they are serving the greater interests of citizens of this Commonwealth.

#### *Public Comment*

Interested parties wishing to comment are invited to submit a written statement within 30 days of the publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party and a concise statement with sufficient detail on the subject. Written statements may be directed to the State Police, Attention:

Director, Bureau of Research and Development, 1800 Elmerton Avenue, Harrisburg, PA 17110.

#### *Contact Person*

The contact person is Trooper R. M. Van Buskirk, State Police, Bureau of Research and Development, 1800 Elmerton Avenue, Harrisburg, PA 17110, (717) 772-4898.

COLONEL PAUL J. EVANKO,  
*Commissioner*

**Fiscal Note:** 17-57. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 37. LAW

#### PART I. STATE POLICE

#### Subpart H. MEGAN'S LAW

#### CHAPTER 55. MEGAN'S LAW—NEIGHBOR NOTIFICATION

Sec.	
55.1.	Policy.
55.2.	Legislative finding.
55.3.	Immunity for good faith conduct.
55.4.	Definitions.
55.5.	Notification.

#### § 55.1. Policy.

(a) The General Assembly has declared its intention to protect the safety and general welfare of the people of this Commonwealth by providing for registration and community notification regarding sexually violent predators who are about to be released from custody and will live in or near their neighborhood.

(b) The General Assembly further declared it to be the policy of the Commonwealth to require the exchange of relevant information about sexually violent predators among public agencies and officials and to authorize the release of necessary and relevant information about sexually violent predators to members of the general public as a means of assuring public protection and that the same is not to be construed as punitive.

(c) The General Assembly has determined and declared as a matter of legislative finding that the release of information about sexually violent predators to public agencies and the general public will further the governmental interests of public safety and public scrutiny of the criminal and mental health systems so long as the information is rationally related to the furtherance of those goals.

(d) Information gathered for 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders) will not be disclosed outside the established criminal justice system, except as allowed by law.

#### § 55.2. Legislative finding.

(a) The General Assembly has determined and declared that if the public is provided adequate notice and information about sexually violent predators and certain other offenders, the community can develop constructive plans to prepare themselves and their children for the offender's release. This allows communities to meet with law enforcement agencies to prepare and obtain information about the rights and responsibilities of the community and to provide education and counseling to their children.

(b) Persons found to have committed sexually violent offenses have a reduced expectation of privacy because of



the public's interest in public safety and in the effective operation of government.

(c) Release of information about sexually violent predators to public agencies and the general public will further the governmental interests of public safety and public scrutiny of the criminal and mental health systems so long as the information released is rationally related to the furtherance of those goals.

### § 55.3. Immunity for good faith conduct.

The General Assembly has also declared that the following entities are immune from liability for good faith conduct under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders):

- (1) The State Police and local law enforcement agencies and employes of law enforcement agencies.
- (2) District Attorneys and their agents and employes.
- (3) Superintendents, administrators, teachers and employes engaged in the supervision of children in a public, private or parochial school.
- (4) Directors and employes of county children and youth agencies.
- (5) Presidents or similar officers of universities and colleges, including community colleges.
- (6) The Board of Probation and Parole and its agents and employes.
- (7) Directors of licensed day care centers.
- (8) Directors of licensed preschool programs.

### § 55.4. Definitions.

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

*Neighbor*—For the purposes of 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), those persons occupying residences or places of employment, or both, located within a 1,000 foot radius of a sexually violent predator's residence, or the 25 most immediate residences or places of employment, or both, in proximity to the sexually violent predator's residence, whichever is greater.

*Sexually violent predator*—A person who has been convicted of a sexually violent offense as set forth in 42 Pa.C.S. § 9793(b) (relating to registration of certain offenders for ten years) and who is determined to be a sexually violent predator under 42 Pa.C.S. § 9794(e) (relating to designation of sexually violent predators) due to a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

### § 55.5. Notification.

Chief law enforcement officers, or the State Police where no municipal police jurisdiction exists, shall provide written notices of the current address of sexually violent predators to neighbors within 72 hours of receipt. Notwithstanding other provisions, verbal notification may be used if written notification would delay meeting this time requirement. See Chapter 56 (relating to guidelines for administration of Megan's Law—statement of policy).

[Pa.B. Doc. No. 96-1010. Filed for public inspection June 21, 1996, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

[L-00960116]

## [52 PA. CODE CH. 59]

### Meter Tests

[CORRECTION]

An error occurred in the Fiscal Note as printed at 26 Pa.B. 2805, 2806 (June 15, 1996). The correct version should read:

**Fiscal Note:** 57-172. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-959. Filed for public inspection June 14, 1996, 9:00 a.m.]

## [52 PA. CODE CH. 56]

[L-960114]

### Standards and Billing Practices

The Pennsylvania Public Utility Commission (Commission) adopted a proposed rulemaking to clarify, simplify and remove excessive and burdensome requirements from parties dealing with the Bureau of Consumer Services. The proposed changes redefine the term "dispute" to allow a more in-depth investigation of an initial inquiry by a utility and provide for a deadline for filing disputes. The proposed changes account for increased reliability in metering devices reducing the frequency of required actual readings. The proposed changes remove the administrative burdens imposed: (1) where less than \$25 is involved; (2) where a customer breaks a payment agreement; (3) where a customer is satisfied with the utility's resolution of a dispute; or (4) where a personal contact is required. The proposed changes eliminate the use of composite credit groups. The proposed changes eliminate regulations which are in conflict with other regulations. The proposed changes require customers to attempt to resolve disputes with their utility before they file a complaint with the Pennsylvania Public Utility Commission. The contact persons are Kathryn G. Sophy, Assistant Counsel, Law Bureau, (717) 772-839 and Louis Sauers, Bureau of Consumer Services, (717) 783-6688.

#### *Executive Summary*

On June 3, 1995, this Commission published an Advance Notice of Proposed Rulemaking (ANPR) in the *Pennsylvania Bulletin* inviting public comments, 25 Pa.B. 2188. The ANPR generated numerous constructive comments from interested parties. The Commission reviewed all the comments and has incorporated many of them into this revised proposed rulemaking.

The comments illuminated the need to evaluate and update the procedures set forth in Chapter 56. After careful and meticulous review of Chapter 56, the Commission approved proposed changes designed to clarify, simplify and remove excessive and burdensome requirements from parties dealing with our Bureau of Consumer Services.

Section 56.2 has been revised to allow a utility to call a customer back or to allow contact with more than one utility employe without escalating the matter to the

level of a "dispute." The chapter has been revised to require less frequent actual meter readings, to remove the use of composite credit groups and to revise utility recordkeeping requirements.

Chapter 56 has been revised further to modify the requirements associated with termination of service. The revisions clarify when a utility may terminate service and what steps are required to be taken before termination may occur.

Finally, § 56.211 has been modified to require customers to attempt to resolve their disputes with their utilities before bringing their complaints to the Commission.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Commission submitted a copy of these proposed amendments on June 11, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Consumer Affairs and the Senate Committee on Consumer Protection and Professional Licensure. In addition to submitting the proposed amendments, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Commission in compliance with Executive Order 1996-1. A copy of this material is available to the public upon request.

If the Committees have objections to any portion of the proposed amendments, they will notify the Commission within 20 days of the close of the public comment period. If IRRC has objections to any portion of the proposed amendments, it will notify the Commission 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 amendments, by the Commission, the General Assembly and the Governor of any objections raised.

Public Meeting held  
February 8, 1996

*Commissioners present:* John M. Quain, Chairperson, concurring and dissenting in part—statement follows; Lisa Crutchfield, Vice Chairperson; John Hanger, concurring and dissenting in part—statement follows; David W. Rolka, concurring and dissenting in part—statement follows; and Robert K. Bloom, concurring and dissenting in part—statement follows

#### **Proposed Rulemaking Order**

##### *By the Commission:*

By Order entered May 23, 1995, we issued an ANPR to review and rescind all obsolete and excessive rules and regulations at Docket No. L-950103. The advance notice was published in the *Pennsylvania Bulletin* on June 3, 1995, 25 Pa.B. 2188, and a 60-day comment period set.

In addition to the many useful suggestions received from our own Bureau of Consumer Services, we received comments from several utilities which point to the need to evaluate and update the procedures contained in Chapter 56. We are setting forth proposed changes which we believe will clarify, simplify and remove excessive and burdensome requirements from the parties dealing with our Bureau of Consumer Services.

Our review of Chapter 56 was careful and meticulous. We are well aware of our duty to ensure that the quality

of utility service remain high while not crippling the efforts of the utility companies to collect amounts due to them.

What follows is a summary of the proposed changes to which we invite comments from any interested party. In addition to the specific modifications set forth in this Preamble, the Commission is very interested in receiving comment from parties on whether Chapter 56 adequately provides for the special circumstances of customers with disabilities. Specifically, the Commission requests comment on the following questions. Do the procedures and standards in Chapter 56 adequately serve and provide sufficient protections for customers with disabilities? Are current regulations adequate or are more specific requirements necessary? For instance, are the proposed amendments adequate to serve the hearing impaired? Should braille notices be required for the visually impaired? Is in-person customer contact necessary to convey the required information to customers with certain disabilities? Interested parties are encouraged to address these and related questions, and to give concrete suggestions for specific revisions to Chapter 56 which the Commission should incorporate to better address the special needs of Pennsylvanians with disabilities.

#### *Chapter 56. Standards and Billing Practices for Residential Utility Service*

§ 56.2. *Definition of "dispute."* The definition is amended to allow a utility to call a customer back without the matter being classified as a dispute and to define an initial inquiry so as to permit contact with more than one utility employe.

§ 56.2. *Definition of "utility."* This definition is expanded to specifically claim Commission jurisdiction over the employes or agents of a utility.

§ 56.12. *Meter reading; estimated billing; ratepayer readings.* The new language allows gas, water and electric utilities which use remote reading devices to do an actual reading every 5 years instead of every 2, which reflects the increasing reliability of meters used in each utility field. To balance the chance that any underbilling discovered may be proportionately higher, language is added to require that the utility comply with the requirements of § 56.14.

§ 56.14. *Previously unbilled utility service.* To remove an unfair administrative burden for utilities when less than \$25 is involved, this section now requires that companies comply with § 56.14 only if the billing or rebilling exceeds otherwise normally estimated bills by at least 50% and \$25, whichever is greater.

§ 56.33. *Composite credit group; cash deposits; third-party guarantors.* Composite credit groups are eliminated as an option to payment of a deposit.

§ 56.35. *Payment of outstanding balance.* Under the proposed language, a utility must maintain account records in accordance with § 56.202.

§ 56.53. *Refund of deposit.* Paragraph (3) is eliminated to remove the use of composite credit groups.

§§ 56.61—56.65. *Composite credit groups.* These sections have been eliminated to remove the use of composite credit groups.

§ 56.91. *General notice provisions.* This section is changed to reflect proposed changes to § 56.93.

§ 56.93. *Personal contact.* The proposed language changed the actions constituting personal contact to a more efficient and less burdensome approach for the utilities.

§ 56.95. *Deferred termination when no prior contact.* New language in this section incorporates the definition changes in section § 56.93.

§ 56.97. *Procedures upon ratepayer or occupant contact prior to termination.* This section is modified to provide that the authorized utility employe explain the reasons for the proposed termination, how to avoid termination, and the medical emergency procedures before discussing a settlement or payment agreement.

§ 56.101. *Limited notice upon noncompliance with report or order.* Language is altered to eliminate the distinction between mediation and other than mediation formal complaints and to allow the use of limited notice on a restricted basis during the nonwinter period whenever a customer breaks a payment agreement entered after the company issued a 10-day notice.

§ 56.114. *Length of postponement; renewals.* Language is added to allow a ratepayer to renew a medical certification only twice in situations when the ratepayer is not fully meeting the obligation under § 56.116 to equitably arrange to make payment on all bills.

§§ 56.121—56.126. *Termination at residential dwellings where service is in the name of the landlord.* These sections are eliminated in light of the specific requirement in 66 Pa.C.S. §§ 1523—1528.

§ 56.140. *Follow-up response to inquiry.* This section is added to provide that a utility may not terminate service during the period that a customer is awaiting a response to an inquiry which does not yet fall into the category of "dispute."

§ 56.142. *Time for filing a termination dispute or informal complaints.* Language is added to eliminate the possibility that a dispute may be filed with the representative of the utility company when that representative shows up to terminate service. Disputes must be filed prior to that time.

§ 56.151. *General rule and § 56.152. Contents of the utility company report (Utility company dispute procedures)* The section reflects the general change that if a customer is satisfied with the dispute resolution the company does not need to provide all of the information in § 56.152. If, however, the customer is not satisfied, then the company would adhere to the current full requirements at § 56.152.

§ 56.162. *Informal complaint filing procedures.* The list of requested information now includes the telephone number of the complainant.

§ 56.191. *General rule. (Restoration of service)* This section is modified to allow companies to require the catch-up amount on a payment agreement or, if conditions warrant, request a higher amount for restoration of service.

§ 56.202. *Record maintenance.* This section is modified to require that a company which seeks to recoup an outstanding balance of a bill must maintain records for that period of time covering the accrual of the unpaid debt.

§ 56.211. *Informal complaints.* This section is modified so as to require customers to attempt to resolve disputes with their utility providers before bringing their complaints to the Bureau of Consumer Services.

In proposing these changes, we believe that our efficiency as a regulatory agency will be enhanced. We are eliminating those sections which no longer serve a useful purpose and we are modifying others to promote the ease

of application as well as fairness. We encourage those affected by these changes to file comments.

Accordingly, under sections 501, 504, 505, 506, 1301 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501, 504, 505, 506, 1301 and 1501, and the Commonwealth Documents Law (45 P. S. § 1201 et seq.), and the amendments promulgated thereunder, we shall institute a rulemaking proceeding to accomplish the objectives described in the body of this order. *Therefore,*

*It is Ordered That:*

1. A rulemaking proceeding is hereby instituted at this docket.

2. The Commission's regulations are hereby proposed to be amended by:

(a) adding § 56.135

(b) deleting §§ 56.61—56.65 and 56.121—56.126

(c) amending §§ 56.2, 56.12, 56.14, 56.33, 56.35, 56.53, 56.91, 56.93, 56.95, 56.97, 56.101, 56.114, 56.142, 56.151, 56.152, 56.162, 56.191, 56.202 and 56.211

3. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

4. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

5. The Secretary shall submit this order and Annex A for informal review by the designated standing committees of both houses of the General Assembly, and for informal review and approval by the Independent Regulatory Review Commission.

6. The Secretary shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. Interested persons may submit written comments, an original and 10 copies, to John G. Alford, Secretary, Pennsylvania Public Utility Commission, and shall have 30 days from the date this order is published to submit comments.

7. A copy of this order shall be served upon all persons who submitted comments in this rulemaking proceeding.

JOHN G. ALFORD,  
*Secretary*

*Statement of Chairperson John M. Quain*

I respectfully dissent from the Motions offered today by my colleagues which delete sections from the Law Bureau's recommendation regarding this rulemaking.

It was my hope that this Commission could have gained some important perspectives by at least publishing these sections for comments. Unfortunately, that input will not be possible at this time.

Many of these recommendations, in fact, were suggested and supported by the Bureau of Consumer Services for the purpose of soliciting comments on whether modifications to our procedures are appropriate.

*Statement of Commissioner John Hanger*

Some of the proposals put forth in this proposed Rulemaking go far beyond the intended limited purpose of this Rulemaking to eliminate obsolete or excessive regulations. Indeed, some of the proposals would have reduced or eliminated basic consumer protections at a time when reductions in LIHEAP funding already make safe and

affordable utility service difficult to maintain for hundreds of thousands of Pennsylvanians.

Such overreaching changes are not necessary, and fortunately a majority of this Commission has rejected the most overreaching proposals. Pennsylvania gas and electric utilities are not experiencing a worsening collections problem at this time. Although the dollar amount of gas residential debt rose by 28% from 1990 to 1994, gas rates and revenues also increased by 28% over the same period. Gas industry residential debt as a percent of revenues actually decreased from 6.72% in 1990 to 6.67% in 1994. In the electric industry, residential debt decreased from 7.15% of revenues in 1992 to 6.67% of revenues in 1994. Both industries experienced a 5% decrease in gross residential billings written off as uncollectible from 1992 to 1994. These modest improvements have come at a time of large reductions in the availability of energy assistance dollars.

In such circumstances, this Commission should not be cutting back on its commitment to consumer services. Yet, Bureau of Consumer Services (BCS) staffing has been reduced from 61 to 52 during the last year. About 90% of all consumer calls to the BCS concerning payment arrangements are from low-income households. Because of inadequate staffing, only about 13% of all incoming calls are even answered. Just imagine the outcry if this Commission only answered 13% of incoming calls from utilities!

The facts indicate that BCS is a well run Bureau efficiently and fairly doing a great deal of work with tight resources. Fortunately, Chapter 56 provides sound standards and procedures, making such performance possible. No major changes in Chapter 56 are needed at this time. While most of the proposals for major changes have been rejected by a majority of this Commission, I strongly dissent from the following proposals which have been included because they seriously undermine the health and safety of hundreds of thousands of Pennsylvanians without justification.

The Law Bureau has proposed expanding the definition of "utility" in § 56.2 to include "employees or agents" of the utility in order to claim Commission jurisdiction over a utility's employees, contractors and agents. Several utilities in recent years have hired outside contractors to perform activities required under Chapter 56 despite current language in our regulations which specify that "employees" must perform Chapter 56 functions. Thus, the proposed changes do not expand Commission jurisdiction over outside contractors at all. To the contrary, the proposed changes provide a stamp of approval for the hiring of outside contractors.

This Commission recently has settled cases with three utilities concerning numerous Chapter 56 violations by contractors hired by the utilities to perform required Chapter 56 functions. Chapter 56 contains vital consumer protections. Proper implementation of Chapter 56 requires well-trained personnel who are directly under the control of the utility. Experience shows that outside contractors have not been able to perform certain Chapter 56 functions effectively. At this point, the record of violations by personnel who are not utility employees mandates opposition to any modification of the existing language in § 56.2. The proposal also should not be included in this rulemaking because it is a policy decision which is presently being addressed by this Commission in other ways.

I agree in part to the changes to the definition of "dispute" in § 56.2. Presently, most utilities categorize an inquiry as a dispute if it appears to be a dispute at the end of the first customer contact. While this practice is not mandated by existing regulations, the proposed Rulemaking changes the definition of "dispute" to clearly permit a utility, with the consumer's agreement, to end the phone call without deciding whether or not a dispute exists. This is intended to provide an opportunity for utility personnel to investigate the matter and respond to the customer with appropriate information. At that point in time, the matter can properly be characterized as a dispute or not. This change is useful, and I support it.

However, the additional proposed language goes too far in that it could permit a customer to be bounced around from employe to employe, receive inconsistent responses from different employes, or permit utilities to negotiate results by passing the call on to supervisors. The customer could be thoroughly confused. The proposed language makes the definition of dispute less clear, and could encourage substantial customer service problems. I dissent from this proposal.

The proposed changes require a customer to attempt to resolve a matter with the utility prior to contacting the Bureau of Consumer Services for assistance. While this proposal is not onerous in most cases, neither is it necessary. BCS routinely encourages potential complainants to seek to resolve differences with the utility before accepting a complaint. BCS turned away over 4400 potential disputes in 1995, requiring utility contact first. Only 2% of electric cases and 1% of gas cases accepted by BCS involved situations in which the customer did not first seek resolution with the utility. Additionally, a complainant indicated that attempts to resolve the matter with the utility first but the utility indicated that it had no record of any contact characterized as a dispute in 8% of electric cases and 6% of gas cases.

BCS has been extremely effective in resolving disputes. Historically, less than 2% of all cases handled by BCS have been appealed as Formal Complaints before an Administrative Law Judge. Such a record documents that both utilities and consumers have been quite satisfied with the results from BCS. No changes are needed since the vast majority of BCS contacts involve prior attempts to resolve the matter with the utility and BCS voluntarily encourages such contacts. When BCS does take a case, it successfully resolves them expeditiously and cost-effectively. BCS participation is consistent with this Commission's policies discouraging litigation and encouraging mediation and alternative dispute resolution. There is no problem here that needs to be solved.

The proposed changes to these sections are designed to make it easier for a utility to terminate service. The changes to §§ 56.93 and 56.95 make personal contact unnecessary at the time of termination if personal contact had previously been made during the 3 day notice. The proposed changes to § 56.101 allow a utility to begin the termination process with a 3 day notice, skipping the 10 day notice, when the customer has broken an existing payment arrangement.

The present regulations provide great flexibility and balance to enable utilities to collect past due amounts, prevent terminations, and complete service terminations when necessary. Gas and electric utilities terminated 118,000 customers in 1993 and 85,000 customers in 1994. Electric terminations increased 21% from 1992 to 1994. Peco Energy more than doubled the number of customers terminated in a single year, from 1992 to 1993. The facts

indicate that the procedural safeguards in Chapter 56 do not prevent utilities from terminating service when they seek to do so. Loss of service creates a significant health and safety crisis for the household involved, as well as for the public. Each termination notice or customer contact provides an opportunity to collect arrearages and prevent terminations. Eliminating such steps eliminates these opportunities as well. Existing safeguards should not be eliminated without facts demonstrating that it is necessary and not counter-productive to do so.

While I do not now disagree with the proposed changes to § 56.191, I will review the comments concerning these changes carefully. The proposed changes to § 56.191 give a utility greater flexibility in demanding higher restoration payments than a catch-up of amounts due under an existing agreement. A reasonable reconnection fee already is required. While higher restoration amounts are appropriate for non-low-income customers who have been terminated for non-payment of bills despite adequate income to do so, utilities must use a great deal of common sense in not demanding higher restoration payments from low-income customers. It would be tragic if requiring excessive restoration amounts precluded service or payment of reasonable portions of existing arrearages. The revision as drafted requires consideration of such factors. Are additional specifications useful?

**Fiscal Note:** 57-171. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 52. PUBLIC UTILITIES**

**PART I. PUBLIC UTILITY COMMISSION**

**Subpart A. PRELIMINARY PROVISIONS**

**CHAPTER 56. STANDARDS AND BILLING PRACTICES FOR RESIDENTIAL UTILITY SERVICE**

**Subchapter A. PRELIMINARY PROVISIONS**

**§ 56.2. Definitions.**

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

\* \* \* \* \*

*Dispute*—A grievance of a ratepayer or occupant about a utility's application of a provision covered by this chapter, including **[but not limited to]** subjects such as credit determinations, deposit requirements, the accuracy of meter readings or bill amounts or the proper party to be charged. **A utility, with the consent of the ratepayer or occupant, may offer to review pertinent records or other information and call back the ratepayer or occupant with a response to the inquiry.** If, at the conclusion of an initial inquiry **or, when applicable, a follow-up response,** the ratepayer or occupant indicates satisfaction with the resulting resolution or explanation, the contact **[may]** will not be considered a dispute. **An initial inquiry is defined as the complete process even if it involves more than one utility person during the initial contact.**

\* \* \* \* \*

*Utility*—A public utility, **its employes or its agents,** or a municipality, subject to Commission jurisdiction, which provides electric, gas, steam heat, **[sewer] wastewater** or water service.

**Subchapter B. BILLING AND PAYMENT STANDARDS**

**§ 56.12. Meter reading; estimated billing; ratepayer readings.**

Except as provided in this section, a utility shall render bills based on actual meter readings by utility company personnel.

\* \* \* \* \*

(5) *Remote reading devices for water, gas and electric utilities.* A utility may render a bill on the basis of readings from a remote reading device under the following conditions:

(i) When a **gas, electric or water utility** uses readings from a remote reading device to render bills, the utility shall obtain an actual meter reading at least once every **[ 3 ] 5** years to verify the accuracy of the remote reading device. **If the ratepayer of record at the dwelling changes during the 5-year period between actual meter readings, the utility shall make a bona fide attempt to schedule an appointment with the departing ratepayer and, if necessary, the new occupant, to secure an actual meter reading.**

**[ (ii) When a gas or electric utility uses readings from a remote reading device to render bills, the utility shall obtain an actual meter reading at least once every 2 years to verify the accuracy of the remote reading device.**

**(iii) Where ] (ii) When** the actual meter reading establishes that the customer was underbilled due to an error in the registration of the remote reading device, the utility may **[not]** render a bill for the uncollected amount **[and may not recover a loss resulting from this underbilling in subsequent rate proceedings unless there is evidence that the underbilling resulted from tampering with the remote reading device].** **If the rebilling exceeds the otherwise normal estimated bill by at least 50% and at least \$25, the utility shall comply with § 56.14 (relating to previously unbilled utility service).**

\* \* \* \* \*

**§ 56.14. Previously unbilled utility service.**

When a utility renders a make-up bill for previously unbilled utility service resulting from utility billing error, meter failure, leakage that could not reasonably have been detected or loss of service, or four or more consecutive estimated bills and the make-up bill exceeds the otherwise normal estimated bill by at least 50% **and at least \$25:**

\* \* \* \* \*

**Subchapter C. CREDIT AND DEPOSITS STANDARDS POLICY**

**PROCEDURES FOR NEW APPLICANTS**

**§ 56.33. Composite credit group; cash deposits; third-party guarantors.**

If an applicant does not establish **[ his ]** credit under § 56.32 (relating to credit standards), the utility shall provide residential service when one of the following requirements is satisfied:

**[(1) Composite credit group. The applicant becomes a member in good standing of a composite**

credit group as defined in § 56.61 (relating to general rule) with which the utility has entered into an agreement.

(2) ] (1) \*\*\*

[ (3) ] (2) \*\*\*

\* \* \* \* \*

§ 56.35. Payment of outstanding balance.

A utility may require, as a condition of the furnishing of residential service to an applicant, the payment of any outstanding residential account with the utility which accrued within the past 4 years for which the applicant is legally responsible and for which the applicant was billed properly. In addition, the utility shall maintain account records in accordance with § 56.202 (relating to record maintenance). However, any such outstanding residential account with the utility may be amortized over a reasonable period of time. Factors to be taken into account include [ but are not limited to ] the size of the unpaid balance, the ability of the applicant to pay, the payment history of the applicant, and the length of time over which the bill accumulated. A utility may not require, as a condition of the furnishing of residential service, payment for residential service previously furnished under an account in the name of a person other than the applicant unless a court, district justice[ , ] or administrative agency has determined that the applicant is legally obligated to pay for the service previously furnished. Examples of [ such ] situations include a separated spouse or a cotenant. This section does not affect the credit rights and remedies of a utility otherwise permitted by law.

CASH DEPOSITS

§ 56.53. Refund of deposit.

A cash deposit shall be refunded under the following conditions:

\* \* \* \* \*

[ (3) Member of composite credit group. When a ratepayer becomes a bona fide member of a composite credit group, the utility shall refund any cash deposit plus accrued interest unless the ratepayer requests that it be transferred to the credit group. ]

[ (4) ] (3) \*\*\*

[ (5) ] (4) \*\*\*

[ (6) ] (5) \*\*\*

COMPOSITE CREDIT GROUP DEPOSITS

§ 56.61. [ General rule ] (Reserved).

[ A utility shall enter into an agreement with a composite credit group that can demonstrate its ability to meet the deposit requirements of the members of the group.

(1) Composite credit group. A composite credit group is a group, association, corporation or similar body with 25 or more members formed for the purpose of, among other things, providing a composite cash deposit for its members in lieu of individual cash deposits from each applicant or ratepayer who is a bona fide member of the group. A composite credit group shall designate a person to represent that group to the utility and shall

provide the utility with an address and telephone number where that person may be contacted during business hours. Communications received from that representative by the utility shall be binding upon the group.

(2) Unilateral termination prohibited. A utility may not unilaterally terminate a composite cash deposit arrangement, so long as the group maintains a composite cash deposit determined in accordance with § 56.62 (relating to maximum composite cash deposit).

(3) Discontinuance of cash deposit arrangement. When a composite cash deposit arrangement is discontinued, the utility shall:

(i) Apply an applicable portion of the composite cash deposit to the accounts of the individual members of the group in accordance with § 56.52 (Reserved) and return the remainder of the composite deposit to the representative of the group.

(ii) Notify the individual members of their obligation to place an individual cash deposit, join another composite credit group or provide a third-party guarantor in accordance with §§ 56.41—56.43 (relating to procedures for existing ratepayers). ]

§ 56.62. [ Maximum composite cash deposit ] (Reserved).

[ Initially, the maximum composite cash deposit requested by the utility may not exceed 50% of the aggregate deposit requirements of the individual members. Thereafter, composite cash deposit requirements shall be adjusted at the request of either the utility or the group to be not greater than twice the average monthly assessment against the composite cash deposit of the group, to compensate for nonpayment of utility bills of the individual members. ]

§ 56.63. [ Written authority to become a member of a group ] (Reserved).

[ A utility may not apply a composite cash deposit to a past due bill of a ratepayer unless it has received prior written authority from the group to include the individual ratepayer or applicant as a member of the group. ]

§ 56.64. [ Renewal of authority ] (Reserved).

[ A utility shall require of the group a written renewal of authorization in the following circumstances:

(1) Application of composite case deposit to more than two billing periods. Prior to the application of a composite case deposit to the payment of the bills of a member for more than two billing periods, each renewal of authorization shall entitle the utility to apply the composite cash deposits to the bills of the individual for two billing periods.

(2) Reconnection of service. Whenever service is reconnected following a termination of service.

(3) Refusal to renew authority. Where renewal of authority is refused, a utility shall provide service to the individual ratepayer in accordance with the provisions of § 56.65 (relating to service without continued group membership). ]

§ 56.65. [ Service without continued group membership ] (Reserved).

[ A utility shall provide utility service to a former member of a composite credit group under one of the following provisions:

(1) *Establishment of credit.* The member establishes his credit in accordance with § 56.32 (relating to credit standards).

(2) *Cash deposit; third-party guarantor.* The member posts an individual cash deposit or furnishes a written guarantee in accordance with § 56.33 (relating to composite credit group; cash deposits; third-party guarantors).

(3) *Prompt payment of bills.* The member has paid bills for service for 12 consecutive months without having service terminated or having paid his bill subsequent to the due date or other permissible period as stated in this chapter on two or more occasions so long as the ratepayer is not currently delinquent. ]

#### Subchapter E. TERMINATION OF SERVICE

##### NOTICE PROCEDURES PRIOR TO TERMINATION

###### § 56.91. General notice provisions.

Prior to a termination of service, the utility shall mail or deliver written notice to the ratepayer at least 10 days prior to the date of the proposed termination. In the event of a taking or acceptance of utility service without the knowledge or approval of the utility, other than unauthorized use of service as defined in § 56.2 (relating to definitions), the utility shall comply with § 56.93 [ (1) (relating to personal contact) ] **[ or shall hand deliver written notice to the ratepayer or occupant at least 3 days prior to the date of the proposed termination, as well as complying with the provisions of §§ 56.94 ]**—56.97 (relating to procedures upon ratepayer or occupant contact prior to termination), but need not otherwise provide notice 10 days prior to termination.

###### § 56.93. Personal contact.

Except when authorized by §§ 56.71, 56.72 or 56.98 (relating to interruption of service; discontinuance of service; and exception for terminations based on occurrences harmful to person or property), a utility may not interrupt, discontinuance or terminate service without personally contacting the ratepayer or a responsible adult occupant at least 3 days prior to the interruption, discontinuance or termination, in addition to provide [ such ] other notice as specified by the properly filed tariff of the utility or as required by this chapter or other Commission directive. For purposes of this section, personal contact shall mean:

(1) [ Contacting the ratepayer or responsible adult occupant in person or by telephone.

(2) Contacting another person whom the ratepayer has designated to receive a copy of a notice of termination, other than a member or employe of the Commission.

(3) If the ratepayer has not made the designation noted in paragraph (2), contacting a community interest group or other entity, including a local police department, which previously shall have agreed to receive a copy of the notice of termination and to attempt to contact the ratepayer.

(4) If the ratepayer has not made the designation noted in paragraph (2) and if there is no community interest group or other entity which previously has agreed to receive a copy of the notice of termination, contacting the Commission in writing. ]

Actual contact with the ratepayer or responsible adult occupant by telephone.

(2) Actual contact with the ratepayer or responsible adult occupant in person at the affected dwelling.

(3) After an unsuccessful attempt to contact the ratepayer or responsible adult in person at the affected dwelling, posting a written 72-hour notice, at the affected dwelling. After the expiration of the 72-hour notice the company may terminate service without application of § 56.95 (relating to deferred termination when no prior contact).

(4) After two unsuccessful attempts at contacting the ratepayer or responsible adult occupant by telephone, mailing a written 72-hour notice to the ratepayer. After the expiration of the 72-hour notice, the company shall comply with § 56.95 if prior contact is not made as required under § 56.94 (relating to procedures immediately prior to termination).

###### § 56.95. Deferred termination when no prior contact.

If [ a prior ] personal contact has not been made [ with a responsible adult either at the residence of the ratepayer ], as required by § 56.93(1), (2) or (3) (relating to personal contact) or § 56.94 (relating to procedures immediately prior to termination) or at the affected dwelling, the employe may not terminate service but shall conspicuously post a termination notice at the residence of the ratepayer and the affected dwelling, advising that service will be disconnected not less than 48 hours from the time and date of the posting.

###### § 56.97. Procedures upon ratepayer or occupant contact prior to termination.

(a) If, after the issuance of the initial termination notice and prior to the actual termination of service, a ratepayer or occupant contacts the utility concerning a proposed termination, an authorized utility employe shall fully explain:

\* \* \* \* \*

(3) [ The right of the ratepayer to file a dispute with the utility and, thereafter, an informal complaint with the Commission.

(4) The procedures for resolving disputes and informal complaints, including the address and telephone number of the Commission: Public Utility Commission, Box 3265, Harrisburg, Pennsylvania, 17120, telephone number 1 (800) 692-7380.

(5) The duty of the ratepayer to pay a portion of a bill which he does not honestly dispute.

(6) ] The medical emergency procedures.

(b) The utility, through its employes, shall exercise good faith and fair judgment in attempting to enter a reasonable settlement or payment agreement or otherwise equitably to resolve the matter. Factors to be taken into account when attempting to enter into a reasonable settlement or payment agreement may include [ but not be limited to ] the size of the unpaid balance, the ability

of the ratepayer to pay, the payment history of the ratepayer and the length of time over which the bill accumulated. **If a settlement or payment agreement is not established the company shall further explain the following:**

(1) **The right of the ratepayer to file a dispute with the utility and, thereafter, an informal complaint with the Commission.**

(2) **The procedures for resolving disputes and informal complaints, including the address and telephone number of the Commission: Public Utility Commission, Box 3265, Harrisburg, Pennsylvania, 17105-3265, telephone number (800) 692-7380.**

(3) **The duty of the ratepayer to pay any portion of a bill which he does not honestly dispute.**

**NOTICE PROCEDURES AFTER DISPUTE FILED**

§ 56.101. **Limited notice upon noncompliance with report or order.**

(a) **Except during the winter period identified at § 56.100 (relating to winter termination procedures), the original grounds for terminations may be revived if a 10-day termination notice was previously issued to the ratepayer. Utilities may proceed with termination as provided in paragraphs (1) and (2) [ Upon ] upon the failure to timely appeal from or comply with [ a ]:**

(1) **A utility company report required by § 56.151 (relating to [ the ] general rule)[ , ].**

(2) **[ an ] An informal complaint report required by § 56.161 (relating to general rule; time for filing)[ , or ].**

(3) **[ an ] An order from a formal complaint [ under § 56.173 (relating to formal complaint procedures other than appeals from mediation decisions of the Bureau of Consumer Services), the original grounds for termination shall be revived and the ].**

(4) **A company negotiated payment or settlement agreement if a customer fails during the first 120 days to maintain the agreement and this failure reflects payments of less than 50% of the overdue balance during this same time period.**

(b) **The utility may not be required to give further written notice so long as within 10 business days of the failure to appeal or comply with subsection (a):**

(1) **The ratepayer is personally contacted as described in § 56.93(1), (2) or (3) (relating to personal contact), at least 3 days prior to termination; if the utility is unable to make personal contact as described in § 56.93(1), (2) or (3), it shall proceed with the posting procedure described in § 56.95 (relating to deferred termination when no prior contact).**

\* \* \* \* \*

**EMERGENCY PROVISIONS**

§ 56.114. **Length of postponement; renewals.**

Service may not be terminated for the time period specified in a medical certification; the maximum length of the certification shall be 30 days.

\* \* \* \* \*

(2) *Renewals.* **Certifications may be renewed in the same manner and for the same time period as provided in §§ 56.112 and 56.113 (relating to postponement of termination pending receipt of certificate; and medical certifi-**

cations) and this section if the ratepayer has met the obligation under § 56.116 (relating to duty of ratepayer to pay bills). **In instances where a ratepayer has not met the obligation at § 56.116 to equitably make payments on all bills, the number of renewals is limited to two thirty-day certifications.** If a utility wishes to contest the renewal, it shall follow § 56.118(3) (relating to the right of utility to petition the Commission).

**[ TERMINATION AT RESIDENTIAL DWELLINGS WHERE SERVICE IS IN THE NAME OF THE LANDLORD ]**

§ 56.121. **[ Notices before terminating service to landlord-ratepayer ] (Reserved).**

**[ (a) Nonpayment of charges.** Except when required to prevent or alleviate an emergency as defined by the Commission or except in the case of danger to life or property, before termination of service to a landlord-ratepayer for nonpayment of charges, a public utility shall comply with the following:

(1) **Notify the landlord-ratepayer of the proposed termination, in writing, as prescribed in § 56.123 (relating to delivery and contents of termination notice to the landlord-ratepayer) at least 37 days before the date of termination of service.**

(2) **Notify the following agencies which serve the community in which the affected premises are located, in writing, at the time of delivery of notice to the tenants of the proposed termination of service:**

(i) **The Department of Licenses and Inspections of any city of the first class.**

(ii) **The Department of Public Safety of any city of the second class, second class A or third class.**

(iii) **The city or county public health department or, in the event that such a department does not exist, the Department of Health office responsible for that county.**

(iv) **The grantees of emergency energy funds from the Department of Public Welfare or Department of Community Affairs.**

(3) **Notify each dwelling unit reasonably likely to be occupied by an affected tenant of the proposed termination, in writing, as prescribed in § 56.124 (relating to delivery and contents of first termination notice to tenants) at least 7 days after the notice to the landlord-ratepayer under this section and at least 30 days before the termination of service. If within 7 days of the receipt of the notice issued under paragraph (1), the landlord-ratepayer files a complaint with the Commission disputing the right of the utility to terminate service, the notices to tenants may not be rendered until the complaint has been adjudicated by the Commission.**

(b) *Discontinuance of service.* **Before a discontinuance of service by a public utility to a landlord-ratepayer one of the following shall be met:**

(1) **The landlord-ratepayer shall state in a form bearing his notarized signature that the affected dwelling units are unoccupied or that the tenants affected by the proposed discontinuance have consented, in writing, to the proposed discontinuance, which form shall conspicuously bear a notice that**



the information provided by the landlord-ratepayer will be relied upon by the Commission in administering a system of uniform service standards for public utilities and that false statements are punishable criminally.

(2) The tenants affected by the proposed discontinuance shall inform the utility orally or in writing of their consent to the discontinuance.

(3) The landlord-ratepayer shall provide the utility with the names and addresses of the affected tenants under § 56.122 (relating to request to landlord-ratepayer to identify tenants) and the utility shall notify the community service agencies and each dwelling unit under this section and § 56.124.

(c) *Rights of tenants.* Under the discontinuance procedures of subsection (b)(3), the tenant shall have the rights provided in § 56.125 (relating to right of tenants to continued service). ]

§ 56.122. [ Request to landlord-ratepayer to identify tenants ] (Reserved).

[ (a) *Duty of landlord.* Upon receiving a lawful request for the names and addresses of the affected tenants under this subchapter, the landlord-ratepayer shall provide the utility or Commission with the name and address of every affected tenant of any residential building or mobile home park for which the utility is proposing to discontinue or terminate service unless within 7 days of receipt of the notice the landlord-ratepayer pays the amount due the utility or makes an arrangement with the utility to pay the balance.

(b) *Time for providing information.* The information shall be provided by the landlord-ratepayer:

(1) Within 7 days of receipt of the notice to the landlord-ratepayer required by § 56.121 (relating to notices before terminating service to landlord-ratepayer).

(2) Within 3 days of an adjudication by the Commission that the landlord-ratepayer shall provide the requested information if the landlord files a complaint with the Commission within 7 days of receipt of the notice to the landlord disputing the right of the utility to terminate service.

(c) *Duty of public utility.* It shall be the duty of a public utility to pursue an appropriate legal remedy it has in order to obtain from the landlord-ratepayer the names and addresses of affected tenants of a residential building for which the utility is proposing discontinuance or termination of service to the landlord-ratepayer. The Commission may order the public utility to obtain the information from the landlord-ratepayer. ]

§ 56.123. [ Delivery and contents of termination notice to the landlord-ratepayer ] (Reserved).

[ (a) *General rule.* In addition to other requirements of this chapter for a notice or termination notice the notice required to be given to a landlord-ratepayer under § 56.121 (relating to notices before terminating service to landlord-ratepayer) shall contain the following information:

(1) The amount owed the utility by the landlord-ratepayer for each affected account.

(2) The date on or after which the service will be terminated.

(3) The date on or after which the company will notify tenants of proposed termination of service and of their rights under § 56.125 (relating to right of tenants to continued service) and 66 Pa.C.S. §§ 1529 and 1531 (relating to right of tenant to recover payments; and retaliation by landlord prohibited).

(4) The obligation of the landlord-ratepayer under § 56.122 (relating to request to landlord-ratepayer to identify tenants) to provide the utility with the names and addresses of every affected tenant, to pay the amount due the utility, or to make an arrangement with the utility to pay the balance, including a statement:

(i) That the list shall be provided or payment or arrangements shall be made within 7 days of receipt of the notice.

(ii) Of the penalties and liability which the landlord-ratepayer may incur under 66 Pa.C.S. § 1532 (relating to penalties), by failing to comply.

(5) The right of the landlord-ratepayer to stay the notification of the tenants by filing a complaint with the Commission disputing the right of the utility to terminate service.

(b) *Service of notice.* Any of the following procedures shall constitute effective notice to the landlord under subsection (a):

(1) Notice by certified mail if the utility receives a return receipt signed by the landlord-ratepayer or his agent.

(2) Notice by personal service on the landlord-ratepayer or his agent.

(3) After unsuccessful attempts at personal delivery on 2 separate days, notice by first class mail and conspicuously posting at the landlord-ratepayer's principal place of business, the business address which the landlord provided the utility as the address for receiving communications or the landlord's residence. ]

§ 56.124. [ Delivery and contents of first termination notice to tenants ] (Reserved).

[ (a) *General rule.* The notice required to be given to a tenant under § 56.121 (relating to notices before terminating services to landlord-ratepayer) shall be mailed or otherwise individually hand delivered to the address of each affected tenant by unit number is possible and shall contain the following information:

(1) The date on which the notice is rendered.

(2) The date on or after which service will be discontinued or terminated.

(3) The bill for the billing period immediately preceding the notice to the tenants.

(4) The circumstances under which service to the affected tenants may be continued which shall be in the following form:

**NOTICE TO TENANTS  
YOUR UTILITIES MAY BE SHUT OFF  
PLEASE READ THIS NOTICE ABOUT YOUR  
RIGHTS**

**THIS NOTICE DOES NOT APPLY TO ANY UTILITY SERVICE NOW IN YOUR NAME AND FOR WHICH YOU ALREADY PAY THE BILL.**

**THE [NAME OF THE UTILITY AND TYPE OF SERVICE] BILL FOR YOUR BUILDING HAS NOT BEEN PAID. YOUR [TYPE OF SERVICE] WILL BE SHUT OFF ON OR AFTER [ ] UNLESS THIS BILL IS PAID.**

**AS A TENANT YOU HAVE THE FOLLOWING  
RIGHTS:**

1. You can join with the other tenants to pay the utility bill for the last thirty (30) days preceding this notice, or you can pay the total bill yourself. If you pay either way, you do not have to pay a deposit or get credit granted in your name. You will not have to pay your landlord's other debts or the debts of prior tenants, and utility service will remain in the name of the landlord.

2. You may deduct your payment to the utility company from your rent due now or from future rent. The utility company will tell your landlord how much you paid for that utility service.

3. If your building has one meter for more than one tenant, the utility bill is for all tenants and must be paid in full. If you only pay part of the last monthly billing, your utility service will be shut off and the utility company will return your money.

4. Your landlord cannot punish you if you pay the utility bill. Your landlord cannot raise your rent, cannot evict you, and cannot take action against you in any other way for paying the utility bill and deducting it from the rent. You have a right to recover money damages from the landlord for any damages or injury he causes you for exercising your rights as a result of this Notice.

5. You can get your utility service billed in only your name if your unit has its own meter. Or, you can get your own service if a meter can be put in with only a few changes in pipes, wires, and land. Please call the utility company if you want further information.

6. Payments must be made by check or money order to the company. The utility will tell your landlord how much you paid for service.

7. You will be told that the shut-off is cancelled if your landlord pays the bills.

First, if you have any questions about your rights and responsibilities, please telephone your utility company at [ ]. If, after discussing your problem with the utility you remain dissatisfied, call the Public Utility Commission at 1-800-692-7380 or write Service Termination Mediation Unit, Bureau of Consumer Services, Public Utility Commission, P. O. Box 3265, Harrisburg, Pennsylvania, 17120. **YOU SHOULD CALL OR WRITE BEFORE THE TERMINATION DATE.**

(b) *Information posted by utility.* The information in subsection (a) shall be posted by the utility in those common areas of the residential building or mobile home park where it is reasonably likely to be seen by the affected tenants. Any officer or

employee of the utility may, at any reasonable time, enter the common hallways and common areas of such building for the purpose of complying with this section. ]

§ 56.125. [Right of tenants to continued service ] (Reserved).

(a) *Application for continued service.* At any time before or after service has been discontinued or terminated by a public utility, the affected tenants may apply to the utility to have service continued or resumed.

(b) *Payment of charges by tenants.* A public utility may not discontinue or terminate service or shall promptly resume service previously discontinued or terminated if it receives from the tenants an amount equal to the bill of the landlord-ratepayer for the 30 days preceding the notice to the tenants. Thereafter, the utility shall notify each tenant of the total amount of the bill for the second and each succeeding billing period; and, if the tenants fail to make payment of a bill within 30 days of the delivery of the notice to tenants, the utility may commence termination procedures consistent with this chapter; however, no termination may occur until 30 days after each tenant has received written notice of the proposed termination in addition to the other notice provisions required under § 56.126 (relating to additional notice procedures prior to termination). Payments of charges by tenants to the utility on account of nonpayment by the landlord-ratepayer shall be made by check or money order drawn by the tenant to the order of the utility.

(c) *Delivery of termination notices.* Termination notices issued under this section shall be individually mailed to each affected tenant by first class mail or individually hand-delivered to the address of each affected tenant by unit number if possible and shall contain information required under § 56.2 (relating to definitions).

(d) *Disposition of payment by utility.* Upon receiving a payment the utility shall notify the landlord-ratepayer who is liable for the utility service of the amount paid by a tenant and the amount credited to the landlord's bill for each tenant under subsection (b). If the tenants fail to satisfy the requirements of subsection (b) to maintain or restore service and service to the affected dwelling unit is terminated, the utility shall refund to each tenant the amount paid by the tenant toward the bill which the tenants failed to pay, either upon the request of the tenants or after holding the tenants' payment during 60 consecutive days of terminated service, whichever occurs first.

(e) *Agreement for individual service.* A tenant of a residential building or mobile home park who has been notified of a proposed termination of utility service, under § 56.121 (relating to notices before terminating service to landlord-ratepayer) shall have the right to agree to subscribe for future service individually if this can be accomplished without a major revision of distribution facilities or additional right-of-way acquisitions. ]

§ 56.126. [Additional notice procedures prior to termination ] (Reserved).

[At least 10 days prior to a proposed termination under §§ 56.121—56.125, the utility shall again con-

spicuously post and hand-deliver notice of the termination at the affected dwelling. If possible, the notices shall be posted in common areas of the dwelling and individually hand-delivered to the address of each affected tenant by unit number.

(1) Notices under this section shall contain the information and be in the form prescribed by § 56.124 (relating to delivery and contents of first termination notice to tenants) for terminations under § 56.121 (relating to notices before terminating service to landlord-ratepayer).

(2) Notices under this section shall contain the information required in § 56.125(c) for terminations under § 56.125(b). ]

**FOLLOW-UP RESPONSES**

**§ 56.135. Follow-up response to inquiry.**

When a customer is waiting for a follow-up response to an inquiry under § 56.2 (relating to definitions), termination or threatening termination of service for the subject matter in question shall be prohibited until the follow-up response, and when applicable, subsequent dispute resolution is completed by the utility.

**Subchapter F. DISPUTES; TERMINATION DISPUTES; INFORMAL AND FORMAL COMPLAINTS**

**GENERAL PROVISIONS**

**§ 56.142. Time for filing a termination dispute or informal complaints.**

To be timely filed, a termination dispute—which may not include disputes under §§ 56.35 and 56.191 (relating to payment of outstanding balance; and general rule)—and informal complaints shall be filed prior to the [ actual termination of service ] day on which the utility arrives to terminate service. If the utility arrives to terminate service and posts a deferred termination notice in lieu of termination or otherwise fails to terminate service, then the time for filing a termination dispute or informal complaint shall be extended until the end of the business day prior to the utility again arriving to terminate service.

**UTILITY COMPANY DISPUTE PROCEDURES**

**§ 56.151. General rule.**

Upon initiation of a dispute covered by this section, the utility shall:

\* \* \* \* \*

(5) Within 30 days of the initiation of the dispute, issue its report to the complaining party[; ]. [ the reports shall be in writing and shall be sent to the complaining party if requested ]

(i) If the informal complainant is not satisfied with the dispute resolution, the utility company report shall be in writing and conform to § 56.152 (relating to contents of the utility company report). In these instances, the written report shall be sent to the complaining party if requested or if the utility deems it necessary.

(ii) If, however, the complaining party is satisfied with the orally conveyed dispute resolution, the written utility company report may be limited to

the information at § 56.152(1) and (2) and, if applicable, § 56.152(7)(ii) or (8)(ii).

(iii) If the complaining party expresses satisfaction but requests a written report, the report shall conform with § 56.152, in its entirety.

**§ 56.152. Contents of the utility company report.**

A utility company report shall include the following:

\* \* \* \* \*

(6) A full and complete explanation of procedures for filing an informal complaint with the Commission [ including ]. See § 56.162 (relating to informal complaint filing procedures). If a written report is not requested by the complaining party or deemed necessary by the utility, the utility shall provide the information at § 56.162(1), (2) and (5). In addition, the utility should always provide the telephone number and address of the [ nearest regional ] office of the Commission where an informal complaint may be filed.

\* \* \* \* \*

**INFORMAL COMPLAINT PROCEDURES**

**§ 56.162. Informal complaint filing procedures.**

An informal complaint may be filed orally or in writing and shall include the following information:

(1) The name and address of the ratepayer and, if different, the address at which service was provided.

(2) The [ address ] telephone number of the ratepayer [ and, if different, the address at which service provided ].

\* \* \* \* \*

**Subchapter G. RESTORATION SERVICE**

**§ 56.191. General rule.**

(a) When service to a dwelling has been terminated, the utility shall reconnect service by the end of the first full working day after receiving one of the following:

(1) Full payment of an outstanding charge plus a reasonable reconnection fee. Outstanding charges and the reconnection fee may be amortized over a reasonable period of time. Factors to be taken into account shall include[ , but not be limited to, ] the size of the unpaid balance, the ability of the ratepayer to pay, the payment history of the ratepayer, and the length of time over which the bill accumulated[ ; or ].

(2) Payment of amounts currently due according to a settlement or payment agreement, plus a reasonable reconnection fee, which may be a part of the settlement or payment agreement[ ; or ]. The utility, if warranted, may request a higher amount than the current amount due according to a settlement or payment agreement, but only after reviewing the factors outlined in paragraph (1), and after considering the number of defaulted agreements, including informal and formal complaint decisions.

(3) Adequate assurances that any unauthorized use or practice will cease, plus full payment of the reasonable reconnection fee of the utility, which may be subject to a payment agreement[ ; and ].

(b) When service to a dwelling has been terminated, the utility shall reconnect service by the end of the first full working day after receiving[ ]:

(4) **Compliance ] compliance** or adequate assurance of compliance with an applicable provision for the establishment of credit or the posting of deposits or guarantees.

**Subchapter H. PUBLIC INFORMATION PROCEDURES; RECORD MAINTENANCE**

**§ 56.202. Record maintenance.**

A utility shall preserve for [ a period of ] at least 2 years written or recorded disputes and complaints[ , ]. **If a company maintains a record of a final account balance to possibly request payment of the outstanding balance in accordance with § 56.35 (relating to payment of outstanding balance), records shall be maintained for the period of time covering the accrual of the unpaid debt. The utility shall keep the records within this Commonwealth at an office located in the territory served by it, and shall make the records available for examination by the Commission or its staff. Information to be maintained shall include the following:**

\* \* \* \* \*

**Subchapter I. INFORMAL COMPLAINTS**

**§ 56.211. Informal complaints.**

(a) The Bureau of Consumer Services (**Bureau**) will have primary jurisdiction over ratepayer, applicant or occupant complaints arising under this chapter. The Bureau [ of Consumer Services ], through its Director and with the concurrence of the Commission, shall establish appropriate internal procedures to implement [ the provisions of ] this chapter.

(b) **The Bureau should only handle those Chapter 56 informal complaints in which the customer first attempted to resolve the matter with the utility. The Bureau should initiate an investigation only after the customer and the utility have unsuccessfully attempted to resolve the dispute.**

[Pa.B. Doc. No. 96-1011. Filed for public inspection June 21, 1996, 9:00 a.m.]

**DEPARTMENT OF REVENUE**

[61 PA. CODE CHS. 9 AND 47]

**Public Transportation Assistance Fund Taxes and Fees**

The Department of Revenue (Department), under authority contained in section 506 of The Administrative Code of 1929 (71 P.S. § 186), proposes to delete § 9.4 (relating to public transportation assistance fund taxes and fees) and to adopt § 47.19 (relating to public transportation assistance fund taxes and fees) as set forth in Annex A. Section 506 of The Administrative Code of 1929 provides, "The heads of all administrative departments, the several independent administrative boards and com-

missions, the several departmental administrative boards and commissions, are hereby empowered to prescribe rules and regulations, not inconsistent with law, for the government of their respective departments, boards, or commissions, the conduct of their employes and clerks, the distribution and performance of their business, and the custody, use, and preservation of the records, books, documents, and property pertaining thereto."

Currently, the Department's interpretation of section 3 of the act of July 1, 1994 (P.L. 413, No. 67) section 2301 of the Tax Reform Code (TRC) (72 P.S. § 9301), which replaced 74 Pa.C.S. § 1314 (repealed by the act of June 16, 1994 (P.L. 279, No. 48)) relating to public transportation assistance fund taxes and fees, is set forth as a pronouncement and codified in Chapter 9. Revenue Pronouncements—Statements of Policy, § 9.4. By setting forth its interpretation in a pronouncement, the Department was able to provide taxpayers and tax practitioners an immediate source of information on which they could rely.

The Department has concluded that the issues relating to public transportation assistance fund taxes and fees should be set forth as a regulation. Therefore, in addition to proposing to add § 47.19, this proposed rulemaking is also proposing to delete the pronouncement that appears at § 9.4. To assist taxpayers prior to the adoption of this proposal, the Department has amended § 9.4 to bring it into conformity with 72 P.S. § 9301.

Section 47.19(a) provides general information regarding the authorizing tax statute; registration; returns; payment of taxes and fees; imposition of tax; exemption certificates; direct payment permit and applicability of the TRC.

Details regarding the tire fee are explained in subsection (b). Paragraph (1) provides definitions for use in the subsection of the terms "highway use" and "sale." Paragraph (2) establishes the scope of taxation effective October 1, 1991. Though there is no exclusion for exempt organizations or businesses engaged in manufacturing, processing, farming, dairying, printing, mining or rendering a public utility service, paragraph (3) enumerates specific instances which are exempt from taxation. Paragraph (4) sets forth examples of sales subject to the tire fee and paragraph (5) sets forth examples of sales not subject to the tire fee.

Subsection (c) provides information regarding motor vehicle lease tax. Paragraph (1) provides definitions for use in the subsection of the terms "lease," "lease price" and "motor vehicle." Paragraph (2) details the scope of taxation effective October 1, 1991. It also provides that lease payments made on or after April 1, 1995, for the use of trucks in Class 4 or higher as defined in 75 Pa.C.S. § 1916(a)(1) are not subject to the tax. Paragraph (3) relating to exclusion provides that if the lease of a motor vehicle is exempt from sales and use tax imposed by Article II of the TRC (72 P.S. §§ 7201—7282), the lease is exempt from the tax imposed under this subsection.

Information regarding motor vehicle rental fee is set forth in subsection (d). Definitions of "motor vehicle" and "rental" for use in this subsection are set forth in paragraph (1). Paragraph (2) provides the scope of taxation effective October 1, 1991. If the rental of a motor vehicle is exempt from sales and use tax imposed by Article II of the TRC, paragraph (3), relating to exclusions, provides that the rental is exempt from the fee imposed under this subsection. Examples of rentals subject to the rental fee are enumerated in paragraph (4).

Subsection (e)(1) relating to utility realty additional tax establishes the scope of taxation effective October 1, 1991. Paragraph (2) provides that returns shall be reported on the public utility realty tax report required by Article XI-A of the TRC (72 P. S. §§ 8101-A—8108-A). Paragraph (3) provides that payment of the tax imposed by this subsection shall be under Article XI-A of the TRC. Paragraph (4) specifies that unless otherwise provided, Article XI-A of the TRC and regulations promulgated thereunder apply to the tax imposed under this subsection.

Subsection (f) relates to periodical tax. For the period from October 1, 1991, to December 31, 1991, paragraph (1) provides that under the act of August 5, 1991 (P. L. 238, No. 26), the sale at retail of periodicals was subject to a 6% public transportation assistance tax. Paragraph (2) provides that under the act of December 13, 1991 (P. L. 373, No. 40) (Act 40), effective January 1, 1992, the periodical tax was deleted from 74 Pa.C.S. § 1314(d) (relating to Public Transportation Assistance Fund). The paragraph further provides that Act 40 also deleted the exclusion from the TRC, effective January 1, 1992; therefore, periodicals are subject to the sales and use tax.

#### *Fiscal Impact*

The Department has determined that the proposed amendments will have no significant fiscal impact on the Commonwealth.

#### *Paperwork*

The proposed amendments will not generate additional paperwork for the public or the Commonwealth.

#### *Effectiveness/Sunset Date*

The amendments will become effective upon final publication in the *Pennsylvania Bulletin*. The regulations will be monitored annually. No sunset date has been assigned.

#### *Contact Person*

Interested persons are invited to submit in writing comments, suggestions or objections regarding the proposed amendments to Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061, within 30 days from the date of the publication of this notice in the *Pennsylvania Bulletin*.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of these proposed amendments on June 12, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the agency 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 amendments, it will notify the agency within 30 days from 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 agency, the General Assembly and the Governor of objections raised.

ROBERT A. JUDGE, Sr.,  
Secretary

**Fiscal Note:** 15-373. No fiscal impact; (8) recommends adoption.

### **Annex A**

#### **TITLE 61. REVENUE**

#### **PART I. DEPARTMENT OF REVENUE**

#### **Subpart A. GENERAL PROVISIONS**

#### **CHAPTER 9. REVENUE**

#### **PRONOUNCEMENTS—STATEMENTS OF POLICY**

*(Editor's Note:* The Department of Revenue is proposing to delete the current version of 61 Pa. Code § 9.4 as it appears at *Pennsylvania Code* pages 9-6—9-11 (Serial pps. 203018—203023).

#### **§ 9.4. Reserved.**

#### **CHAPTER 47. RENTALS**

#### **§ 47.19. Public Transportation Assistance Fund taxes and fees.**

##### *(a) General provisions.*

(1) *General.* This section is promulgated to administer section 2301 of the TRC (72 P. S. § 9301).

(2) *Registration.* A person who makes sales, rentals or leases subject to a tax or fee under subsection (b), (c) or (d) is required to apply for a Public Transportation Assistance Tax License Number on a form prescribed by the Department. The registration is separate from sales tax registration required under Article II of the TRC (72 P. S. §§ 7201—7282).

(3) *Returns.* The taxes and fees collected under subsection (b), (c) or (d) shall be reported on a return prescribed by the Department. The returns shall be filed under sections 217—220 of the TRC (72 P. S. §§ 7217—7220) and § 34.3 (relating to tax returns).

(4) *Payment.* Payment of the taxes and fees under subsection (b), (c) or (d) shall be made under sections 221—224 of the TRC (72 P. S. §§ 7221—7224).

(5) *Imposition of tax.* The taxes and fees imposed under subsection (b), (c) or (d) are in addition to sales or use tax and are excluded from the computation of tax for sales and use tax purposes.

(6) *Exemption certificates.* Claims for exemption from the taxes and fees imposed under subsection (b), (c) or (d) shall be supported by the use of a valid Pennsylvania Exemption Certificate.

(7) *Direct payment permit.* A direct payment permit issued under § 34.4 (relating to direct payment permit) may be used in conjunction with the taxes and fees imposed under this section.

(8) *Applicability of the TRC.* Unless otherwise specifically noted, Article II of the TRC and regulations promulgated thereunder apply to the taxes and fees imposed under subsection (b), (c) or (d).

##### *(b) Tire fee.*

(1) *Definitions.* The following words and terms, when used in this subsection, have the following meanings, unless the context clearly indicates otherwise:

*Highway use*—The use of a tire on a vehicle which is required to be licensed for highway use. If a tire is of the type used on a vehicle normally required to be licensed for highway use under 75 Pa.C.S. (relating to the Vehicle Code), the tire shall be presumed to be for highway use.

*Sale*—A transfer of the ownership of new tires for a consideration whether the transfer is absolute or condi-

tional and by whatever means the transfer has been effected. The term does not include a rental or lease.

(2) *Scope.* Effective October 1, 1991, the sale of a new tire which is delivered to a location in this Commonwealth for highway use is subject to a \$1 fee. The fee shall be collected by the vendor from the purchaser. If the vendor fails to collect, report or remit the tire fee, the vendor shall be assessed the fee. If the purchaser does not pay the fee to the vendor, the purchaser shall be assessed the tire fee. The sale of new tires in conjunction with the sale of other property shall be subject to the tire fee.

(3) *Exclusions.* There is no exclusion for exempt organizations or businesses engaged in manufacturing, processing, farming, dairying, printing, mining or rendering a public utility service. The following are exclusions:

- (i) The sale of tires not for highway use.
- (ii) The sale of new tires to governmental entities.
- (iii) The rental or lease of new tires. The lessor is required to pay the tire fee on the purchase of tires to be rented or leased.
- (iv) The sale of used tires including retreads or recaps.
- (v) The sale of tires when delivered to the purchaser at an out-of-State location. The subsequent use of the tires within this Commonwealth is not subject to the tire fee.

(4) *Examples of sales subject to the tire fee.*

(i) A purchaser buys a new or used automobile with four new tires and one spare tire. A tire fee of \$5 is due on the sale of five new tires.

(ii) A leasing company buys new tires to use as replacements on its leased licensed vehicle fleet. Since the tires are for highway use, the purchase of the tires by the leasing company is subject to the tire fee.

(iii) A church buys a new tire to replace a tire on a vehicle registered in the name of the church. The purchase of the tire by the church is subject to the tire fee.

(iv) A trucking company buys tires from an out-of-State vendor. The tires are delivered to the trucking company in this Commonwealth. The sale of the tires is subject to the tire fee.

(v) A new car dealer withdraws an automobile from inventory and makes a taxable use of the automobile for sales and use tax purposes. The dealer is required to pay the tire fee directly to the Department.

(vi) A garage replaces a tire in connection with the repair of a damaged motor vehicle. The sale of the tire is subject to the tire fee regardless of whether the cost of the repair is covered by an insurance contract.

(5) *Examples of sales not subject to the tire fee.*

(i) A used car dealer buys new tires to place on a vehicle to be resold. The purchase of tires by the dealer is not subject to the tire fee. The subsequent sale of the vehicle with the new tires to a purchaser for highway use is subject to the tire fee.

(ii) A lessee rents a vehicle with new tires from a leasing company. A tire fee is not due on the rental. The lessor is liable for paying the tire fee on the purchase of the tires.

(iii) A manufacturer purchases new tires for use on forklifts not required to be licensed for highway use. The purchase is not subject to the tire fee.

(iv) A trucking company buys new tires from an out-of-State vendor. The tires are delivered to the trucking

company at an out-of-State location. The sale or use of the tires is not subject to the tire fee even though the tires are subsequently used in this Commonwealth.

(v) A retail tire dealer purchases tires from a tire manufacturer for resale. As the retail tire dealer is not purchasing the tires for highway use, the purchase is not subject to the tire fee. The retail tire dealer's subsequent sale of the tire to a customer for highway use is subject to the tire fee.

(c) *Motor vehicle lease tax.*

(1) *Definitions.* The following words and terms, when used in this subsection, have the following meanings, unless the context clearly indicates otherwise:

*Lease*—A contract for the use of a motor vehicle for 30 days or more.

*Lease price*—Full consideration paid or delivered or promised to be paid or delivered to the lessor for a lease period under a lease agreement, whether it is money or otherwise, even though the consideration is separately stated and designated as a payment for downpayment, service, maintenance, insurance, repairs, depreciation, excess mileage fees or similar charges.

(i) The term also includes an accelerated lease payment or buy out purchase price made whether or not made in connection with the termination of the lease.

(ii) The term does not include the option purchase price, penalty fees for early termination of lease, damage fees or similar charges.

(iii) The term does not include sales tax imposed on the lease price.

(iv) Credits or refunds which reduce the lease price reduce the amount subject to tax even though the credits or refunds are issued after termination of the lease.

(v) If the lessor fails to separately state the lease price of other property, such as a trailer, from the lease of a motor vehicle, the total lease price is subject to tax.

*Motor vehicle*—A self-propelled vehicle required to be licensed for highway use. The term does not include trucks in Class 4 or higher as defined in 75 Pa.C.S. § 1916(a)(1) (relating to trucks and truck tractors). Title 75 Pa.C.S. § 1916(a)(1) currently defines trucks in Class 4 as those having a registered gross or combination weight between 9,001 and 11,000 pounds.

(2) *Scope.* Effective October 1, 1991, each lease of a motor vehicle subject to the tax imposed by Article II of the TRC is subject to an additional tax of 3% of the total lease price charged. This tax will be imposed upon lease payments due on or after October 1, 1991, regardless of the date upon which the lease was executed. Lease payments made on or after April 1, 1995, for the use of trucks in Class 4 or higher as defined in 75 Pa.C.S. § 1916(a)(1) are not subject to the tax. The tax shall be collected by the lessor from the lessee. If the lessor fails to collect, report or remit the tax, the lessor shall be assessed the tax. If the lessee does not pay the tax to the lessor, the lessee shall be assessed the tax.

(3) *Exclusions.* If the lease of a motor vehicle is exempt from sales and use tax imposed by Article II of the TRC, the lease is exempt from the tax imposed under this subsection.

(d) *Motor vehicle rental fee.*

(1) *Definitions.* The following words and terms, when used in this subsection, have the following meanings, unless the context clearly indicates otherwise:

*Motor vehicle*—A self-propelled vehicle required to be licensed for highway use.

*Rental*—A contract for the use of a motor vehicle for less than 30 days. If a motor vehicle is rented for less than 30 days, and the use of the motor vehicle subsequently extends beyond a 29-day period, the transaction remains a rental, and the rental payments continue to be subject to the tax until the rental contract is terminated.

(2) *Scope.* Effective October 1, 1991, each rental of a motor vehicle subject to the tax imposed by Article II of the TRC is also subject to a fee of \$2 for each day or part of a day for which the lessor charges the lessee for rental of the vehicle. The fee shall be collected by the lessor from the lessee. If the lessor fails to collect, report or remit the fee, the lessor shall be assessed the fee. If the lessee does not pay the fee to the lessor, the lessee shall be assessed the fee.

(3) *Exclusions.* If the rental of a motor vehicle is exempt from sales and use tax imposed by Article II of the TRC, the rental is exempt from the fee imposed under this subsection.

(4) *Examples of rentals subject to the rental fee.*

(i) A lessee rents a motor vehicle from a rental company for 5 hours. The rental is subject to a \$2 rental fee.

(ii) A lessee rents a motor vehicle from a rental company for 1 day. The vehicle is returned to the lessor 5 hours after the end of the rental period. If the lessee is charged the daily rental rate plus an additional charge for the period after the end of the rental period, a rental fee of \$4 is due.

(e) *Utility realty additional tax.*

(1) *Scope.* Effective October 1, 1991, every entity required to pay the public utility realty tax imposed under Article XI-A of the TRC (72 P.S. §§ 8101-A—8108-A) shall pay an additional tax of 12 mills upon each dollar of the State taxable value of its utility realty at the end of the preceding calendar year.

(2) *Returns.* The tax under this subsection shall be reported on the public utility realty tax report required by Article XI-A of the TRC.

(3) *Payment.* Payment of the tax imposed by this subsection shall be under Article XI-A of the TRC.

(4) *Applicability of the TRC.* Unless otherwise specifically noted, Article XI-A of the TRC and regulations promulgated thereunder apply to the tax imposed under this subsection.

(f) *Periodical tax.*

(1) Under the act of August 5, 1991 (P. L. 238, No. 26), the sale at retail of periodicals was subject to a 6% public transportation assistance tax from October 1, 1991, to December 31, 1991.

(2) Under the act of December 13, 1991 (P. L. 373, No. 40) (Act 40), effective January 1, 1992, the periodical tax was deleted from 74 Pa.C.S. § 1314(d) (relating to Public Transportation Assistance Fund). Act 40 also deleted the exclusion from the TRC, effective January 1, 1992; therefore, periodicals are subject to the sales and use tax.

[Pa.B. Doc. No. 96-1012. Filed for public inspection June 21, 1996, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 13—COMMERCE AND TRADE

### DEPARTMENT OF COMMERCE

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

#### Private Activity Bonds

The Department of Commerce (Department) amends § 55.5 (relating to allocations of tax-exempt bond authority) to read as set forth in Annex A. The statement of policy is amended under authority of section 7(4) of the Tax-Exempt Bond Allocation Act (act) (73 P. S. § 397.7(4)).

#### *Background*

The Federal Internal Revenue Code of 1986 (IRC) imposes a State ceiling on the aggregate amount of private activity bonds that may be issued in each calendar year by or on behalf of the Commonwealth and its political subdivisions.

The General Assembly adopted the act in 1985 to provide for the allocation of the State ceiling. The act authorizes the Secretary of Commerce to publish as statements of policy the county-by-county allocations.

The amended statement of policy provides for the 1996 allocation of the State ceiling. The amendment is needed because the current statement of policy provides allocations only for calendar year 1995.

#### *Amendments*

Section 55.5 is amended to establish the private activity bond allocations for calendar year 1996.

#### *Fiscal Impact*

The amended statement of policy has no fiscal impact on the Commonwealth, political subdivisions or the public. The amended statement of policy does not affect the total dollar amount of private activity bonds, as these ceilings are determined by Federal law. No Commonwealth funds are involved in the issuance of private activity bonds. All costs of bond issuance are paid for by bond proceeds or through funds of the issuer or borrower. The amended statement of policy will result in the use of private activity bonds to their maximum benefit, thereby increasing available resources.

#### *Paperwork Requirements*

Additional paperwork requirements are not imposed as a result of the amended statement of policy.

#### *Contact Person*

For further information regarding the amended statement of policy, contact Jill B. Busch, Deputy Chief Counsel, Office of Chief Counsel, Department of Commerce, Room 416 Forum Building, Harrisburg, PA 17120, (717) 783-8452.

#### *Finding*

The Department finds that delay in implementing the statement of policy will have a serious adverse impact on the public interest.

#### *Order*

The Department, acting under the authorizing statute, orders that:

(a) The statement of policy of the Department, 13 Pa. Code Chapter 55, is amended by amending § 55.5 to read as set forth in Annex A, with ellipses referring to the existing text of the section.

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

(c) The Secretary of Commerce 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*.

THOMAS B. HAGEN,  
*Secretary*

**Fiscal Note:** 4-59. No fiscal impact; (8) recommends adoption.

#### Annex A

### TITLE 13. COMMERCE AND TRADE

#### PART I. DEPARTMENT OF COMMERCE

#### CHAPTER 55. PRIVATE ACTIVITY BONDS—STATEMENT OF POLICY

#### § 55.5. Allocations of tax-exempt bond authority.

The act allocates the Commonwealth's tax-exempt bond authority to five categories as follows:

(1) *Housing related bonds.* An amount equal to \$175 million will be allocated for housing related bonds, including qualified residential rental projects and qualified mortgage bonds as defined by sections 142(d) and 143(a) of the Internal Revenue Code (26 U.S.C.A. §§ 142(d) and 143(a)). Requests to apply the housing related bond allocation to specific projects or uses, including mortgage credit certificate programs, will be reviewed and may be approved or disapproved by the Board of the Housing Finance Agency. Application for housing related bond allocations shall be made to the Executive Director of the Housing Finance Agency.

(2) *Qualified student loan bonds.* No amount will be allocated to the Pennsylvania Higher Education Assistance Agency for qualified student loan bonds provided by section 144(b) of the Internal Revenue Code (26 U.S.C.A. § 144(b)).

(3) *Qualified small issue bonds.* An amount equal to \$152,600,000 will be allocated for qualified small issue bonds under section 144(a) of the Internal Revenue Code. This amount will be allocated in accordance with the formula in § 57.1(d) (relating to allocations). Requests to apply this allocation to specific projects or uses will be reviewed and may be approved or disapproved by the Secretary. Application for allocations shall be made to the Bonds Office in the Department. The Secretary will provide allocations for qualified small issue bonds utilizing the procedure and subject to the requirements in § 57.3 (relating to procedures).

<i>County</i>	<i>Allocation</i>
Adams	\$400,000
Allegheny	\$4,597,190
Armstrong	\$400,000
Beaver	\$400,000
Bedford	\$3,244,377
Berks	\$8,780,505



STATEMENTS OF POLICY

<i>County</i>	<i>Allocation</i>	<i>County</i>	<i>Allocation</i>
Blair	\$5,672,503	Perry	\$677,500
Bradford	\$400,000	Philadelphia	\$4,325,795
Bucks	\$7,274,234	Pike	\$400,000
Butler	\$400,000	Potter	\$400,000
Cambria	\$920,313	Schuylkill	\$9,082,286
Cameron	\$400,000	Snyder	\$400,000
Carbon	\$2,481,251	Somerset	\$400,000
Centre	\$712,188	Sullivan	\$400,000
Chester	\$10,879,100	Susquehanna	\$400,000
Clarion	\$400,000	Tioga	\$989,688
Clearfield	\$1,024,375	Union	\$400,000
Clinton	\$400,000	Venango	\$400,000
Columbia	\$400,000	Warren	\$400,000
Crawford	\$400,000	Washington	\$3,730,002
Cumberland	\$5,173,003	Wayne	\$400,000
Dauphin	\$400,000	Westmoreland	\$8,312,917
Delaware	\$1,068,082	Wyoming	\$400,000
Elk	\$1,093,750	York	\$2,771,238
Erie	\$9,696,256	Total	\$152,600,000
Fayette	\$400,000		
Forest	\$400,000		
Franklin	\$5,530,284		
Fulton	\$746,875		
Greene	\$400,000		
Huntingdon	\$400,000		
Indiana	\$400,000		
Jefferson	\$1,371,251		
Juniata	\$400,000		
Lackawanna	\$400,000		
Lancaster	\$1,648,751		
Lawrence	\$400,000		
Lebanon	\$3,972,815		
Lehigh	\$400,000		
Luzerne	\$4,926,721		
Lycoming	\$5,176,472		
McKean	\$712,188		
Mercer	\$1,610,594		
Mifflin	\$400,000		
Monroe	\$400,000		
Montgomery	\$15,696,243		
Montour	\$400,000		
Northampton	\$1,301,876		
Northumberland	\$3,799,377		

(4) *Other qualified private activity bonds.* An amount equal to \$225 million will be allocated to other qualified private activity bonds, including qualified redevelopment bonds as defined by section 144(c) of the Internal Revenue Code, exempt facility bonds as defined by section 142 (excluding section 142(d)) of the Internal Revenue Code, and enterprise zone bonds as defined by section 1394 of the Internal Revenue Code, all of which are subject to the volume cap provided by section 146 of the Internal Revenue Code (26 U.S.C.A. § 146). Requests to apply this allocation to specific projects or uses will be reviewed and may be approved or disapproved by the Secretary. Applications for allocations shall be made to the Bonds Office in the Department. An allotment of at least 25% of the allocation provided in this paragraph is reserved for solid waste disposal projects.

\* \* \* \* \*

[Pa.B. Doc. No. 96-1013. Filed for public inspection June 21, 1996, 9:00 a.m.]

# NOTICES

## COMMISSION ON CRIME AND DELINQUENCY

### Drug Control and System Improvement Strategy

The Commission on Crime and Delinquency (PCCD) submitted an FFY-1996 state application for \$19.808 million provided through the Federal Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program. It is this program which totally supports Pennsylvania's Drug Control and System Improvement (DCSI) Program.

The application, entitled *Pennsylvania's FFY-1996 Statewide Drug Control and System Improvement Strategy*, identifies the priority program areas that PCCD has designated and the allocation of FFY-1996 DCSI funds anticipated to be available to support these initiatives.

Persons desiring to review and comment on the strategy may submit their requests to the following address: Commission on Crime and Delinquency, Attn: Drug Control and System Improvement Program, P. O. Box 1167, Harrisburg, PA 17108-1167.

JAMES THOMAS,  
*Executive Director*

[Pa.B. Doc. No. 96-1014. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, June 26, 1996. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 11 a.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

An informal conference among the Commissioners and staff will be held at 10 a.m. at the same location and will include an update on proposed revisions to the Commission's Water Code and Water Quality Regulations concerning toxic pollutants, and status reports on the Commission's new computer program, Water Quality Zone 2 wasteload allocations and Special Protection Waters' watershed prioritization.

The subjects of the hearing will be as follows:

*Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact:*

1. *New York State Department of Environmental Conservation D-77-20 CP (Revision No. 2)*. A request to extend the experimental release program Docket No. D-77-20 CP (Revision No. 2), "Modification To The Schedule Of Released Rates From Pepacton and Neversink Reservoirs," for up to 1 year.

2. *Zee Orchards, Inc. D-80-33 Renewal 3*. An application for the renewal of a groundwater withdrawal project

to supply up to 26.5 million gallons (mg)/30 days of water to the applicant's agricultural irrigation system from well no. 1. Commission approval on March 27, 1991 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 26.5 mg/30 days. The project is located in Harrison Township, Gloucester County, NJ.

3. *Philadelphia Park Race Track D-85-72 Renewal 2*. An application for the renewal of a groundwater withdrawal project to supply up to 10.6 mg/30 days of water to the applicant's irrigation system from wells nos. 1, 2, 3 and 4. Commission approval on March 27, 1991 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 10.6 mg/30 days. The project is located in Bensalem Township, Bucks County, PA.

4. *Borough of Bellmawr D-90-82 CP Renewal*. An application for the renewal of a groundwater withdrawal project to supply up to 60 mg/30 days of water to the applicant's distribution system from wells nos. 3, 4, 5 and 6. Commission approval on March 27, 1991, was limited to 5 years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 60 mg/30 days. The project is located in Bellmawr Borough, Camden County, NJ.

5. *UNISYS Corporation D-92-82 (D)*. A proposed groundwater remediation project consisting of the treatment of up to 367,000 gallons per day (gpd) of groundwater withdrawn at the applicant's computer manufacturing plant site situated in both East Whiteland and Tredegar Townships, Chester County, in the Southeastern Pennsylvania Groundwater Protected Area. Withdrawal will be accomplished by wells nos. MW-6D (7,200 gpd), MW-11D (72,000 gpd) and MW-21 (288,000 gpd) previously approved by Docket No. D-92-82 (G). The treatment facilities will consist of a chromium removal system with microfiltration as well as a prefiltration, and a carbon adsorption system for removal of volatile organic compounds. Treated effluent will be discharged to Little Valley Creek, in Tredegar Township.

6. *Pennsylvania American Water Company D-95-53 CP*. A project to increase the applicant's surface water withdrawal from 2.0 million gallons per day (mgd) to 6.0 mgd by new intake facilities (to replace its existing intake) on the Delaware River, located just south of Yardley Borough in Lower Makefield Township, Bucks County, PA. The applicant's distribution system will continue to serve Yardley Borough and portions of Lower Makefield and Falls Townships. The Mill Road Filtration Plant will be expanded to treat the raw water.

7. *Honesdale Consolidated Water Company D-95-57 CP*. An application for approval of a groundwater withdrawal project to supply up to 54.22 mg/30 days of water to the applicant's distribution system from existing wells nos. 1 and 2, and new wells nos. 3 through 6, and to limit the withdrawal from all wells to 54.22 mg/30 days. The project is located in Honesdale Borough and Texas Township, Wayne County, PA.

8. *Township of Moorestown D-95-59 CP*. An application for approval of a groundwater withdrawal project to supply up to 64.8 mg/30 days of water to the applicant's distribution system from existing well no. 7, and to increase the existing withdrawal of 110 mg/30 days from all wells to 150 mg/30 days. The project is located in Moorestown Township, Burlington County, NJ.

9. *Borough of Quakertown D-96-1 CP.* A revised application to replace wells nos. 13 and 14 in the applicant's water supply system that have become unreliable sources of supply with two new wells nos. 13A and 14A. The withdrawal from all wells will remain limited to 51.1 mg/30 days. The project is located in the Borough of Quakertown, Bucks County, in the Southeastern Pennsylvania Groundwater Protected Area.

10. *Jim Thorpe Municipal Authority D-96-19 CP.* A project to expand the rated capacity of the applicant's sewage treatment plant (STP) from 0.65 mgd to 0.92 mgd. The STP will serve existing and new development in the Borough of Jim Thorpe, Carbon County, PA. The STP, located on the east side of the Lehigh River near the southern boundary of the Borough, will continue to

discharge to the Lehigh River after providing secondary biological treatment utilizing the activated sludge process and chlorine disinfection.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

ANNE M. ZAMONSKI,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1015. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 11, 1996.

#### BANKING INSTITUTIONS

##### Bank Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-5-96	ExecuFirst Bancorp, Inc., Philadelphia to acquire 100% of the voting shares of Republic Bancorporation, Inc., Philadelphia, with a change in corporate title to "First Republic Bancorp, Inc."	Philadelphia	Approved Effective 6-7-96

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-5-96	Republic Bank, Philadelphia, and First Executive Bank, Philadelphia surviving institution— Republic Bank, Philadelphia, with a change in corporate title to "First Republic Bank"	Philadelphia	Approved Effective 6-7-96

All branches of First Executive Bank will become branches of First Republic Bank, including the former main office as follows:

6-6-96	Farmers First Bank, Lititz, and Spring Grove National Bank, Spring Grove surviving institution— Farmers First Bank, Lititz	Lititz	Effective
	<i>Branches Acquired:</i> 10 South Main Street Spring Grove York County	2305 Susquehanna Trail North York York County	
	1000 Hanover Road York York County		

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-31-96	Financial Trust Company Carlisle Cumberland County	1 Forge Road Boiling Springs S. Middleton Twp. Cumberland County	Opened
6-7-96	Northwest Savings Bank Warren Warren County	117 N. Allegheny St. Bellefonte Centre County	Filed
6-11-96	East Penn Bank Emmaus Lehigh County	6890 Hamilton Blvd. Trexlerstown Lehigh County	Approved
6-11-96	Jefferson Bank Haverford Montgomery County	580 W. Germantown Pike Plymouth Meeting Montgomery County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-18-96	Chambersburg Trust Company Chambersburg Franklin County	128 E. Queen St. Chambersburg Franklin County	Effective
6-6-96	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	3570 Hamilton Blvd. Dorneyville South Whitehall Twp. Lehigh County	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
6-7-96	Woodlands Bank Williamsport Lycoming County	To provide for Article Third of the Articles of Incorporation to be restated in its entirety to reflect full fiduciary powers.	Approved and Effective

**SAVINGS ASSOCIATIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
6-6-96	Keystone Savings and Loan Association, Philadelphia; Hometown Building and Loan Association, Philadelphia; and Wayne Junction Savings Association, Ambler— surviving institution— Keystone Savings and Loan Association, Philadelphia	Philadelphia	Filed

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1016. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AFFAIRS

### Consolidated Plan Public Meetings and Regional Housing Advisory Committee Meetings

The Department of Community Affairs, or successor agency, is preparing the 1997 Annual Plan which supplements the Commonwealth's Consolidated Plan for Federal fiscal years 1995-1999. These documents must be submitted to and approved by the U. S. Department of Housing

and Urban Development (HUD) in order for the Commonwealth and organizations within the State to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth's 1997 Annual Plan will address how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant, and Housing Opportunities for Persons with AIDS.

Any individual or organization may give testimony or comments at one of three public meetings. Comments will be accepted on topics related to community development, housing, the content of the Commonwealth's Annual Plan, and the process by which the public's input is gathered. The Commonwealth encourages public participation in this process.

Anyone who wants to speak must call to schedule a time to give oral testimony at the meeting. These public meetings will be shortened if no one is scheduled to testify or if there is minimal response. To schedule your oral testimony at the public meeting, you must contact Shirley Rohrer at (717) 787-8169 at least 24 hours prior to the applicable meeting date.

#### *Written Comments*

Written testimony, in lieu of oral testimony, may be submitted by 5 p.m., August 2, 1996. These comments should be submitted to Ed Geiger, Senior Policy Analyst, Office of Policy Development, Department of Community Affairs, Room 325, Forum Building, Harrisburg, PA 17120.

#### *Public Meetings*

The public meetings will be held as follows:

*July 17, 1995*

Economic Development Council of  
Northeastern Pennsylvania  
1151 Oak Street  
Pittston, PA 18640  
3 p.m. to 6 p.m.\*

*July 18, 1996*

Harrisburg Area Community College  
Blocker Hall, Room 113  
One HACC Drive  
Harrisburg, PA 17110-2999  
3 p.m. to 6 p.m.\*

*July 30, 1996*

John P. Robin Civil Building  
City Planning Commission Meeting Room  
First Floor  
200 Ross Street  
Pittsburgh, PA 15219  
3 p.m. to 6 p.m.\*

\*Note: Public meetings may be shortened if there is a minimal response.

#### *Regional Housing Advisory Committee Meetings*

The Commonwealth has six Regional Housing Advisory Committees across the State comprised of *appointed* members. Meetings of these committees are open to the public under the Sunshine Act. These committees advise the Department of Community Affairs, or its successor agency, regarding housing and community development needs as well as assist in fair housing planning. These meetings are being held as follows:

*July 10, 1996*

Mifflin County Courthouse  
Second Floor, Room A  
20 North Wayne Street  
Lewistown, PA 17044  
9:30 a.m. to 1 p.m.

*July 17, 1996*

Economic Development Council of  
Northeastern Pennsylvania  
1151 Oak Street  
Pittston, PA 18640  
9:30 a.m. to 1 p.m.

*July 18, 1996*

Harrisburg Area Community College  
Blocker Hall, Room 113  
One HACC Drive  
Harrisburg, PA 17110-2999  
9:30 a.m. to 1 p.m.

*July 23, 1996*

Chester County Office of Housing  
and Community Development  
Government Services Center  
601 Westtown Road, Conference Room 171  
West Chester, PA 19382  
9:30 a.m. to 1 p.m.

*July 30, 1996*

John P. Robin Civic Building  
City Planning Commission Meeting Room  
First Floor  
200 Ross Street  
Pittsburgh, PA 15219  
9:30 a.m. to 1 p.m.

*July 31, 1996*

PNC Bank  
Community Room  
901 State Street  
Erie, PA 16534  
9:30 a.m. to 1 p.m.

Anyone who has a disability and wishes to attend the public meetings or advisory committee meetings and requires an auxiliary aid, service, or other accommodation to participate in the proceeding should contact Shirley Rohrer, Room 325, Forum Building, Harrisburg, PA 17120, (717) 787-8169, to discuss how the Department of Community Affairs may best accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's number listed above.

DAVID E. BLACK,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1017. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the 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.

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

**PA 0052035.** Sewage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940.

This application is for renewal of an NPDES permit to discharge treated sewage from Upper Makefield Township Sewage Treatment Plant in Upper Makefield Township, **Bucks County**. This is an existing discharge to Delaware River.

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

The proposed effluent limits for Outfall 001 based on an average flow of 0.1 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
Total Residual Chlorine (from issuance through year 1)	1.0		2.5
(from year 2 through expiration)	0.5		1.6
Fecal Coliforms	200 colonies/100 ml as a geometric average		
pH	within limits of 6.0—9.0 standard units at all times		

#### *Other Conditions:*

Conditions for future permit modification.

Effective disinfection.

The EPA waiver is in effect.

**PA 0056804.** Industrial waste, **Forest Park Water**, 144 Park Avenue, P. O. Box 317, Chalfont, PA 18914-0317.

This application is for issuance of an NPDES permit to discharge treated process from a water filtration plant which supplies potable water to residents in Bucks County in Chalfont Borough, **Bucks County**. This is a new discharge to Pine Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.454 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
pH	within limits of 6.0—9.0 standard units at all times		
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.25		0.6
Phosphorus as P (4-1 to 10-31)	2.0	4.0	5.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Chloroform	monitor/report		
Dichlorobromomethane	monitor/report		
Chlorodibromomethane	monitor/report		

The EPA waiver is in effect.

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

**PA 0002917.** Industrial waste, SIC: 4911, **West Penn Power Company**, 800 Cabin Hill Drive, Greensburg, PA 15601.

This application is for renewal of an NPDES permit to discharge treated process water, sewage stormwater leachate and untreated cooling water stormwater from Armstrong Power Station in Washington Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters of the Allegheny River and its unnamed tributary classified as warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Western Pennsylvania Water Company, located at Kittanning, 10 miles below the discharge point.

*Internal Monitoring Point 101:* existing discharge, design flow of 0.258 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Suspended Solids			30	100	
Oil and Grease			15	20	
pH (s.u.)	6.0—12.0				

*Outfall 001:* existing discharge to Allegheny River, 129 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Temperature (°F)			monitor and report		
Heat (7-1 to 12-31)			not to exceed 5.87 x 10 <sup>10</sup> btu/day		
(1-1 to 6-30)			not to exceed 1.17 x 10 <sup>11</sup> btu/day		
Total Residual Chlorine					0.2
pH (s.u.)	6.0—9.0				

*Outfall 003:* existing discharge to the Allegheny River, 0.005 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	0.005				
CBOD <sub>5</sub>			25		50
Suspended Solids			30		60
Total Residual Chlorine (Issuance to 3 years)			monitor and report		
(3 years to expiration)			1.4		3.3
% Removal					
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				

*Outfall 005:* existing discharge to an unnamed tributary to Allegheny River, 0.049 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Suspended Solids			30	100	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron			3.5	7.0	
pH	6.0—9.0				

*Outfall 006:* Plant area stormwater runoff and emergency overflow (North Detention Lagoon) discharge to the Allegheny River.

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

The discharge from this outfall is restricted by the requirements in Item Nos. 9 and 11 in Part C of the permit.

*Outfall 007:* existing discharge to the Allegheny River, 0.106 mgd.

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

Flow monitor and report  
This discharge shall consist of intake screen backwash water only.

*Outfall 008:* emergency overflow (hydrobin) discharge to Allegheny River.

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

Flow monitor and report  
Suspended Solids 30 100  
Oil and Grease 15 20  
pH (s.u.) 6.0—9.0

*Outfall 009:* existing discharge to Allegheny River, 2.73 mgd.

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

Flow monitor and report  
Suspended Solids 30 100  
Oil and Grease 15 20 30  
pH (s.u.) 6.0—9.0  
This outfall may also receive metal cleaning wastewater from IMP 109 upon written authorization from the Department.

*Internal Monitoring Point 109:* Impoundment tank (metal cleaning wastewater) in the industrial wastewater treatment plant.

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

There shall be no discharge of metal cleaning wastewater without prior written approval from the Department.

*Outfall 010:* Plant area stormwater runoff and emergency overflow (south detention basin) discharge to the Allegheny River.

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

The discharge from this outfall is restricted by the requirements in Item Nos. 9 and 11 in Part C of the permit.

*Outfalls 002, 004, 011, 012, 016 and 017:* stormwater discharge to Allegheny River.

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

The discharge from these outfalls shall consist of uncontaminated stormwater runoff only.



Outfall 013: proposed discharge to Allegheny River, 0.45 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	100	
Iron			3.5	7.0	
Aluminum			monitor and report		
Zinc			monitor and report		
pH	6.0—9.0				

Outfall 014: Impacted springflow (variable) discharge to the Allegheny River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			monitor and report		
Iron			monitor and report		
Manganese			monitor and report		
Aluminum			monitor and report		
Zinc			monitor and report		
pH	6.0—9.0				

Outfall 015: Impacted springflow (variable) discharge to the Allegheny River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			monitor and report		
Iron			monitor and report		
Manganese			monitor and report		
Aluminum			monitor and report		
Zinc			monitor and report		
pH	6.0—9.0				

The EPA waiver is not in effect.

**PA 0023698.** Sewage, **Vanport Township Municipal Authority**, 285 River Avenue, Vanport, PA 15009.

This application is for renewal of an NPDES permit to discharge treated sewage from Vanport Water Pollution Control Plant in Vanport Township, **Beaver County**.

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

Outfall 001: existing discharge, design flow of 1.56 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Total Residual Chlorine				
Issued date through 36th month	monitor and report			
37th month through expiration date	0.5			1.6
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			
pH	6.0—9.0			

The EPA waiver is not in effect.

**PA 0041238.** Sewage, **Meyersdale-Summit Park Recreation Commission**, 117 Olinger Street, Meyersdale, PA 15552.

This application is for renewal of an NPDES permit to discharge treated sewage from the Maple Valley Park Sewage Treatment Plant in Summit Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Blue Lick Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohio State Park Water Authority on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.004 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
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0217352.** Sewage, **Thomas Goetz**, 1341 Vinemont Street, Pittsburgh, PA 15205.

This application is for issuance of an NPDES permit to discharge treated sewage from the Club 40 Restaurant Sewage Treatment Plant in North Franklin Township, **Washington County**.

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

Outfall 001: new discharge, design flow of 0.002 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			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
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	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

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

**PA 0102652.** Sewage, **Countryside II**, Limited Partnership, 10215 Perry Lake Road, Clarkston, MI 48348.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Elk Creek in McKean Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water fishery plus migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing proposed downstream potable water supply (PWS) considered during the evaluation is none before Elk Creek reaches Lake Erie.

The proposed effluent limits for Outfall 001 based on average design flow of 0.06 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Phosphorus as "P"	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	0.5	1.2
Fecal Coliforms (5-1 to 9-30)	200/100 ml	
(10-1 to 4-30)	2,000/100 ml	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0035661.** Sewage, **Renick Brothers Construction Company**, P. O. Box 94, Route 173, Slippery Rock, PA 16057.

This application is for a renewal of a Part I NPDES permit to discharge treated sewage to an unnamed tributary to Christy Run in Washington Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Camp Allegheny intake on Slippery Rock Creek located at Wayne Township, Lawrence County, approximately 34 miles below the discharge.

The proposed discharge limits, based on a design flow of 0.00064 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	20	40
Fecal Coliforms (throughout the year)	200/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

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

**PA 0209384.** SIC: 4952, **Lawrence Township Municipal Authority**, R. D. 2, Box 220, Tioga PA 16946.

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage to Tioga River in Lawrence Township, **Tioga County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the assumed downstream potable water supply (PWS) considered during the evaluation is the PA/NY State Border.

The proposed effluent limits for Outfall 001, based on a design flow of 0.130 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>	25.0	40.0	50.0
Suspended Solids	30.0	45.0	60.0
Total Residual Cl <sub>2</sub>	0.5		1.6
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0114880.** Sewage, SIC: 4952, **Church of Jesus Christ of the Latter Day Saints**, R. R. 1, Box 121, Springville, PA 18844.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to unnamed tributary of west branch Briar Creek in North Centre Township, **Columbia County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Water Authority located at Danville.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0009 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia-N	15		30
Total Residual Cl <sub>2</sub>	monitor and report		
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0030601.** Sewerage, SIC: 4952, **Clearfield Area School District**, P. O. Box 710, Clearfield, PA 16830.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to unnamed tributary of west branch Susquehanna River in Goshen Township, **Clearfield County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0018 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia-N (5-1 to 10-31)	20		
Total Residual Cl <sub>2</sub>	monitor and report		
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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.

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

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

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

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

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

**NPDES Permit PAS10A087.** Stormwater. **Hickory Heights Land Company**, 1 River Front Center, Pittsburgh, PA 15222 has applied to discharge stormwater from a construction activity located in South Fayette Township, **Allegheny County**, to Coal Run.

**NPDES Permit PAS10A052-1.** Stormwater. **Metro Property**, 300 Park Manor Drive, Pittsburgh, PA 15205 has applied to discharge stormwater from a construction activity located in North Fayette Township, **Allegheny County**, to UNT to Montour Run.

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

**NPDES Permit PAS10G212.** Stormwater. **West Vincent Township**, P. O. Box 163, Birchrunville, PA 19421 has applied to discharge stormwater from a construction activity located in West Vincent Township, **Chester County**, to UNT to Pickering Creek.

**NPDES Permit PAS10G213.** Stormwater. **Downingtown Area School District**, 122 Wallace Avenue, Downingtown, PA 19335 has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Shamona Creek.

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

**NPDES Permit PAS10H060.** Stormwater. **Al-Don Properties**, P. O. Box 688, Hanover, PA 17331 has applied to discharge stormwater from a construction activity located in Lemoyne Borough, **Cumberland County**, to the Susquehanna River.

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

**NPDES Permit PAS10P024.** Stormwater. **Walter Weaber and Sons Inc.**, R. D. 4, Lebanon, PA 17042 has applied to discharge stormwater from a construction activity located in South Annville Township, **Lebanon County**, to Gingrich Run to the Little Conewago.

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

**NPDES Permit PAS10Q116.** Stormwater. **Jaindl Land Company**, 3150 Coffeetown Road, Orefield, PA 18069 has applied to discharge stormwater from a construction activity located in Lower 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 PAS10U056.** Stormwater. **Filmtech Corporation**, P. O. Box 2005, Easton, PA 18044 has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the 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.

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

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

**A. 0271473.** Amendment No. 1. Sewerage. **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239-1197. Application for the construction and operation of approximately 5,600 L. F. of new sanitary sewer system to replace/eliminate the existing Woodlawn Wastewater Treatment Plant located in Plum Borough, **Allegheny County**.

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

**WQM Permit No. 4396404.** Sewage, **Lakeview Area Industrial Corporation, c/o Penn Northwest Development Corporation**, 147 North Diamond Street, Mercer, PA 16137-1280 is for the construction of a pump station and gravity sewer lines to serve Jackson Commerce Park in Jackson Township, **Mercer County**.

**WQM Permit No. 2596404.** Sewage, **Lake City Sewer Authority**, 1150 Maple Avenue, Lake City, PA 16423 is for the construction of sludge drying beds in Lake City, **Erie County**.

**WQM Permit No. 6296404.** Sewage, **Frederick and Suanne Beardsley, SRSTP**, 889 Hatch Run Rd., Warren, PA 16365. This project is for the construction of a single residence sewage treatment plant in Glade Township, **Warren 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. 3496503.** Public water supply. **Richfield Area Joint Authority**, Monroe Township, **Juniata County**.

(Alvin Graybill, P. O. Box 215, Richfield, PA 17086), the construction of a chemical feed system to control corrosion by the addition of soda ash and Aqua Mag, (Raymond H. Robbins, P. E., Buchart-Horn, Inc., 150 Buffalo Road, Suite #209, Lewisburg, PA 17837-1151).

**A. 4496501.** Public water supply. **Borough of Lewistown Municipal Authority**, Armagh Township, **Mifflin County**, (W. Harris Layton, Borough of Lewistown Municipal Authority, 70 Chestnut Street, P. O. Box 68, Lewistown, PA 17044-0068), upgrade PWS filtration plant from 4 to 6 million gallon per day capacity utilizing direct filtration with ozonation. Construction of new distribution storage tanks, transmission lines and development of wells for alternate supply source, (Mark V. Glenn, P. E., Gwin, Dobson and Foreman, Inc., P. O. Box 1589, Altoona, PA 16603-1589).

**A. 6796503.** Public water supply. **Glen Rock Water Authority**, Shrewsbury Township, **York County**, (W. Roy Klauber, Glen Rock Water Authority, P. O. Box 116, Glen Rock, PA 17327), seeks a permit to construct an interconnection with the York Water Company and a chlorine booster station, (William A. LaDieu, CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112).

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

**A. 2596501.** Public water supply. **Lake City Borough**, (Copes Vulcan Well No. 2), 2350 Main Street, Lake City, PA 16423). This proposal involves the construction of a new 341,000 gallon storage tank, 42' in diameter and 33' high. Construction of a new pump house measuring 24' x 40', distribution piping and new water supply well.

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

**6687502.** Public water supply. **Village of Mountain Heights, c/o Patrick Breslin**, Century Enterprises, Box 502, Montgomery, PA 18936. This proposal involves the permitting of an existing system consisting of a well, distribution system and storage tank. Disinfection by chlorination will be installed. It is located in Overfield Township, **Wyoming County**.

**1396501.** Public water supply. **Four Seasons Village, c/o Edward J. Gaydos**, 250 Gerald Avenue, Orwigsburg, PA 17961). This project provides for the construction of an existing unpermitted public water supply system consisting of two wells serving the Four Seasons Village which includes four apartment buildings. Treatment consists of phosphate addition, soda ash feed and sodium hypochlorite disinfection. It is located in Mahoning Township, **Carbon County**.

**4896501.** Public water supply. **East Bangor Municipal Authority, c/o Art Weaver, Chair**, East Bangor Municipal Authority, P. O. Box 539, East Bangor, PA 18013. This proposal involves the construction of a water storage tank, pump house for fire protection and a booster pumping station. It is located in East Bangor Borough, **Northampton County**.

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

**A. 3096503.** **Lemley Trailer Court, c/o Donald E. Shriver**, Mt. Morris Star Route, Waynesburg, PA 15370. Existing system located in **Greene County**.

### Acknowledgment of Notices of Intent to Remediate

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

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

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

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

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Crompton & Knowles Colors, Inc.**, Robeson Township, **Berks County**. Crompton & Knowles, Incorporated, P. O. Box 341, Reading, PA 19603 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals and solvents. The applicant proposes to remediate the site to meet the site-specific standards. A summary of the Notice of Intent to Remediate

ate was reported to have been published in the *Reading Eagle* and the *Reading Times* on April 29, 1996.

**Renewal applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1–6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Longview of Mercer County, Inc.**, 432 Stokes Avenue, Trenton, NJ 08638; License No. **PA-HC 0147**; application received May 10, 1996.

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

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

**A. 101176. Deep Valley Coal & Disposal, Inc.**, R. D. 2, Box 282A, Pleasant Valley Road, Irwin, PA 15642. Deep Valley Landfill, Intersection of State Routes 22/30 and 60. Application for a major permit modification to modify the geosynthetic cap system to be a soil cap system, end use alternatives on the closed landfill area, modify the landfill's perimeter berm detail and reduce existing permit boundary in North Fayette Township, **Allegheny County**. Application was received in the Regional Office on June 3, 1996.

**Applications submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904) and regulations to operate solid waste processing or disposal area or site.**

*Regional Office: Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2516.*

**A. 101247. Keystone Sanitary Landfill, Inc.**, P. O. Box 249, Dunmore, PA 18512. A Major Permit Modification for Phase II Site Development for this Municipal Waste Landfill, located in Dunmore and Throop Boroughs, **Lackawanna County**. This site development consists of a 186 acre double lined municipal solid waste disposal sanitary landfill, primary and secondary liners of 60 mil and 40 mil in thickness, eight additional groundwater monitoring wells, primary and secondary containment tankage with sufficient capacity to store the maximum 30 day volume of treated wastewater, no increase in truck traffic to the landfill—average daily volume of municipal waste remains the same as in the Phase I Site Development (3,500 tons per day) and a gas management program in compliance with the Federal Clean Air Act and Title 25, Subpart C, Article III, Air Resources. This application was received on May 29, 1996, and was determined to be complete in the Regional Office on May 30, 1996.

**A. 100265. Grand Central Sanitary Landfill, Inc.**, 1963 Pen Argyl Road, Pen Argyl, PA 18072. A Major Permit Modification for an increase in average and maximum daily volume and an expansion referred to as

“Lateral Expansion Area” of this Municipal Waste Landfill, located in Plainfield Township, **Northampton County**. This application was received on April 16, 1996, and was determined to be complete in the Regional Office on April 25, 1996.

**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 contaminant sources.**

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

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

Permit: **23-307-002**

Source: 20 inch Experimental Paper Machine—Dryer Hood Burners

Company: **Kimberly-Clark Tissue**

Location: City of Chester

County: **Delaware**

Permit: **09-301-123**

Source: Incinerator

Company: **Columbia Lighting, Inc.**

Location: Bristol

County: **Bucks**

Permit: **46-301-249A**

Source: Type I Waste Incinerator

Company: **Vesper Corporation/Penco Products Div.**

Location: Upper Providence

County: **Montgomery**

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

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**19-302-029.** Construction of a natural gas fired boiler by **Foam Fabricators, Inc.** (7050 New Berwick Highway, Route 11, Bloomsburg, PA 17815) for the construction of a natural gas fired boiler in South Centre Township, **Columbia County**. This boiler is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

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

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**17-399-016A.** The Department intends to issue an operating permit to **HPM Industries, Inc.** (P. O. Box P, DuBois, PA 15801) for the operation of a powdered metal parts sintering furnace (No. 7) and associated air cleaning device (an in-stack afterburner) in the City of DuBois, **Clearfield County**.

*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: **39-313-008B**

Source: Resin Handling Sys w/3 Baghouses

Company: **Tarkett, Incorporated**

Location: Whitehall Township

County: **Lehigh**

Permit: **48-315-002B**

Source: Paper Trim System w/Cyclone

Company: **James River Paper Company Inc.**

Location: Forks Township

County: **Northampton**

Permit: **48-320-006B**

Source: 4 Presses (VOC Synthetic Minor)

Company: **James River Paper Company Inc.**

Location: Forks Township

County: **Northampton**

Permit: **54-318-008A**

Source: 2 Autospray Booths w/Panel Filter

Company: **Air Products & Chemical Company**

Location: Rush Township

County: **Schuylkill**

**66-0001.** The Department intends to reissue a RACT air quality operating permit to **The Procter & Gamble Paper Products Company** (P. O. Box 32, Mehoopany, PA 18629) in Washington Township, **Wyoming County** to include the turbine with steam injection, an auxiliary boiler with a low NOx burner, boilers no. 2 and no. 4 with annual adjustment or tuneup, the 4M paper machine with low NOx burners and pulp plant vents (digester, general process, sulfur recovery scrubber, and brown stock washer).

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**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.**

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

**25-304-036.** The Department intends to issue an air quality operating permit to **Zurn Industries—Bay City Forge** (P. O. Box 13801, Erie, PA 16514) for the operation of three natural gas fired furnaces at Erie, **Erie County**.

**10-313-046.** The Department intends to issue an air quality operating permit to **Mine Safety Appliances Company, Callery Chemical Company** (P. O. Box 429, Pittsburgh, PA 15230) for the operation of a scrubber/flare emission abatement system at 1420 Mars Evans City Road, Forward Township, **Butler County**.

The Department intends to issue an air quality operating permit to **Mallinckrodt Chemical, Inc.** (1707 Gaskell Avenue, Erie, PA 16503) for the operation of the following at Erie, **Erie County**.

**25-313-054.** Dust Collector on East Blender Loader.

**25-313-055.** Dust Collector on West Blender Loader.

**37-318-014C.** The Department intends to issue an air quality operating permit to **Emess Lighting, Inc.** (One Early Street, Ellwood City, PA 16117) for the operation of surface coating lines at Ellwood City, **Lawrence County**.

**10-318-018.** The Department intends to issue an air quality operating permit to **Roessing Bronze Company** (P. O. Box 816, Mars, PA 16046) for the operation of two

additional electric induction bronze melting furnaces in Adams Township, **Butler County**.

**10-318-020.** The Department intends to issue an air quality operating permit to **Spang & Company** (100 Brugh Avenue, P. O. Box 751, Butler, PA 16003) for the operation of a surface coating operation at East Butler Boro, **Butler County**.

**37-345-009.** The Department intends to issue an air quality operating permit to **International Metals Reclamation Company** (P. O. Box 720, Ellwood City, PA 16117-0720) for the operation of a thermal oxidizer furnace in Ellwood City, **Lawrence County**.

**16-399-007.** The Department intends to issue an air quality operating permit to **County Landfill, Inc.** (P. O. Box 237, Route 36, Leeper, PA 16233) for the operation of a methane flare-off system in Farmington Township, **Clarion County**.

**10-399-015.** The Department intends to issue an air quality operating permit to **RECMIX of Pennsylvania, Inc.** (586 Plum Run Rd., Canonsburg, PA 15317) for the operation of a stainless steel recovery facility in Winfield Township, **Butler County**.

**37-399-010.** The Department intends to issue an air quality operating permit to **LaFarge Corporation** (6715 Tippecanoe Road, Canfield, OH 44406) for the construction of a slag processing plant in Pulaski, **Lawrence County**.

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**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.**

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*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: **54-322-001A**

Source: 2 Landfill Gas Ground Flares

Received: May 21, 1996

Company: **Pine Grove Landfill, Inc.**

Location: Pine Grove Township

County: **Schuylkill**

Permit: **54-322-002**

Source: Landfill Expansion w/2 Flares

Received: May 21, 1996

Company: **Pine Grove Landfill, Inc.**

Location: Pine Grove Township

County: **Schuylkill**

Permit: **35-304-002**

Source: Electric Induction Furnace (Iron)

Received: May 28, 1996

Company: **Miles Foundry Company**

Location: Clarks Summit Borough

County: **Lackawanna**

Permit: **35-322-003A**

Source: Landfill Gas Flare

Received: May 16, 1996

Company: **Empire Sanitary Landfill, Inc.**

Location: Taylor Borough

County: **Lackawanna**



Permit: **40-302-125G**  
 Source: Gas/#2 Oil Fired Boiler  
 Received: May 21, 1996  
 Company: **The Lion Incorporated**  
 Location: City of Wilkes-Barre  
 County: **Luzerne**

Permit: **40-309-035**  
 Source: Ceramic Extrusion w/Afterburners  
 Received: May 16, 1996  
 Company: **Certech Incorporated**  
 Location: Hanover Township  
 County: **Luzerne**

Permit: **48-319-007**  
 Source: Scrap Grind/Mix System w/Baghouse  
 Received: May 30, 1996  
 Company: **G A F Premium Products, Inc.**  
 Location: Wind Gap Borough  
 County: **Northampton**

Permit: **54-302-053A**  
 Source: Boiler/Natural Gas & #2 Oil Fired  
 Received: May 22, 1996  
 Company: **PA Dept. of Correction**  
 Location: Ryan Township  
 County: **Schuylkill**

**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.

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

**16-318-006.** The Department received a plan approval application for operation of two existing paint spray

booths (coating 18,720 detachable trailer bodies/year) by **Pennstyle Campers, Inc.** (Route 66, Leeper, PA 16233) in Farmington Township, **Clarion County**.

**25-301-064A.** The Department received a plan approval application for installation of two wet electrostatic precipitators/venturi scrubber systems to existing sewage sludge incinerators (13,200 metric dry tons/year) by **Erie Sewer Authority** (c/o Knox, McLaughlin, Gornall & Sennett, P. C., 120 West 10th Street, Erie, PA 16501) in Erie, **Erie County**. This facility is governed by 40 CFR Part 503, Subpart E.

**43-302-019.** The Department received a plan approval application for construction of a wood fired boiler (23.9 MMBTU/hr) with multiclones by **International Timber & Veneer, L. C.** (c/o PA NW Development Corp., 147 N. Diamond St., Mercer, PA 16137) at the Jackson Commerce Park, Jackson Township, **Mercer County**. This source is subject to Federal New Source Performance Standard 40 CFR Part 60, Subpart Dc.

**Reasonably Available Control Technology; Public Hearings**

The Department of Environmental Protection will conduct a public hearing on Thursday, August 1, 1996, beginning at 1 p.m. in the main floor conference room at the Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

The hearing is for DEP to accept testimony concerning the Department's decision to approve, with conditions, Reasonably Available Control Technology (RACT) plans by:

- Urick Foundry, 1501 Cherry Street, Erie, Erie County
- EMI Company, 603 West 12th Street, Erie, Erie County

to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of volatile organic compounds (VOC) from various air contamination sources. The final RACT proposals will be submitted to the U. S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan. All of these facilities are located in Erie County.

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approvals and/or operating permits for the facilities and will be submitted to the U. S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary VOC RACT determinations for the above listed facilities (major sources only):

*Urick Foundry, 1501 Cherry Street, Erie*

<i>Source</i>	<i>VOC RACT Limit</i>	<i>Implementation Date</i>
Pouring/Casting	0.14 lb/ton of metal poured	upon permit issuance
Inoculation	0.005 lb/ton of metal inoculated	upon permit issuance
52" Hot Blast Cupola w/afterburner	0.0018 lb/ton of metal charged	upon permit issuance

<i>Source</i>	<i>VOC RACT Limit</i>	<i>Implementation Date</i>
Didion Shakeout	1.2 lbs/ton of castings	upon permit issuance
Rotary Shakeout	1.2 lbs/ton of castings	upon permit issuance
Corewash/Drying Oven	26.85 lbs/ton of core sand used	upon permit issuance
Warm Box Core	5.53 lbs/ton of core sand used	upon permit issuance
Calcium Carbide Treatment	7.41 lbs/hour	upon permit issuance

*EMI Company, 603 West 12th Street, Erie*

<i>Source</i>	<i>VOC RACT Limit</i>	<i>Implementation Date</i>
In Liner Casting Line:		
Rotopour/Pouring	0.14 lb/ton of metal poured	upon permit issuance
Inoculation	0.005 lb/ton of metal inoculated	upon permit issuance
Casting Punchout/Shakeout	1.2 lbs/ton of metal poured	upon permit issuance
AISCO Rotary Shakeout	1.2 lbs/ton of metal poured	upon permit issuance
B & P Casting Line Pouring	0.14 lb/ton of metal poured	upon permit issuance
Inoculation	0.005 lb/ton of metal inoculated	upon permit issuance
Shakeout	1.2 lbs/ton of metal poured	upon permit issuance
Cold Core Making	7.97 lbs/hour	upon permit issuance

For the above facilities, a public hearing will be held for the purpose of receiving comments on the above proposed Plan Approvals and/or Operating Permits and the proposed SIP revisions. The public hearing is scheduled as follows:

Thursday, August 1, 1996  
1 to 3 p.m.  
Department of Environmental Protection  
230 Chestnut Street  
Meadville, PA 16335

Persons wishing to present testimony at the hearing should contact Steve Curcio, Community Relations Coordinator, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6945 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Steve Curcio, Community Relations Coordinator, (814) 332-6945 or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to Bob Huston at (814) 332-6940:

Air Pollution Control Engineer, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 30 days of the date of this publication notice.

All the pertinent documents (applications, review memos and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP contact person noted previously.

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment ap-

proval, 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.*

**D23-053A. Dam. Borough of Ridley Park, Ward and Cresswell Streets, Ridley Park, PA 19078.** To modify, operate and maintain a dam across Little Crum Creek in Ridley Park Borough, **Delaware County**.

**D67-528. Dam. Modern Trash Removal of York, Inc., R. D. 9, Box 317, York, PA 17402.** To construct, operate and maintain the sedimentation Pond G Dam as part of the Northwest Expansion of Modern Landfill.

*Northcentral Regional Office: Soils and Waterways Section, 208 W. Third St., Suite 101, Williamsport, PA 17701, telephone (717) 327-3574.*

**E17-304.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552. Remove existing structure and to construct and maintain a single span timber bridge with a clear span of 40.0 feet and average underclearance of 5.32 feet over Laurel Run and Tyler Road approximately 1/4 mile from the intersection with Mud Run Road (Penfield, PA Quadrangle N: 15.8 inches; W: 0.3 inch) in Huston Township, **Clearfield County**. Stream classification is CWF/High Quality; proposed impact is less than 250.0 linear feet.

**E18-215.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552. Remove the existing structure and to construct and maintain a single span prestressed concrete spread box beam bridge that will carry County Line Road across Baldwin Branch of Young Womans Creek. It shall be constructed with a clear span of 30.0 feet, an underclearance of 7.0 feet and a curb to curb width of 18.0 feet. The project is located at the northern right-of-way of Benson Road approximately 250.0 feet north of the intersection of County Line Road and Benson Road (Slate Run, PA Quadrangle N: 17.0 inches; W: 16.8 inches) in Chapman Township, **Clinton County**. Stream impact approximately 60.0 linear feet with no wetland impact; stream classification high quality-cold water fishery.

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

**E46-745.** Encroachment. **Pine Run/Seeds, Inc.**, 307 Horsham Road, Horsham, PA 19044. To remove all of the existing buildings, and to construct and maintain approximately a 533 linear foot retaining wall and a 12,000 square foot office building, parking and stormwater management facilities in and along the 100-year floodway and floodway fringe of the Pennypack Creek. The site is located at the corner of Horsham Road and Dreshertown Road (Ambler, PA Quadrangle N: 10.0 inches; W: 1.25 inches) in Horsham Township, **Montgomery County**.

**E45-298.** Encroachment. **David Metzgar**, R. R. 1, Box 405, Lower Swiftwater Road, Cresco, PA 18326. To construct and maintain a private steel-beam bridge having a single span of approximately 48 feet and an underclearance of 10.0 feet across Swiftwater Creek (HQ-CWF) to provide access to a single family dwelling. The project is located on the southern side of S. R. 314, approximately 0.5 mile southeast of its intersection with T588 (Mount Pocono, PA Quadrangle N: 16.9 inches; W: 6.6 inches) in Paradise Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

**E45-299.** Encroachment. **Pleasant Valley Manor**, Monroe County, Housing Authority, 4227 Manor Drive, Stroudsburg, PA 18360. To construct and maintain an approximate 0.73 acre bituminous pavement parking lot addition within the 100-year floodplain of McMichael Creek (HQ-CWF). The project is associated with the expansion of Monroe County Housing Authority's existing Pleasant Valley Manor Nursing Home, located approximately 500 feet northeast of the intersection of S. R. 2010 (Manor Drive) and T235 (Saylorburg, PA Quadrangle N: 13.3 inches; W: 5.2 inches) in Hamilton Township, **Monroe County** (Philadelphia District Army Corps of Engineers).

**E48-235.** Encroachment. **Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. To construct and maintain a public fishing and boating access facility along the left bank and within the 100-year

floodplain of the Lehigh River (WWF) with work consisting of the placement of the following: 1) a 20-foot wide concrete boat launching ramp and bituminous access road; 2) a 10-foot × 40-foot concrete fishing pier; 3) a 48-inch C.M.P. outfall structure and 4) 5-foot wide concrete walkways. This project is situated along the northern riverbank and is associated with the proposed extension of S. R. 33 to S. R. 78 (Nazareth, PA Quadrangle N: 3.7 inches; W: 3.0 inches) in Bethlehem Township, **Northampton County** (Philadelphia District, Army Corps of Engineers).

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## ACTIONS

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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, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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#### Permits Issued

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

**NPDES Permit No. PA0002062.** Amendment No. 1. Industrial waste, **Pennsylvania Electric Company**, 1001 Broad Street, Johnstown, PA 15907 is authorized to discharge from a facility located at Keystone Generating Station, Plumcreek Township, **Armstrong County**.

**NPDES Permit No. PA0096474.** Industrial waste, **Buckeye Pipe Line Co.**, 520 Narrows Run Road, Coraopolis, PA 15108 is authorized to discharge from a facility located at the Coraopolis Station, Coraopolis Borough, **Allegheny County** to Ohio River.

**NPDES Permit No. PA0095681.** Sewage, **Casciola Homes, Inc.**, 101 Dacor Drive, McDonald, PA 15057 is authorized to discharge from a facility located at Casciola Homes Sewage Treatment Plant, Cecil Township, **Washington County** to Millers Run.

**NPDES Permit No. PA0096636.** Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501 is authorized to discharge from a facility located at Siemons Lakeview Manor Estate Nursing Home STP, Somerset Township, **Somerset County** to east branch Coxes Creek.

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

**NPDES Permit No. PA 0100986.** Industrial waste. **PHB Machining Division**, 8150 West Ridge Road, Fairview, PA 16415 is authorized to discharge from a facility located in Fairview Township, **Erie County** to an unnamed tributary to Trout Run.

**NPDES Permit No. PAS 238301.** Industrial waste. **Mooney Chemicals, Inc.**, Two Mile Run Road, Franklin, PA 16323 is authorized to discharge from a facility located in Sugar Creek Borough, **Venango County** to Race Run (Outfalls S01 and S06) and Two Mile Run (Outfall S07).

**NPDES Permit No. PA 0037931.** Sewage. **Municipal Authority of the Township of Cambridge**, R. D. 1, Box 53F, Cambridge Springs, PA 16403 is authorized to discharge from a facility located in Cambridge Township, **Crawford County** to an unnamed tributary to French Creek.

**NPDES Permit No. PA 0003026.** Industrial waste. **US Bronze Foundry and Machine, Inc.**, R. D. 3, Brake Shoe Road, Meadville, PA 16335 is authorized to discharge from a facility located in Woodcock Township, **Crawford County** to French Creek (Outfall 002 and 005) and an unnamed tributary to French Creek (Outfall 003 and 004).

**NPDES Permit No. PA 0103896.** Industrial waste. **County Landfill, Inc.**, P. O. Box 237, Leeper, PA 16233 is authorized to discharge from a facility located in Farmington Township, **Clarion County** to an unnamed tributary to Walley Run.

**NPDES Permit No. PA 0031461.** Sewage. **Thomas Mobile Home Park**, Trask Road, P. O. Box 84, Waterford, PA 16441 is authorized to discharge from a facility located in Waterford Township, **Erie County** to an unnamed tributary to Trout Run.

**NPDES Permit No. PA 0034924.** Sewage. **Paint-Elk Joint Sewer Authority**, R. D. 2, Box 508, Shippenville, PA 16254 is authorized to discharge from a facility located in Paint and Elk Townships, **Clarion County** to Piney Creek.

**NPDES Permit No. PA0209783.** Sewage, **Jerry Novosel**, 41 Gearhart Rd., Pulaski, PA 16143 is authorized to discharge from a facility located in Shenango Township, **Mercer County** to an unnamed tributary to Buchanan Run.

**NPDES Permit No. PA0222046.** Sewage, **Roger B. Conklin and Marcia J. McCormack**, 2398 West Washington St., Bradford, PA 16701 is authorized to discharge from a facility located in Corydon Township, **McKean County** to an unnamed tributary to Willow Creek.

**NPDES Permit No. PA 0222011.** Industrial waste. **Big Sandy Oil Company**, P. O. Box 269, Franklin, PA 16323 is authorized to discharge from a proposed treatment facility in Cranberry Township, **Venango County**, to the Allegheny River.

*Northcentral Regional Office: Regional Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, telephone (717) 327-3664.*

**Permit No. NPDES PA0112607.** Sewerage. **Pepper Hills, Ltd.**, P. O. Box 139, Danville, PA 17821. Has been approved for renewal to discharge from facility located in Cooper Township, **Montour County**, to receiving waters named Sechler Run.

**Permit No. NPDES PAG 044876.** Sewerage. **Dale Brion**, R. R. 5, Box 11A, Williamsport, PA 17701. Has been approved to discharge from facility located in Old Lycoming Township, **Lycoming County**, to unnamed tributary to Bottle Run.

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

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

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>
PAG048377	PAG-4	Mary M. Imler R. D. 3, Box 244A Volant, PA 16156	Lawrence Hickory Township	Unnamed tributary to Neshannock Creek
PAG048376	PAG-4	Todd E. Betts 18 Ludlow St. Warren, PA 16365	Warren Glade Township	Unnamed tributary of Hatch Run

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-T052	C&M Home Builders Inc. 2421 Bristol Road Warrington, PA 18976	Horsham Township Montgomery County	Park Creek
PAS10-T064	The Nolen Group 6 East Germantown Pike Plymouth Meeting, PA 19462	Lower Salford Township Montgomery County	Indian Creek
PAS10-D061	Tower Investments, Inc. 1 Reed Street Philadelphia, PA 19147	Warminster Township Bucks County	Unnamed tributary to Little Neshaminy Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-D067	Hager Development, Inc. P. O. Box 26767 Elkins Park, PA 19117	Tinicum Township Bucks County	Pennsylvania Canal
PAS10-G184	Megill Development Co. 1308 South Concord Rd. West Chester, PA 19380	East Nottingham and Lower Oxford Townships Chester County	Tributary to East Branch Big Elk Creek
PAS10-G198	University of Pennsylvania— New Bolton Center 382 West Street Road Kennett Square, PA 19348	East Marlborough Township Chester County	Red Clay and White Clay Creeks
PAS10-J028	Gilman Development Co. 510 Philadelphia Pike Wilmington, DE 19809	Concord Township Delaware County	Chester Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S040	Transcontinental Gas Pipe Line Corp. P. O. Box 1396 Houston, TX 77251-1396	Monroe Co. Chestnuthill and Tunkhannock Twps.	Poplar Creek and Mud Run

**The following approvals for coverage under NPDES Individual Permit for Discharges of Stormwater from Construction Activities have been issued.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10E050	H. J. Schneider Construction, Inc. 2080 Ehrman Road Cranberry Township, PA 16066-2204	Cranberry Twp. Butler County	Brush and Connoquenessing Creeks
PAS10K004-01	Maleno Developers, Inc. 2236 West 38th St. Erie, PA 16506	Millcreek Twp. Erie County	Unnamed tributary of Walnut Creek

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the

Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

*Permits Issued*

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

**Permit No. 0282442.** Amendment No. 3. Sewerage. **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. Construction of sanitary sewer modifications located in McCandless Township, **Allegheny County** to serve the McKnight Road Sewer Line.

**Permit No. 1196402.** Sewerage. **Lowe's Company, Incorporated**, P. O. Box 1111, Wilkesboro, NC 28656. Construction of pump station and forcemain located in the City of Johnstown, **Cambria County** to serve the Lowe's Home Center.

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

**WQM Permit No. 4296401.** Sewerage, **Roger B. Conklin and Marcia J. McCormack**, SRSTP, 2398

West Washington St., Bradford, PA 16701. Construction of Roger B. Conklin and Marcia J. McCormack SRSTP located in Corydon Township, **McKean County**.

**WQM Permit No. 3796403.** Sewerage, **Mary M. Imler**, SRSTP, R. D. 3, Box 244A, Volant, PA 16156. Construction of Mary M. Imler SRSTP located in Hickory Township, **Lawrence County**.

**WQM Permit No. 6296403.** Sewerage, **Todd E. Betts**, SRSTP, 18 Ludlow St., Warren, PA 16365. Construction of Todd E. Betts SRSTP located in Glade Township, **Warren County**.

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

**Permit No. WQM-4196404.** Sewerage, **Dale Brion**, R. R. 5, Box 11A, Williamsport, PA 17701. Has been authorized to discharge from facilities located in Old Lycoming Township, **Lycoming County**.

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**Plan approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

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

*Location:* Jackson and East Taylor Townships, **Cambria County**, Jackson/East Taylor Sewer Authority, R. D. 6, Box 184, Johnstown, PA 15909.

The Jackson and East Taylor Township approved 537 revision provides for the abandonment of package treatment facilities and the abatement of onlot problems in the primarily residential areas along Route 271 north of Johnstown and south of Route 22. The project includes the construction of sewers, pump stations and force mains. Treatment is to be provided at the Dornick Point (Johnstown) Sewage Treatment Plant. Facilities are to be constructed and operated by the Jackson/East Taylor Sewer Authority (Authority).

The Authority proposes to use Pennsylvania's State Revolving Fund administered by the Pennsylvania Infrastructure Investment Authority (PENNVEST) for the construction of these sewerage facilities. The Department's review of the Sewage Facilities Update Revision has not identified any significant environmental impact resulting from this proposal.

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

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

**Permit No. 0996504.** Public water supply, **Lower Bucks County Joint Municipal Authority**, August A. Baur, 7811 New Falls Road, Levittown, PA 19057. This proposal involves the construction of a 4.0 mg storage tank to replace an existing 2.0 mg storage tank in Bristol Township, **Bucks County**.

*Type of Facility:* Community water system.

*Consulting Engineer:* Unitect Engineers, Inc., 654 Woodbourne Road, Langhorne, PA 19047.

*Permit to Construct Issued:* May 28, 1996.

**Permit No. 4696503.** Public water supply, **North Penn Water Authority**, C. Craig Forwood, 300 Forty Foot Road, Lansdale, PA 19446. Was issued a permit for

the construction of an air stripper to remove TCE at existing well no. NP-39 in Skippack Township, **Montgomery County**.

*Type of Facility:* Community water system.

*Consulting Engineer:* North Penn Water Authority, Paul K. Harmony, P. E., 300 Forty Foot Road, Lansdale, PA 19446.

*Permit to Construct Issued:* May 30, 1996.

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

**Permit No. 5696501.** Public water supply, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501.

*Type of Facility:* Listie Water System.

*Consulting Engineer:* Neilan Engineers, Inc., 1065 Tayman Avenue, Somerset, PA 15501.

*Permit to Construct Issued:* May 30, 1996.

**Permit No. 6595501.** Public water supply, **Ligonier Township Supervisors**, 18 Old Lincoln Highway West, Ligonier, PA 15658-8763.

*Type of Facility:* Waterford well, tank and control structure and an interconnection with Ligonier Township Municipal Authority.

*Permit to Operate Issued:* May 31, 1996.

**Permit No. 6589508.** Public water supply, **Municipal Authority of Westmoreland County**, Southwest Corner of US Route 30 and South Greengate Road, Greensburg, PA 15601.

*Type of Facility:* Mockingbird Hill standpipe.

*Permit to Operate Issued:* May 31, 1996.

**Permit No. 0385505-A1.** Public water supply, **Cowanshannock Township Municipal Authority**, 74 Second Street, Box 127, NuMine, PA 16244.

*Type of Facility:* Cowanshannock Township (Village of Margaret) water supply.

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

*Permit to Construct Issued:* May 29, 1996.

**Permit No. 0296503.** Public water supply, **Pittsburgh Water & Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15601.

*Type of Facility:* Lanpher Reservoir floating polypropylene membrane cover.

*Permit to Construct Issued:* May 29, 1996.

**Permit No. 4461-T1-A1.** Public water supply, **Redstone Water Company**, Crescent Heights Division, Box 110, Daisytown, PA 15427.

*Type of Facility:* Covering of the Crescent Heights Tank.

*Permit to Operate Issued:* May 28, 1996.

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**License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Hub City Environmental, Inc.**, 1323 N. Main Street, Pearland, TX 77581; License No. **PA-AH 0530**; license issued June 10, 1996.

**Laidlaw Environmental Services of California, Inc.**, P. O. Box 787, Buttonwillow, CA 93206; License No. **PA-AH 0531**; license issued June 10, 1996.

**Shafer Commercial & Industrial Services, Inc.**, 4565 N. Levitt Road, N. W., Warren, OH 44485; License No. **PA-AH 0529**; license issued June 10, 1996.

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**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**A&A Waste Oil Company, Inc.**, 5200 Raynor Avenue, Linthicum Heights, MD 21090; License No. **PA-AH 0085**; license issued June 6, 1996.

**American Tank Transport, Inc.**, 6317 Macaw Ct., Elkridge, MD 21227; License No. **PA-AH 0081**; license issued June 10, 1996.

**Carlucci Construction Company, Inc.**, 401 Meadow Street, Cheswick, PA 15024; License No. **PA-AH 0297**; license issued June 6, 1996.

**Chem-Freight, Inc.**, 7140 Krick Road, Walton Hills, OH 44146; License No. **PA-AH 0074**; license issued June 6, 1996.

**DelVecchio Transport and Materials Handling, Inc.**, P. O. Box 480, Dunmore, PA 18512-0480; License No. **PA-AH 0333**; license issued June 6, 1996.

**Duquesne Light Company**, Construction Coordination & Underground, 2601 Preble Avenue, Pittsburgh, PA 15233; License No. **PA-AH 0462**; license issued June 6, 1996.

**High Voltage Transformer Services Co., Inc.**, 360 N. Palm Street, Brea, CA 92621; License No. **PA-AH 0463**; license issued June 6, 1996.

**Kindrick Trucking Company, Inc.**, 2818 Roane State Highway, Harriman, TN 37748; License No. **PA-AH 0379**; license issued June 6, 1996.

**Oldover Corporation**, P. O. Box 228, Ashland, VA 23005; License No. **PA-AH 0125**; license issued June 6, 1996.

**S&D Environmental Services, Inc.**, 2 Gourmet Lane, Edison, NJ 08837; License No. **PA-AH 0464**; license issued June 6, 1996.

**South Jersey Pollution Control, Inc.**, 209 Harmony Road, Mickleton, NJ 08056; License No. **PA-AH 0145**; license issued June 6, 1996.

**Superior Special Services, Inc.**, 1275 Mineral Springs Drive, Port Washington, WI 53074; License No. **PA-AH S197**; license issued June 6, 1996.

**United Industrial Services**, Division of United Oil Recovery, Inc., 136 Gracey Avenue, Meriden CT 06451; License No. **PA-AH 0378**; license issued June 6, 1996.

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**Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**A&A Waste Oil Company, Inc.**, 5200 Raynor Avenue, Linthicum Heights, MD 21090; License No. **PA-AH 0085**; amended license issued June 6, 1996.

**American Tank Transport, Inc.**, 6317 Macaw Ct., Elkridge, MD 21227; License No. **PA-AH 0081**; amended license issued June 10, 1996.

**Carlucci Construction Company, Inc.**, 401 Meadow Street, Cheswick, PA 15024; License No. **PA-AH 0297**; amended license issued June 6, 1996.

**Chem-Freight, Inc.**, 7140 Krick Road, Walton Hills, OH 44146; License No. **PA-AH 0074**; amended license issued June 6, 1996.

**DelVecchio Transport and Materials Handling, Inc.**, P. O. Box 480, Dunmore, PA 18512-0480; amended license issued June 6, 1996.

**Duquesne Light Company**, Construction Coordination & Underground, 2601 Preble Avenue, Pittsburgh, PA 15233; License No. **PA-AH 0462**; amended license issued June 6, 1996.

**High Voltage Transformer Services Co., Inc.**, 360 N. Palm Street, Brea, CA 92621; License No. **PA-AH 0463**; amended license issued June 6, 1996.

**Kindrick Trucking Company, Inc.**, 2818 Roane State Highway, Harriman, TN 37748; License No. **PA-AH 0379**; amended license issued June 6, 1996.

**Oldover Corporation**, P. O. Box 228, Ashland, VA 23005; License No. **PA-AH 0125**; amended license issued June 6, 1996.

**Superior Special Services, Inc.**, 1275 Mineral Springs Drive, Port Washington, WI 53074; License No. **PA-AH S197**; amended license issued June 6, 1996.

**United Industrial Services**, Division of United Oil Recovery, Inc., 136 Gracey Avenue, Meriden, CT 06451; License No. **PA-AH 0378**; amended license issued June 6, 1996.

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**Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.**

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*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Emergency Technical Services Corporation of Illinois**, 711 W. Morse Avenue, Schaumburg, IL 60193; License No. **PA-AH S155**; license terminated May 7, 1996.

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**Beneficial use approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.103) and regulations for municipal and residual waste.**

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

**Beneficial Use Request No. BU30032. Exide Corporation, General Battery Corporation**, (654 Penn Street, Reading, PA 19601). Application from beneficial use of steel and concrete as fluxing agents in a secondary

lead smelting operation at a site in Muhlenberg Township, **Berks County**. Permit issued in the Regional Office May 2, 1996.

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**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.**

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

**A. 301258. Ranbar Electrical Materials, Inc.**, Route 993, P. O. Box 607, Manor, PA 15665. Operation of a residual waste fume and liquids incinerator (formerly operated by Westinghouse Electric Corporation) in Manor Borough, **Westmoreland County**. Change of ownership permit issued in the Regional Office on May 30, 1996.

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**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (35 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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*Regional Office: Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2516.*

**A. 101590. Grand Central Sanitation, Inc. Transfer Facility**, Grant Central Sanitation, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. A permit reissuance to construct and operate the unbuilt Rosencranse Transfer and Recycling Station municipal waste transfer facility, located in Berlin Township, **Wayne County**. The permit also officially changes the name of the site to the Grand Central Sanitation, Inc. Transfer Facility. The permit reissuance was approved in the Regional Office on June 5, 1996.

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**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.**

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

**A. 301284. Wishard Tire, Wishard's Tire Hauling & Recycling, Inc.**, (9280 Heisey Road, Mercersburg, PA 17238). Application for operation of a tire processing facility in Montgomery Township, **Franklin County**. Permit issued in the Regional Office June 4, 1996.

**A. 603441. Walnut Bottom Farm, Borough of Carlisle**, (53 West Street, Carlisle, PA 17013). Application for operation of an agricultural utilization of sewage sludge site in Penn Township, **Cumberland County**. Permit issued in the Regional Office June 3, 1996.

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

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*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: **40-399-036**

Source: Insurance Manufacturing/Bag Hous  
Company: **N R G Barriers West**  
Location: Hazle Township  
County: **Luzerne**

Permit: **45-302-053**

Source: Coal Fired Boiler/Cyclone  
Company: **Pleasant Valley School District**  
Location: Polk Township  
County: **Monroe**

Permit: **48-313-070A**

Source: Gas System w/5 Scrubbers/1 Incin  
Company: **Liquid Carbonic Specialty Gas Co.**  
Location: City of Bethlehem  
County: **Northampton**

Permit: **48-399-038**

Source: Polyethylene Extrusion  
Company: **Filmtech Corporation**  
Location: Williams Township  
County: **Northampton**

Permit: **35-322-001A**

Source: Landfill Gas Extraction/Flare  
Company: **Keystone Sanitary Landfill Inc.**  
Location: Throop Borough  
County: **Lackawanna**

Permit: **39-302-151**

Source: 3-12.5 MMBTU Boiler/#2 Fuel Oil  
Company: **Dan Schantz Farm and Greenhouses**  
Location: Lower Milford Township  
County: **Lehigh**

Permit: **40-302-125G**

Source: Gas/#2 Oil Fired Boiler  
Company: **The Lion Incorporated**  
Location: City of Wilkes-Barre  
County: **Luzerne**

Permit: **40-305-015**

Source: Anthracite Bank Coal Cleaning  
Company: **Northampton Fuel Supply Company**  
Location: Jenkins Township  
County: **Luzerne**

Permit: **40-309-034**

Source: Plantwide Applicability Limit/Pal  
Company: **Techneglas, Incorporated**  
Location: Jenkins Township  
County: **Luzerne**

Permit: **40-310-007A**

Source: Secondary Crush and Screen w/Sprays  
Company: **American Asphalt & Paving Company**  
Location: Jackson Township  
County: **Luzerne**

Permit: **40-313-026B**

Source: Blending/Mixing Tanks  
Company: **National Starch & Chemical Co.**  
Location: Hazle Township  
County: **Luzerne**

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

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

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

Permit: **OP-09-0032**  
Source: Synthetic Minor Facility (NOx & VOC Sources)  
Issued: May 15, 1996  
Company: **Eureka Stone Quarry, Inc.**  
Location: Warrington  
County: **Bucks**

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**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.**

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

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

Permit: **15-312-021**  
Source: 3 Vertical Above Ground Storage Tanks  
Issued: May 30, 1996  
Company: **Safety-Kleen Corporation**  
Location: West Goshen  
County: **Chester**

Permit: **46-399-095**  
Source: Fabric Collector  
Issued: June 3, 1996  
Company: **Ortho-McNeil Pharmaceutical**  
Location: Lower Gwynedd  
County: **Montgomery**

Permit: **46-313-002A**  
Source: 3 Scrubbers  
Issued: June 4, 1996  
Company: **Quaker Chemical Corporation**  
Location: Whitemarsh  
County: **Montgomery**

Permit: **46-329-006**  
Source: Six Diesel Electric Generators  
Issued: May 22, 1996  
Company: **SmithKline Beecham Research**  
Location: Upper Providence  
County: **Montgomery**

Permit: **09-399-036**  
Source: Machine Equipment  
Issued: May 30, 1996  
Company: **Active Brass Foundry, Inc.**  
Location: Hilltown  
County: **Bucks**

Permit: **46-399-099**  
Source: 3 Soldering Machines  
Issued: May 30, 1996  
Company: **Ford Electronics & Refrigeration**  
Location: Worcester  
County: **Montgomery**

Permit: **46-314-037**  
Source: 11 Roller Grinders  
Issued: May 30, 1996  
Company: **American Roller**  
Location: Hatfield  
County: **Montgomery**

Permit: **46-318-042**  
Source: 4 Spray Paint Booths  
Issued: May 30, 1996  
Company: **Gasboy International, Inc.**  
Location: Lansdale  
County: **Montgomery**

Permit: **09-312-021**  
Source: 6 Above Ground Horizontal Storage Tanks  
Issued: May 30, 1996  
Company: **Safety-Kleen Corporation**  
Location: Falls  
County: **Bucks County**

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**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.**

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*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**49-313-032F.** On May 6, 1996, plan approval was issued to **Merck & Co., Inc.** (P. O. Box 600, Danville, PA 17821) for the installation of air cleaning devices (condensers) on two chemical process vessels in Riverside Borough, **Northumberland County**.

**49-318-032.** On May 14, 1996, plan approval was issued to **Norka Manufacturing, Inc.** (103 East Fifth Street, Building 8, Watsontown, PA 17777) for the modification of a wood furniture finishing operation (increase in allowable volatile organic compound emissions) in Watsontown Borough, **Northumberland County**.

**55-318-007C.** On May 14, 1996, plan approval was issued to **Wood-Mode, Inc.** (1 Second Street, Kreamer, PA 17833) for the construction of two wood kitchen cabinet finishing lines ("Berkmann line" and "Cefla line") and associated air cleaning device (an existing regenerative thermal oxidizer) in Middlecreek Township, **Snyder County**.

**60-302-016A.** On May 14, 1996, plan approval was issued to the **Federal Bureau of Prisons** (P. O. Box 1000, Lewisburg, PA 17837) for the construction of two natural gas/#2 oil-fired boilers at the Lewisburg Penitentiary in Kelly Township, **Union County**. These boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

**8-313-026C.** On May 22, 1996, plan approval was issued to **Osram Sylvania, Inc.** (Box 504, Towanda, PA 18848-0504) for the installation of air cleaning devices (a fabric collector and absolute filter) on various pieces of specialty metals processing equipment in North Towanda Township, **Bradford County**.

**17-302-020A.** On May 28, 1996, plan approval was issued to **Philipsburg-Osceola Area School District** (200 Short Street, Philipsburg, PA 16866) for the construction of a bituminous coal/#2 oil-fired boiler and associated air cleaning device (a centrifugal collector) at the Osceola Mills Elementary School in Osceola Borough, **Clearfield County**.

*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: **13-399-003**  
Source: 5 Silos w/baghouses (truck unload)  
Issued: May 17, 1996  
Company: **Horsehead Resource Development Co.**  
Location: Palmerton Borough  
County: **Carbon**

Permit: **40-304-010A**  
Source: Thermal Reclaimer-Foundry Sand  
Issued: May 20, 1996  
Company: **Hazleton Pumps Incorporated**  
Location: City of Hazleton  
County: **Luzerne**

Permit: **48-320-003E**  
Source: Bind/Stitch/Trim w/Cyclones & Baghs  
Issued: May 31, 1996  
Company: **Mack Printing Company**  
Location: Wilson Borough  
County: **Northampton**

Permit: **48-320-009**  
Source: Web Press w/Catalytic Oxidizer  
Issued: May 29, 1996  
Company: **Mack Printing Company**  
Location: Wilson Borough  
Northampton: **Northampton**

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

**43-329-004.** On June 4, 1996, a Plan Approval was issued to **Atlas Resources, Inc.** (311 Rouser Rd., P. O. Box 611, Moon Township, PA 15108) for a natural gas compressor at Garvis Compressor Station in Pine Township, **Mercer County**.

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

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

Permit: **23-313-024C**  
Source: Silica Manufacturing Process  
Issued: May 15, 1996  
Company: **Degussa Corporation**  
Location: City of Chester  
Location: **Delaware**

Permit: **23-399-025A**  
Source: CI Filter Press and Rotary Cooler  
Issued: May 15, 1996  
Company: **PPG Industries, Inc.**  
Location: Folcroft  
County: **Delaware**

Permit: **15-310-025A.**  
Source: Primary Crushing Plant  
Issued: May 15, 1996  
Company: **Glasgow, Inc.**  
Location: East Whiteland  
County: **Chester**

Permit: **09-399-040**  
Source: Polyurethane Foam Line  
Issued: May 22, 1996  
Company: **Cartex Corporation**  
Location: Fairless Hills  
County: **Bucks**

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

Permit: **46-313-093A**  
Source: Pharmaceutical Sciences, Bldg. #8  
Issued: April 30, 1996  
Extended: August 30, 1996  
Company: **SmithKline Beecham Research**  
Location: Upper Providence  
County: **Montgomery**

Permit: **46-313-094A**  
Source: Pharmaceutical Sciences, Bldg #9  
Issued: April 30, 1996  
Extended: August 30, 1996  
Company: **SmithKline Beecham Research**  
Location: Upper Providence  
County: **Montgomery**

Permit: **09-318-069**  
Source: Spray Paint Booth  
Issued: May 15, 1996  
Extended: September 15, 1996  
Company: **Browning-Ferris, Inc.**  
Location: Hilltown  
County: **Bucks**

Permit: **09-399-035**  
Source: Sewage Pump Station Wetwell  
Issued: May 30, 1996  
Extended: September 30, 1996  
Company: **Bucks County Water & Sewer Authority**  
Location: Doylestown  
County: **Bucks**

Permit: **15-313-025B**  
Source: Hazardous Waste Treatment Facility  
Issued: April 30, 1996  
Extended: August 31, 1996  
Company: **Advanced Environmental Technical**  
Location: Valley  
County: **Chester**

Permit: **09-314-002**  
Source: New Bulk Rubber Conveying System  
Issued: May 19, 1996  
Extended: September 19, 1996  
Company: **3M**  
Location: Bristol  
County: **Bucks**

Permit: **46-301-268**  
Source: Hospital Waste Incinerator  
Issued: May 22, 1996  
Extended: September 30, 1996  
Company: **North Penn Hospital**  
Location: Hatfield  
County: **Montgomery**

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 rule of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), 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).

*Permits Issued and Actions on 401 Certifications:*

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

**E09-694.** Encroachment. **Tower Investments of Warminster, Inc.** 1 Reed Street, Philadelphia, PA 19147. To perform the following activities associated with the construction of the Warminster Town and Retail Center.

1. Commercial portion of the project,

a. to relocate two watercourses, approximately 1,300 and 525 linear feet, respectively, through proposed storm water management facilities,

b. to place and maintain fill in two unnamed tributaries to the Little Neshaminy Creek (WWF) with three adjacent wetland fills totaling 0.58 acre.

c. to construct and maintain a retaining wall with two outfalls and associated fill within the assumed 100-year floodway;

2. Residential portion of the project,

a. to construct and maintain 72 linear feet of 8.0-foot by 4.0-foot reinforced concrete box culvert across an unnamed tributary to the Little Neshaminy Creek and 0.22 acre of adjacent wetlands.

This permit requires the construction of 0.81 acre of replacement wetlands. The commercial and residential portions of this project are situated approximately 2,700 feet northwest and 3,500 feet northwest, respectively, of the intersection of Street Road (S. R. 0132) and York Road (S. R. 0263) located (Hatboro USGS Quadrangle N: 15.3 inches; W: 15.3 inches) in Warminster Township, **Bucks County**.

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

**E10-227.** Encroachment. **North Suburban Land Co., Inc.**, 9400 McKnight Road, Suite 207, Pittsburgh, PA

15237-6066. To operate and maintain a 320-foot long by 9-foot high gabion basket retaining wall along the right bank of Coal Run adjacent to Thomson Park Drive in Thomson Business Park approximately 2,000 feet south of Rochester Road (S. R. 3022) (Mars, PA Quadrangle N: 12.4 inches; W: 15.4 inches) located in Cranberry Township, **Butler County**.

**E24-191.** Encroachment. **Elk County Conservation District**, Courthouse, P. O. Box 48, Ridgway, PA 15853. To place limestone sand periodically in the channels of the following stream to neutralize acid in the water: 1) A tributary to East Branch Lake at three locations: (a) Glen Hazel, PA Quadrangle N: 19.2 inches; W: 8.9 inches; (b) Glen Hazel, PA Quadrangle N: 19.2 inches; W: 9.1 inches; and (c) Glen Hazel, PA Quadrangle N: 20.0 inches; W: 10.1 inches; 2) Bogardy Run at one location (Glen Hazel, PA Quadrangle N: 17.2 inches; W: 10.4 inches); and 3) Straight Creek at one location (Wildwood Firetower, PA Quadrangle N: 17.8 inches; W: 15.1 inches) located in Jones Township, **Elk County**.

**E24-192.** Encroachment. **National Fuel Gas Supply Corporation**, 1100 State Street, P. O. Box 2081, Erie, PA 16512. To remove the existing pipeline and to construct and maintain a 12.75-inch O.D. Steel natural gas pipeline across Little Clear Creek approximately 3,500 feet upstream of the Elk-Cameron County line (Wildwood Firetower, PA Quadrangle N: 2.9 inches; W: 7.9 inches) located in Jones Township, **Elk County**.

**E42-241.** Encroachment. **Elk County Conservation District**, Courthouse, P. O. Box 448, Ridgway, PA 15853. To place limestone sand periodically in the channels of the following streams to neutralize acid water in the water: 1) East Branch Clarion River at one location (Hazel Hurst, PA Quadrangle N: 3.6 inches; W: 4.2 inches); 2) Buck Run at one location (Hazel Hurst, PA Quadrangle N: 4.3 inches; W: 1.2 inches); 3) Sevenmile Run at one location (Hazel Hurst, PA Quadrangle N: 1.1 inches; W: 10.3 inches); 4) Smith Run at two locations (Hazel Hurst, PA Quadrangle N: 5.6 inches; W: 7.9 inches) and (Hazel Hurst, PA Quadrangle N: 6.6 inches; W: 7.4 inches); 5) County Line Run at two locations (Hazel Hurst, PA Quadrangle N: 0.9 inch; W: 1.5 inches) and (Crosby, PA Quadrangle N: 3.0 inches; W: 15.1 inches); 6) Doe Run at one location (Hazel Hurst, PA Quadrangle N: 3.0 inches; W: 0.2 inch); and 7) Gum Boot Run at two locations (Hazel Hurst, PA Quadrangle N: 6.0 inches; W: 0.2 inch) and (Hazel Hurst, PA Quadrangle N: 7.0 inches; W: 0.1 inch) located in Sergeant Township, **McKean County**.

**EA20-001NW.** Environmental Assessment. **David L. Walton**, 4546 Center Road, Conneaut, OH 44030. To remove the deck and superstructure from the abandoned Gothic Street bridge across Foster Run approximately 250 feet upstream of Mulberry Street (Conneautville, PA Quadrangle N: 1.2 inches; W: 16.8 inches) located in Conneautville Borough, **Crawford County**.

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

**E17-299.** Water obstruction and encroachment. **Robert Showers**, R. R. 3, Box 155A, Philipsburg, PA 16866. To place fill in 0.24 acre of palustrine emergent wetland along an unnamed tributary of Laurel Run for the expansion of an existing commercial business located along S. R. 2024, 0.6 mile west of the intersection with S. R. 0322 (Philipsburg, PA Quadrangle N: 6.3 inches; W: 16.5 inches) in Decatur Township, **Clearfield County**.

**E17-300.** Water obstruction and encroachment. **Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. Remove the existing structure and to construct and maintain a single cell precast concrete box culvert with a span of 8 feet at a 60 degree skew and rise of 5 feet with 1 foot of that depressed in Reinsinger Run on S. R. 4011 approximately 1 mile due south of the Dubois Borough line (Luthersburg, PA Quadrangle N: 19.9 inches; W: 16.6 inches) in Sandy Township, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects". This permit also include 401 Water Quality Certification.

**E41-359.** Water obstruction and encroachment. **David J. and Karen S. Eiswerth**, 1901 Sherdian St., Williamsport, PA 17701. To construct and maintain (1) a single lane driveway in the floodway of Millers Run and (2) a single span steel I-beam bridge across Millers Run for private property access. The proposed work shall consist of placing a maximum of 193.0 cubic yards of fill in the floodway of Millers Run for driveway and approach construction; constructing a bridge with a single span of 350 feet, a wooden deck and reinforced concrete abutments. The project is located in the western right-of-way of S. R. 2029 approximately 4,000.0 feet north of the intersection of S. R. 2018 and S. R. 2029 (Montoursville—North Quadrangle N: 4.1 inches; W: 14.1 inches) in Loyalsock Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

**E41-371.** Water obstruction and encroachment. **Donald and Rebecca Mecum**, R. R. 3, Box 351, Cogan Station, PA 17728. Remove the existing structure and to place and maintain a 14-foot wide mobile home constructed on 6 foot high concrete columns in the floodway of Lycoming Creek. This project is located on McEntyre Way about 0.3 mile south of its intersection with old Route 14 (Cogan Station, PA Quadrangle N: 18.3 inches; W: 11.8 inches) in Lewis Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects".

**E57-069.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105. To remove the existing structure and to construct and maintain a single span bridge with a normal clear span of 30 feet across Mill Creek, a HQ-CWF stream. Project is located on Big Hollow Road about 1,200 feet south of its intersection with Mill Creek Road (Hillsgrove, PA Quadrangle N: 17.1 inches; W: 15.8 inches) in Hillsgrove Township, **Sullivan County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

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

**E48-229.** Encroachment. **City of Bethlehem**, 10 East Church Street, Bethlehem, PA 18018. To relocate and maintain approximately 3,600 linear feet of channel and culverts in a tributary to the Lehigh River, including construction of the following: (1) 215 linear feet of 16-foot × 6-foot concrete box culvert stream enclosure, which crosses under the Lehigh Canal, (2) 73 linear feet of 16-foot × 6-foot concrete box culvert, (3) 70 linear feet of 18-foot × 8-foot concrete box culvert which crosses under Market Street, (4) 66 linear feet of 123-inch × 85-inch concrete culvert, and (5) a total of approximately 3,180 linear feet of gabion-lined channel. The project extends from a point just south of the intersection of Pembroke Road and Stefko Boulevard, downstream to the tributary's confluence with the Lehigh River (Hellertown, PA

Quadrangle N: 21.8 inches; W: 14.8 inches), in the City of Bethlehem, **Northampton County**. This project was previously authorized by Permit No. E48-125.

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

**E02-1124.** Encroachment. **S&M Partnership Property**, 227 State Route 51, Large, PA 15025. To lower the existing retaining wall along the left bank of Lewis Run to 6 inches above grade; to install 2 side drop inlets; and to rehabilitate the existing box culvert having a span of 20 feet with an underclearance of 7 feet across said stream. This permit is also to operate and maintain said facilities. The project is located on the north side of S. R. 51, approximately 500 feet southeast from the intersection of S. R. 51 and Lewis Run Road (Glassport, PA Quadrangle N: 11.0 inches; W: 8.7 inches).

**E32-369.** Encroachment. **White Township**, 950 Indian Springs Road, Indiana, PA 15701. To perform maintenance dredging of an existing concrete sluiceway (approximately 880 feet in length) in McCarthy Run. The project is located 1,000 feet northeast of the intersection of Indian Springs Road with S. R. 286 (Indiana, PA Quadrangle N: 19.6 inches; W: 7.9 inches) in White Township, **Indiana County**.

**E02-1139.** Encroachment. **Kestler & Cipriani**, 650 Washington Road, Pittsburgh, PA 15228. To place and maintain fill in approximately 0.08 acre of wetlands for the purpose of developing a 2.5 acre site located approximately 400 feet southwest of the intersection of Oxford Drive and Alicia Drive, on the south side of Oxford Drive (Bridgeville, PA Quadrangle N: 19.0 inches; W: 6.7 inches) in Bethel Park Borough, **Allegheny County**. The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

**E03-355.** Encroachment. **Department of Transportation**, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a 13-foot × 7-foot R. C. box culvert (invert depressed 1 foot) in an unnamed tributary to Cessna Run on S. R. 2001, Segment 0010, Offset 0920 (Elderton, PA Quadrangle N: 17.5 inches; W: 9.55 inches) in Plum Creek Township, **Armstrong County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

**E11-246.** Encroachment. **Cambria County Commissioners**, P. O. Box 269, Ebensburg, PA 15931. To remove the existing structure known as Shettig's Bridge (County Bridge No. 8) and to construct and maintain a 43.5-foot long, 20-foot × 6.5-foot (invert depressed 1 foot) R.C.C. box culvert in Laurel Lick Run on T-465, Station 11+90 (Carrolltown, PA Quadrangle N: 12.00 inches; W: 6.9 inches) in East Carroll Township, **Cambria County**. The permit includes the placement of fill in a de minimus wetland less than 0.05 acre and a temporary stream channel relocation.

**E56-260.** Encroachment. **Northampton Township**, R. R. 1, Glencoe, PA 15543. To remove a deteriorated flood wall and to construct and maintain a 10-foot high, concrete flood wall for a length of 110 l.f. on the left bank of Wills Creek located at a point approximately 200 feet upstream from CSX railroad bridge near Village of Glencoe (Fairhope, PA Quadrangle N: 12.25 inches; W: 14.20 inches) in Northampton Township, **Somerset County**. This permit was issued under section 105.13(e) "Small Projects". This permit also include 401 Water Quality Certification.

**E65-629. Encroachment. CNG Transmission Corporation**, 175 Sheffield Dr., Box 405, Delmont, PA 15626. To remove two existing structures and to construct and maintain a bridge having a normal span of 14 feet and an underclearance of 6 feet across Brush Creek located approximately 0.25 mile south of the intersection of Old Route 66 and S. R. 993 (Greensburg, PA Quadrangle N: 18.9 inches; W: 10.1 inches) in Hempfield Township, Westmoreland County and a bridge having a normal span of 14 feet and an underclearance of 5 feet across Beaver Run located approximately 0.5 mile south of the intersection of S. R. 22 and Boggs Hollow Road (Slickville, PA Quadrangle N: 3.45 inches; W: 6.75 inches) in Salem Township, Westmoreland County. Both proposed structures are for the purpose of providing access to family dwellings and gas wells. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

### SPECIAL NOTICES

#### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May, 1996 the Department of Environmental Protection under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469 (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Action Radon Services	2351 Wintergreen Lane Jamison, PA 18929	Testing
Edward L. Cummins	140 Walnut Street Spring City, PA 19475	Testing
Cindy Lou Etchison	122 Terrace Drive Sarver, PA 16055	Testing
James R. Fitzgerald Envirocare, Inc.	1000 Conshohocken Road Suite 207 Conshohocken, PA 19428	Testing
Frank A. Marsico	504 Woodcrest Drive Mechanicsburg, PA 17055	Testing
Roman Paul	P. O. Box 731 Valley Forge, PA 19482	Testing
Peter Piazza	812 Menock Manor Greensburg, PA 15601	Testing
Jeffrey P. Porte	1962 Wagner Road Erie, PA 16509	Testing Laboratory

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Stanley Pryharski	P. O. Box 2758 Wilkes-Barre, PA 18703	Testing
Frank Ragantesi	298 Reynolds Street Kingston, PA 18704	Testing
Stuart R. Yankell	105 Birch Avenue Bala Cynwyd, PA 19004	Testing

#### Notice of Suspension of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May 1996, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code § 240.203(b), suspended the certification of the person or persons listed to perform radon-related activities in Pennsylvania.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Robert D. McCarty	One Research Circle Waverly, NY 14892	Laboratory Analysis

#### Registered and Certified Emission Reduction Credits

The following emission reduction credits (ERCs) have been approved, registered and certified by the Department of Environmental Protection (Department), Commonwealth of Pennsylvania and Department of Public Health, City of Philadelphia. An ERC is a surplus, permanent, quantifiable and Federally enforceable emissions reduction used to offset emission increases of the following criteria pollutants: oxides of nitrogen (NOx), volatile organic compounds (VOCs), particulate matter (PM), PM-10, particulate, carbon monoxide (CO), lead (Pb) and oxides of sulfur (SOx).

Under 25 Pa. Code § 127.209, the Department has established a computerized registry system to provide for the registration, certification and tracking of ERCs. Prior to registration of the credits, the Department reviews and approves ERC registry applications which meet the requirements of 25 Pa. Code §§ 127.206—208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. Certified ERCs may be used for the following purposes: (1) To satisfy new source review (NS. R.) offset ratio requirements; (2) To "net-out" of NS. R. at ERC-generating facilities; or (3) To sell or trade the ERCs to major facilities to offset proposed increases in emissions of criteria pollutants from proposed new or modified major facilities.

The ERCs shown below, expressed in tons per year (tpy) satisfy the applicable requirements contained in 25 Pa. Code §§ 127.206—208. For additional information concerning this listing of certified ERCs, contact Division of Permits, Department of Environmental Protection, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

<i>Facility Information</i>	<i>Criteria Pollutant</i>	<i>Certified ERC amount (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
U. S. Naval Hospital Contact Person: Mark Donato Telephone Number: (215) 897-1809 County: Philadelphia Nonattainment Status: Severe	NOx	30.5	3/31/2005	Trading
United States Steel Group Contact Person: Roy J. Weiskircher Telephone Number: (412) 433-5914 County: Bucks Nonattainment Status: Severe	NOx VOC	1301.7 18.1	8/01/2001	Trading

[Pa.B. Doc. No. 96-1018. Filed for public inspection June 21, 1996, 9:00 a.m.]

### **Proposed Revision to the Pennsylvania State Implementation Plan for Ozone; Public Hearing**

#### **Bucks, Chester, Delaware, Montgomery and Philadelphia Counties**

The Department of Environmental Protection proposes to submit to the Federal Environmental Protection Agency a revision of the Pennsylvania State Implementation Plan (SIP) for ozone to meet the 15% Rate of Progress requirement (also known as the Reasonable Further Progress Plan) under section 182(b) of the Clean Air Act. This public hearing and comment period is intended to solicit comments on a revised 15% Rate of Progress Plan for the Pennsylvania portion of the Philadelphia severe ozone nonattainment area including the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia. This revision updates the SIP and 1990 Baseline Inventory submitted to EPA on January 13, 1995. The Commonwealth is working with local stakeholders to help the southeast Pennsylvania area meet the health-related ground level ozone standards over the long term. More information is available at the DEP website described below.

The public hearing will be held at 1 p.m. on Monday, July 22, 1996, at the following location: Department of Environmental Protection, Southeast Regional Office, Lee Park—Suite 6010, 555 North Lane, Conshohocken, PA.

Persons wishing to present testimony at the hearing must contact Karen Matter at (717) 787-9495 or at the address given within this notice no later than July 18, 1996, to reserve a time to present testimony. Oral testimony will be limited to 10 minutes for each witness and 3 written copies of the oral testimony must be submitted at the hearing. Each organization should designate one witness to present testimony on its behalf.

Persons interested in submitting written comments should send the comments to J. Wick Havens, Chief, Division of Air Resource Management, at the address given within this notice on or before July 22, 1996. Copies of the proposed revision may be obtained from the Bureau of Air Quality, Rachel Carson State Office Building, 12th Floor, P. O. Box 8468, Harrisburg, PA 17105-8468 or by telephone at (717) 787-4310 (e-mail: Havens.Wick@A1.dep.state.pa.us). This proposal is also available on the DEP Web site at <http://www.dep.state.pa.us> (choose Public Participation Center/Proposals Open for Comment).

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 J. Wick Havens at the above address or telephone number; or for TDD users, the AT&T Relay Service at 1 (800) 654-5984 to discuss how the Department can best accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1019. Filed for public inspection June 21, 1996, 9:00 a.m.]

### **Submission Date for Environmental Education Grants Applications under The Environmental Education Act**

The Department of Environmental Protection announces that applications for the 1997 Environmental Education Grants Program are available.

The Environmental Education Act created an Environmental Education Fund from the annual deposit of 5% of the pollution fines and penalties collected by DEP. The fund is used to support new environmental education programs in DCNR's Bureau of State Parks; provide grants to schools, conservation organizations, educational organizations and county conservation districts. Some administrative costs associated with administering the grants program are also covered by this fund.

The purpose of this grants program is to stimulate environmental education in Pennsylvania through direct instruction, or through teacher training. Grants can be used to develop new programs, or to significantly improve the quality of existing programs. Projects may be large, comprehensive endeavors affecting many teachers and/or students, or they may be small, focused efforts to help an individual teacher or school implement an environmental education program.

This is a reimbursement program with grant awards to \$10,000. Grantees must provide a minimum of 25% in matching funds from non-State sources. Eligible applicants are as follows:

- Public and private schools for youth environmental education (kindergarten through secondary levels)
- Nonprofit conservation and education organizations and institutions, including public and private schools, for teacher training and preservice training in environmental education
- County conservation districts for youth education, teacher training or community education

Other interested parties may form partnerships or consortiums with an eligible applicant.

Applications may be submitted on or after July 1, 1996 and must be received by DEP, or postmarked, no later than November 1, 1996. Applications must be on the Department provided forms. Grant awards will be announced in April 1997. Awarded projects may begin July 1, 1997 or after.

Inquiries concerning this notice should be directed to Helen Olena at the Department of Environmental Protection, Environmental Education Grants Program, P. O. Box 8454, Harrisburg, PA 17105-8454, telephone number (717) 772-1828, or [olena.helen@1.dep.state.pa.us](mailto:olena.helen@1.dep.state.pa.us).

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1020. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Wetlands Protection Advisory Committee; Schedule of 1996 Meetings

The Department of Environmental Protection's Wetlands Protection Advisory Committee announces its schedule of 1996 meetings. The meetings will be held at 10 a.m. in the 1st Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, on the following dates:

July 2  
September 4  
November 6

Questions concerning this schedule or agenda items can be directed to Shirley Rodrock at (717) 787-6827 or e-mail at [Rodrock.Shirley@a1.dep.state.pa.us](mailto:Rodrock.Shirley@a1.dep.state.pa.us). This schedule and an agenda for each 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 Shirley Rodrock directly at (717) 787-6827 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. 96-1021. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Children's Health Advisory Council; Public Meetings

The Department of Health Children's Health Advisory Council (also known as the Children's Health Insurance Program Advisory Council) is conducting a public meeting under section 701(i)(5) of the Children's Health Care Act (act) (62 P. S. § 5001.701(i)(5)). The purpose of the meeting, which is open to the general public, is to review outreach plans for provision of services under the act and to evaluate services delivered to children enrolled in the health care program.

### Schedule of Meetings

*Date:* June 18, 1996  
*Time:* 11 a.m.—1 p.m.  
*Location:* Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120

Persons with a disability who require an auxiliary aide service or other accommodation to participate should contact the Executive Office at 717-787-6436 (TDD: 717-783-6514).

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1022. Filed for public inspection June 21, 1996, 9:00 a.m.]

### 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-96-I-2652-B:* DuBois Regional Medical Center, P. O. Box 447, 100 Hospital Avenue, DuBois, PA 15801. The applicant proposes the replacement of the existing linear accelerator at its Hahne Regional Cancer Center; relocation of the existing linear accelerator to a new satellite radiation therapy facility to be developed in Johnsonburg, Elk County, at an estimated cost of \$4,075,115.

*CON-96-H-2644-B:* The South Side Hospital, 2000 Mary Street, Pittsburgh, PA. The project involves establishment of a 31-bed hospital-based skilled nursing unit through the conversion of 40 medical/surgical beds, at an estimated cost of \$1,550,000.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning June 22, 1996. Any interested person, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)) regarding the decisions made on 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, the meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. DuBois Regional Medical Center meeting will begin at 9 a.m., Friday, July 19, 1996. South Side Hospital meeting will begin at 11 a.m., Thursday, August 1, 1996. 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 additional information, contact the Division of Need Review at (717) 787-5601.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1023. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The contractors referenced below have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-11—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), this firm or this person, or any firms, corporations or partnerships in which such firm or person has an interest, shall be awarded no contract for 3 years after the date listed.

JOHNNY J. BUTLER,  
*Secretary*

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Spadafora Corporation and Paul Spadafora (Fed. ER Tax ID Nos. 25-1644399 -and- 25-1231136)	4073 Route 8 Allison Park, PA 15101	6/5/96

[Pa.B. Doc. No. 96-1024. Filed for public inspection June 21, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation, Bureau of Motor Vehicles, under authority of section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 25 Pa.B. 6044 (December 23, 1995) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published, subject to interim amendment.

#### *New Appointment of Calibration Station*

As an addendum to the December 23, 1995 listing, the Department hereby appoints, under 75 Pa.C.S. § 3368(d) the following Official Electronic (nonradar) Device Testing Station for nonradar devices which measures elapsed time between measured road surface points by using two sensors:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701 (Appointed 04/04/96, Station EL20).

As an addendum to the December 23, 1995 listing, the Department hereby appoints, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Station:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701 (Appointed: 04/04/96, Station W2).

As an addendum to the December 23, 1995 listing, the Department hereby appoints, under 75 Pa.C.S. § 3368(d), the following Official Electronic (nonradar) Device Testing Station for nonradar devices which calculate average speed between any two points:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, PA 17701 (Appointed: 04/04/96, Station EM20).

#### *Change of Address*

As an addendum to the December 23, 1995 listing, of Official Electronic Device Testing Stations for nonradar devices which measures elapsed time between measured road surface points by using two sensors, the Department hereby gives notice of the change of address for the following station:

Targetron, Inc., 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701 (Appointed: 05/07/91, Station EL21).

As an addendum to the December 23, 1995 listing of Official Stopwatch Testing Stations, the Department hereby gives notice of the change of address for the following Station:

Targetron, Inc., 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701 (appointed: 05/07/91, Station W64).

As an addendum to the December 23, 1995 listing of official Electronic Device Testing Stations for nonradar devices which calculate average speed between any two points, the Department hereby gives notice of the change of address for the following Station:

Targetron, Inc., 1821 Lycoming Creek Road, Williamsport, Lycoming County, PA 17701 (Appointed: 05/07/91, Station EM21).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-1025. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Retention of Engineering Firms

**Columbia, Lycoming, Montour, Northumberland,  
Snyder, Sullivan, Tioga, Union and  
Bradford Counties  
Reference No. 08430AG2000**

The Department of Transportation will retain an engineering firm for an open-end contract to provide supplementary construction inspection staff under the Department's Inspectors-in-Charge to perform construction inspection services on various projects in Engineering District 3-0, that is Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga, Union and Bradford Counties. The contract will include roadway and bridge construction projects, and material plant inspection. The contract will be for a period of 30 months with a maximum cost of \$750,000.

It is anticipated that a maximum supplementary construction inspection staff of 25 inspectors will be required for this assignment.



The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an open-end contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the maintenance and protection of traffic, soils, structures, concrete, asphalt paving and drainage.
- d. Understanding of Department's requirements, policies and specifications.
- e. Ability to provide CPM scheduling.
- f. Past performance.
- g. Workload.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employes will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	10 (6)
Transportation Construction Inspector— Materials (TCI—Materials) (NICET Highway Materials Level 2 or equivalent)	2 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (2)

The numbers in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

- 1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the level required for the Inspection Classification.
- 2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science degree in Civil Engineering or a Bachelor of Science degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement of direct payroll cost for each Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rates, whichever is less:

<i>Payroll Classification</i>		<i>Direct Payroll Rate</i>
Transportation Construction Manager 1	(TCM-1)	\$19.79
Transportation Construction Inspector Supervisor	(TCIS)	\$17.34
Transportation Construction Inspector—Materials	(TCI— Materials)	\$15.68
Transportation Construction Inspector	(TCI)	\$15.18
Technical Assistant	(TA)	\$10.43

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a preconstruction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation or construction.

Letters of interest for this project must include a letter, signed by the individuals proposed for all TCM-1 and/or TCIS positions, giving their approval to use their names in the letter of interest for this specific project.

Technical questions concerning the requirements for this project should be directed to John P. Ryan, P.E., District 3-0, at (717) 368-5651.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Tioga County  
Reference No. 08430AG2001**

The Department of Transportation will retain an engineering firm to complete and prepare final design plans and engineering services during construction for the structures on State Route 6015, Section D53, a new section of Traffic Route 15 in Liberty, Bloss and Hamilton Townships and Blossburg Borough, Tioga County. Improvements will include construction of a four lane limited access highway (to be designed by District 3-0

Roadway Unit) and one single and three dual grade separation structures. The estimated construction cost of this project is \$26.5 million.

The selected firm will be required to provide services within the multipart contract including: type, size and location; soils borings; foundation design; preparation of bridge plans, specifications and estimates; hydraulics studies and joint waterway permit applications as applicable; maintenance and protection of traffic as applicable; erosion and sediment pollution control; and engineering services during construction. Coordination with the District Roadway Unit will be vital.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

Technical questions concerning the requirements for this project should be directed to John W. Elwell, P.E., Consultant Liaison Engineer, District 3-0, at (717) 368-4256.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### **General Requirements and Information**

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. of the thirteenth day.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the

letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

4. Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each

subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

- a. Specialized experience and technical competence of firm.
- b. Past record of performance with respect to cost control, work quality, and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.
- c. Current workload and capacity of firm to perform the work within the time limitations.
- d. Location of consultant.
- e. Special requirements of the project.
- f. Other factors, if any, specific to the project.

The Department currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-1026. Filed for public inspection June 21, 1996, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, June 6, 1996, and took the following actions:

#### *Regulations Approved:*

Department of Transportation #18-339: Work Zone Traffic Control (amends 67 Pa. Code Chapter 203)

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

Public meeting held  
June 6, 1996

*Department of Transportation—Work Zone Traffic Control;  
Doc. No. 18-339*

### Order

On May 7, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking would amend 67 Pa. Code Chapter 203 relating to Work Zone Traffic Control and, specifically, section 203.83 relating to arrow panels. The statutory authority for this rulemaking is found in sections 6103, 6109(a)(15), 6121 and 6123 of the Motor Vehicle Code (Vehicle Code) (75 Pa.C.S. §§ 6103, 6109(a)(15), 6121 and 6123). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking would conform the Department's system of traffic control devices used in road work zones more closely to the National standard for traffic control devices on all highways open to public travel. That standard is set in the *Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD), as approved by the Federal Highway Administration (FHWA). Section 6121 of the Vehicle Code, relating to uniform system of traffic control devices, requires the Department to devise a uniform system of traffic control devices which conform, as nearly as possible, to Federal standards.

The MUTCD standard was amended by the FHWA on April 11, 1995 (at 60 *Federal Register* 18520) to, *inter alia*, allow an additional "caution" signal to be used on arrow panels located at road work sites. It would allow four or more flashing horizontal lights, arranged in a straight line or "bar" across the center of an arrow panel, with no illumination of the accompanying right and left directional arrows. Under the current regulation, the only permissible "caution" signal consists of four illuminated lamps arranged in a rectangular pattern that do not indicate a direction of travel (commonly known as "four-corners").

The Department seeks approval of this rulemaking as soon as possible to conform to the MUTCD standard, especially to assure continuation of funding for Federally-aided highway construction projects. As a consequence, the Department has omitted Notice of Proposed Rulemaking under section 204 of the Commonwealth Documents Law (45 P. S. § 1204(3)) because it states that the proposed rulemaking procedures are, in the circumstances, impractical, unnecessary, and contrary to the public interest.

The FHWA amended the MUTCD standard to include the "bar" caution mode after it was discovered that arrow display panels currently in use could not easily be converted to the four-corners lamp display pattern; converting the programming electronics for each panel would cost about \$850. The FHWA announced that permitting only the use of the four-corners display would cause an undue financial hardship on many public agencies. Following the FHWA action, the Department has determined that the time and expense of converting arrow panels to the four-corners pattern, or purchasing new panels with this capability, cannot be justified and the regulation should be amended to include a provision for the "bar" caution mode.

This rulemaking will affect the Department, its officials and employees, other Commonwealth agencies which hire or affect the hiring of private contractors to perform work on public roadways, local governments, utility companies, private contractors that perform work for the Commonwealth and its political subdivisions, and companies that manufacture or repair the arrow panels used at road work sites in the Commonwealth.

We have reviewed this regulation and find it to be in the public interest. It will allow the use of an additional "caution" mode symbol, consistent with the Federal MUTCD standard, to be displayed as a warning to motorists approaching road work sites. Its implementation will also enable the Department to meet its statutory obligations under section 6121 of the Vehicle Code.

We also urge the Department, however, to institute a campaign to educate the motoring public to readily associate the flashing horizontal bar and four-corners symbols with "caution." We make this recommendation because we were surprised to discover that none of the representatives of the various entities we contacted about this amendment knew that flashing "bar" and "four-corners" light configurations are intended to denote "caution" to approaching motorists. Consequently, ignorance and confusion about the meaning of "bar" and "four-corners" light configurations will be counterproductive to the Department's efforts in making this regulatory change.

We suggest that one way to educate the public would be to utilize larger, computerized message display panels to display the word "caution" in combination with the "bar" or "four-corners" light configurations. This will help the greatest number of motorists associate "caution" with these symbols in other road work situations where the symbols appear alone. Other important educational steps the Department can take include: updating the driver's manual; highlighting these "caution" mode symbols in the curriculum for driver's education; updating brochures dealing with how to drive safely in or near road work projects; adding the "caution" symbols to placements in restaurants along the turnpike and interstate highways; and explaining what these symbols mean in the publication of this rulemaking in the *Pennsylvania Bulletin*.

Therefore, It Is Ordered That:

1. Regulation No. 18-339 from the Department of Transportation, as submitted to the Commission on May 7, 1996, is approved; and

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

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 96-1027. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the date indicated, the following final-form regulation for review. The regulation will be considered within 30 days of its 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 a regulation, interested parties should contact the agency promulgating the regulation.

Reg. No.	Agency/Title	Received
106-2	Environmental Hearing Board Practice and Procedure	6/11/96
JOHN R. MCGINLEY, Jr., Chairperson		

[Pa.B. Doc. No. 96-1028. Filed for public inspection June 21, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority

UPMC HMO has applied for a Certificate of Authority to operate as a health maintenance organization in Pennsylvania. The initial filing was received on March 1, 1996 and was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 *et seq* and the Insurance Laws, 40 P. S. § 1551 *et seq*. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1029. Filed for public inspection June 21, 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 Kim Whitsel Rideout; file no. 96-308-71163; Allstate Insurance Company; doc. no. PI96-05-035; July 17, 1996, at 11 a.m.;

Appeal of Emilie E. Topscher; file no. 96-308-71262; Liberty Mutual Insurance Company; doc. no. PI96-06-015; July 17, 1996, at 1 p.m.;

Appeal of Leon and Ida Gori; file no. 96-308-71345; Maryland Casualty Insurance Company; doc. no. PI96-06-014; July 18, 1996, at 1 p.m.;

Appeal of John Diaz; file no. 96-280-32913; Standard Fire Insurance Company; doc. no. PH96-06-013; July 18, 1996, at 2 p.m.;

Appeal of Akakawa Kinuko; file no. 96-267-32824; TICO Insurance Company; doc. no. PH96-05-029; July 25, 1996, at 9 a.m.;

Appeal of Joan Shanahan; file no. 96-308-71349; Travelers Company; doc. no. PI96-06-009; July 25, 1996, at 10 a.m.;

Appeal of Esther A. Kasebier; file no. 96-193-02646; Hartford Casualty Insurance Company; doc. no. P96-05-051; July 25, 1996, at 11 a.m.;

Appeal of Dr. John and Barbara Crosby; file no. 96-265-32648; Continental Insurance Company; doc. no. PH96-05-033; July 30, 1996, at 9 a.m.;

Appeal of Joann Peak; file no. 96-124-02783; Erie Insurance Exchange; doc. no. P96-05-039; August 6, 1996, at 9 a.m.;

Appeal of Sun-Nan and Fen Fang Hong; file no. 96-121-03180; Erie Insurance Company; doc. no. P96-05-038; August 6, 1996, at 10 a.m.;

Appeal of Jacquelyn Battisto; file no. 96-264-32892; Allstate Insurance Company; doc. no. PH96-05-047; August 6, 1996, at 1 p.m.;

Appeal of Claudia Dirusso; 96-265-32697; Continental Casualty Company; doc. no. PH96-06-016; August 6, 1996, at 2 p.m.;

Appeal of Marjorie J. Carnegie; file no. 96-121-02969; American Motorists Insurance Company; doc. no. P96-05-031; September 4, 1996, at 11 a.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. 96-1030. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurers 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 the 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 American Motorists Insurance Company; file no. 96-223-32348; Helen Santoro; doc. no. PH96-05-036; July 30, 1996, at 2 p.m.;

Appeal of Erie Insurance Company; file no. 95-12102907; Melony A. Mendola; doc. no. P96-05-032; August 6, 1996, at 11 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, 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 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. 96-1031. Filed for public inspection June 21, 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 Douglas McGonigal; file no. 96-183-03319; Foremost Property & Casualty; doc. no. P96-05-030; July 17, 1996, at 2 p.m.;

Appeal of James and Janet T. Hertzler; file no. 96-308-71119; Prudential Property & Casualty Insurance Company; doc. no. PI96-05-034; July 23, 1996, at 2 p.m.;

Appeal of David Deratzian; file no. 96-267-32867; Goschenhoppen-Home Mutual Insurance Company; doc. no. PH96-05-037; July 30, 1996, at 1 p.m.;

Appeal of Madelyn M. Horsman; file no. 96-308-71320; Metropolitan Property & Casualty; doc. no. PI96-06-008; August 1, 1996, at 9 a.m.;

Appeal of Estate of Alfred and Sophie Scarnati; file no. 96-308-71344; American Motorists Insurance Company; doc. no. PI96-06-007; August 1, 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. 96-1032. Filed for public inspection June 21, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Fuel Cost Adjustment Statement; Doc. No. M-FACG-9523

This notice is to inform the public that the following company: Wally Gas Company has filed a statement of the revenue and expense attributable to its use of the automatic adjustment clause (Fuel Cost Adjustment) for the 12-month period ending August 31, 1995.

The filing of this statement is required by section 1307(e) of the Public Utility Code (66 Pa.C.S. § 1307(e)).

The Pennsylvania Public Utility Commission has scheduled a hearing on Wednesday, July 24, 1996, at 10 a.m. in a Commission Hearing Room, Ground Floor, North Office Building, Harrisburg, PA, when and where all persons in interest may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1033. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Gas Service Without Hearing

**A-122150 F0007. PG Energy, Inc.** Application of PG Energy Inc., for approval to begin to offer, render, furnish

or supply gas service to the public in additional territory in: 1) Valley Township, Montour County; 2) Riverside Borough, Northumberland County; and 3) Harvey's Lake Borough, Luzerne County.

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 July 8, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* James H. Cawley, Esquire, Jan P. Paden, Esquire, Rhoads and Sinon, Dauphin Deposit Bank Building, Twelfth Floor, P. O. Box 1146, Harrisburg, PA 17108-1146.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1034. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before July 15, 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 beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00113123. Sandra L. Jacobs, t/d/b/a Jacobs Liv-  
ery** (47 Old River Road, Wilkes-Barre, Luzerne County, PA 18651)—persons in airport transfer service, from points in the city of Wilkes-Barre, Luzerne County and within an airline distance of 10 statute miles of the limits of the said city to the Allentown-Bethlehem-Easton Airport (ABE) at Allentown, Lehigh County, and the Philadelphia International Airport, in the city and county of Philadelphia and the township of Tinicum, Delaware County. *Attorney:* Edward J. Geist, 61 Carey Avenue, Wilkes-Barre, PA 18651.

### 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 July 8, 1996.

**A-00113126** John R. Reid, t/d/b/a J & M Trucking  
1060 Turkey Pit School Road, New  
Oxford, PA 17350

- A-00113127 Leonard Olivero, t/d/b/a L. Olivero  
Nursery  
R. R. 1, Box 246A, Kingsley, PA 18826
- A-00113129 Lee R. Kellow, t/d/b/a Lee R. Kellow  
Courier Service  
1500 Hidden Lane, Telford, PA 18969
- A-00113130 Danny W. Rosensteel, t/d/b/a Rosensteel  
112 Broadway Street, Connellsville, PA  
15425
- A-00113131 Hartt Transportation Systems, Inc.  
705 White Oak Road, Strasburg, PA  
17579
- A-00113132 Jack Bell Excavating, Inc.  
P. O. Box 293, South Main Street,  
Eldred, PA 16731
- A-00113133 James E. Porter, t/d/b/a Big and  
Little Jim's Moving & Hauling  
3445 Braddock Street, Philadelphia, PA  
19134

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1035. Filed for public inspection June 21, 1996, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9504.1, Renew Build-up Roofing at Pier 84 South, until 2 p.m. on Thursday, July 18, 1996. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., Phila., PA 19106, 8th Floor, (215) 928-9100 and will be available June 25, 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 employment opportunity laws and regulations.

Mandatory prebid job site meeting will be held July 10, 1996, 10 a.m. at inshore end of shed.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-1036. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9604.1a, Replace Skylights with Roofing at Pier 80 South until 2 p.m. on Thursday, July 18, 1996. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 8th Flr., Phila., PA 19106, (215) 928-9100 and will be available June 25, 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 meeting will be held July 11, 1996, 10 a.m. at the job site.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-1037. Filed for public inspection June 21, 1996, 9:00 a.m.]

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9604.4, Night Lighting System Rehabilitation—2nd Deck, Pier 80 South until 2 p.m. on Thursday, July 18, 1996. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 8th Flr., Phila., PA 19106, (215) 928-9100 and will be available June 25, 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 July 11, 1996, 11 a.m. at the site.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-1038. Filed for public inspection June 21, 1996, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting sealed bids for:

1) Cementitious Coating of Toll Booths at Gateway and Beaver Valley Interchanges. Mandatory. Site Inspection: June 26, 1996, 9:30 a.m. at Gateway Int. #1, Milepost 1.4. Open Date: July 3, 1996, 11 a.m.

2) Cementitious Coating of Toll Booths at Delaware River Bridge and Delaware Valley Interchanges. Mandatory Site Inspection: July 10, 1996, 9:30 a.m. at Delaware River Bridge Int. #31, Milepost 359.1. Open Date: July 17, 1996, 11 a.m.

Bids will be received by the Director of Purchases not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1039. Filed for public inspection June 21, 1996, 9:00 a.m.]

### 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. 96-004-RL47.** Bituminous overlay, ID-2, SRL-E and bridge repairs between M. P. 326.07 and 332.98 on the PA Turnpike System in Chester and Montgomery Cos., PA.

*Bid Opening:* July 18, 1996, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to public inspection at the Administration Building. Copies may be purchased upon payment of \$45 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn:

Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1040. Filed for public inspection June 21, 1996, 9:00 a.m.]

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# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

#### Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.
- ③ Contract Information
- ④ Department
- ⑤ Location
- ⑥ Duration
- ⑦ (For Commodities: Contact: Vendor Services Section 717-787-2199 or 717-787-4705)

**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

#### 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**

**1055156** Communication and entertainment equipment and supplies—1 lot; furnish and install RF distribution for Dauphin Humanities Center Annex and general classroom building.

**Department:** Shippensburg University  
**Location:** Shippensburg, Cumberland and Franklin Counties, PA 17257-2299  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1054156** Communication and entertainment equipment and supplies—2 each; Epson ELP 3000 LCD projector or equal w/appropriate accessories.

**Department:** Mansfield University  
**Location:** Mansfield, Tioga County, PA 16933  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1117226** Paper/printing—various amounts; 1997 fishing license certificates, resident, etc.

**Department:** Fish and Boat Commission  
**Location:** Harrisburg, Dauphin County, PA 17106-7000  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1098166** Paper/printing—various amounts; booklets with scannable forms.

**Department:** Management Services  
**Location:** Harrisburg, Dauphin County, PA 17126-0333  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**1099226** Paper/printing—various amounts; envelopes.

**Department:** Fish and Boat Commission  
**Location:** Harrisburg, Dauphin County, PA 17106-8900  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**2609125** Data processing/computer equip./supplies—2 each; IBM 3174-11R remote control units.

**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 787-4705

**7313520** Data processing/computer equip./supplies—8 each; display, grayscale, dual page 120; with OCLI anti-glare treatment, no substitute and 8 each; controller, display, PCI, Image Accel 2 1600/GS.

**Department:** Liquor Control Board  
**Location:** Harrisburg, Dauphin County, PA 17124-0001  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services—Fax request to: (717) 783-6241 or call (717) 787-2199 or 787-4705

**SERVICES****Advertising—01**

**SP 316008** Provide news wire service to the Governor's Press Office to include wire and broadcast fax services to issue press releases covering print, radio, and television. This includes coverage that can be sent nationwide, region by region, Statewide or by regions within the State. The regions are: Philadelphia City, Philadelphia Region, Central Pennsylvania, Pittsburgh, Lehigh Valley/Northeast Erie.

**Department:** Governor's Office  
**Location:** Room 308, Main Capitol, Harrisburg, PA 17120  
**Duration:** 1 year with possible three 1-year renewal periods  
**Contact:** Ann E. McCann, (717) 787-5330

**Agricultural Services—02**

**95-028** Cut and trim approximately seventy (70) acres of ground at Eastern State School and Hospital—including a parcel of nearby ground. Cut and trim shall occur once a month during July and August and twice a month during September, October, April, May and June.

**Department:** Public Welfare  
**Location:** Eastern State School and Hospital, 3740 Old Lincoln Highway, Trevese, PA 19053  
**Duration:** July 22, 1996 through June 30, 1997  
**Contact:** Catherine DiChristofaro, (215) 953-6024

**050-295** Planting, mulching and maintaining arborvitae shrubs along property line at the Department of Transportation, Northampton County Office on Freemansburg Avenue, Palmer Township.

**Department:** Transportation  
**Location:** 3300 Freemansburg Avenue, Easton, PA 18042  
**Duration:** Six months from effective date  
**Contact:** William Bellas, (610) 798-4190

### Audio/Video—04

**RFP No. 96-81-2036-01** The Office of Administration will be issuing an RFP for provision of 800/900 inbound telephone service on behalf of a consortium of users made up of all agencies under the jurisdiction of the Governor and a number of Commonwealth affiliated organizations including the Pennsylvania Higher Education Assistance Agency, the Pennsylvania State Employees Credit Union and the Pennsylvania State University.

**Department:** Office of Administration  
**Location:** Statewide  
**Duration:** Three years with potential for two, one year renewal  
**Contact:** John B. Malcolm, Jr., (717) 783-1965

### Child Care—07

**9522** Bid for contractor to provide home-based support and counseling for caregivers and children of incarcerated women.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** 9/1/96—12/31/97  
**Contact:** W. Voeckler, Pur. Agent, (717) 546-3171

### Computer Related Services—08

**SP281360** The Dept. of Revenue has a need to access demographic information stored in the data base of a private credit bureau reporting service to locate taxpayers who cannot be found through other means. Access to this service is to be made by placing a telephone call to the contractor's data base location. A terminal at the Department will then transmit a request for a specific credit agency report. A credit bureau report, when available, will be transmitted back to the Department for terminal display. Also, the Department wishes to have two printers connected to the terminal to make hard copies of the report. It is estimated that 500 reports per month will be made from two locations: 5th Floor, Strawberry Square, Harrisburg, PA and 6th Floor, Strawberry Square, Harrisburg, PA. The Department would like the option to renew the contract for one active year.

**Department:** Revenue  
**Location:** Collection Unit, PIT Delinquent Tax Div., 6th Floor, Inquiry Control Division, 5th Floor, Harrisburg, PA 17128  
**Duration:** 7/1/96 to 6/30/97 with renewal option  
**Contact:** Lori Stubbs, (717) 783-4377

### Construction Maintenance—09

**Project No. DGS 557-13/587-9** Project title: construction of one (1) 50 bed secure juvenile facility at two locations. Brief description: new modular precast concrete and masonry detention center, metal and single ply roof, detention hardware and equipment, packaged steam-electric HVAC units, alarms and security fence. General construction. Plans deposit: \$50.00 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plan and specs in reusable condition as constructions docs. within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specs. Contact the office listed below to arrange for delivery of docs. A separate check must be submitted to cover the cost of delivery. Mail request to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania. Telephone (717) 787-3923. Bid date: Wednesday, July 17, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for July 8, 1996 at 10:00 a.m. in the Bid Room in the Arsenal Building, 18th and Herr Streets, Harrisburg, PA. Contact person: Robert Zeigler at (717) 787-5597. All contractors who have secured contract documents are urged and invited to attend this pre-bid conference.

**Department:** General Services  
**Location:** Eastern PA and Western PA Juvenile Detention Facility, South Mountain, Franklin County/Cresson, Cambria County, PA  
**Duration:** 210 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**CL-458** Clarion University is soliciting bids for construction of an 80 space parking lot at its Clarion campus. Bid packages available by sending \$15 nonrefundable deposit to contact person, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-bid conference: 10 a.m., July 2, 1996. Bids due: 1:30 p.m., July 15, 1996. Bids open: 1:30 p.m., July 16, 1996.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion, Clarion County, PA  
**Duration:** 60 days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Manager, (814) 226-2240

**080904** Chester County, Group 6-96-SP1; Erie County, S. R. 17-CW5; Forest County, S. R. 66-02M; Venango County, Group 1-96-500; McKean County, S. R. 6-512; McKean County, S. R. 346-A03; Columbia County, S. R. 3014-002; Tioga County, S. R. 6-73M; Berks County, S. R. 724-04M; Delaware County, S. R. 476-HUM; Montgomery County, S. R. 3041-73S; Philadelphia County, Group 6-96-ST27; Philadelphia County, S. R. 1-M06; Lancaster County, S. R. 230-003; Armstrong County, Group 101-96-SI; Indiana County, S. R. 3043-490; Districtwide 11-0, Group 101-96-7631-1; Allegheny County, S. R. 79-A15; Lawrence County, Group 114-96-7135-1.

**Department:** Transportation  
**Location:** Districts 1, 2, 3, 5, 6, 8, 10, 11  
**Duration:** FY 1995/1996  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**080905** Centre, Clinton and Mifflin Counties, Group 2-96-ST7.

**Department:** Transportation  
**Location:** District(s) 2-0  
**Duration:** FY 1995/1996  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**080906** Montgomery County, S. R. 76-PM1; Fayette County, Group 12-96-RPM; Districtwide 5-0, Group 5-96-RPM1.

**Department:** Transportation  
**Location:** Districts 6-0, 5-0, 12-0  
**Duration:** FY 1995/1996  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**Court Reporting—10**

**SPC Pgh. RO 1** Provide stenotype reporting service for the Legal Unit of the Pgh. office on as needed basis. Estimates for the contract period include approximately 35 days of hearings about 150 pages per day, and 30 depositions of about 60 pages per deposition. Approximately 1/2 of the reporting services are required in a 22 county area of Western PA outside of the Allegheny Co./Pgh. area. On occasion a need may exist for court reporting services at the same date and time but different locations and may consume several entire days. Should be able to accommodate short notice demands. Bids should include the following information: (1) daily appearance fee for depositions and hearings; (2) fee incurred for cancellation with less than 12 hours notice; (3) mileage rates—not to exceed \$.30 a mile; (4) hotel rates—not to exceed Commonwealth rate; (5) normal delivery time; (6) availability of expedited transcript service (12–24 hrs.); (7) cost for photocopying exhibits; (8) postage and delivery costs; (9) cost for original, cost for copy of transcripts; (10) number of reporters employed or available to provide services. Call Marilyn T. Seifert for an invitation for bid package. Final acceptance of written bids June 27, 1996.

**Department:** PA Human Relations Commission  
**Location:** Executive Office, State Office Bldg., 11th Fl., 300 Liberty Avenue, Pittsburgh, PA 15222-1210  
**Duration:** July 1–June 30, 1998  
**Contact:** Marilyn T. Seifert, (412) 565-5469

**Demolition—11**

**Contract No. FDC-015-51** Demolition of 3 existing structures; construction of a prestressed concrete beam bridge and reinforced concrete deck; and construction of 2 cast-in-place reinforced concrete box culverts. Work is located in the southeast corner of Potter County near Ole Bull State Park.

**Department:** Conservation and Natural Resources  
**Location:** Stewardson Township, Potter County  
**Duration:** Complete all work by September 30, 1997  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FDC-016-68** Demolition of two bridges (steel I-beams, timber deck and masonry abutments); construction of a concrete Beambridge with reinforced concrete deck, a cast-in-place reinforced concrete box culvert, reinforced concrete abutments, wingwalls and collars. Work is located in the southwest corner of Tioga County near the village of Leetonia.

**Department:** Conservation and Natural Resources  
**Location:** Elk Township, Tioga County  
**Duration:** Complete all work by September 30, 1997  
**Contact:** Construction Management, (717) 787-5055

**Engineering Services and Consultation—14**

**08430AG2000** To retain an engineering firm to provide construction inspection services for an Open-End Contract in Engineering District 3-0, that is Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga, Union and Bradford Counties.

**Department:** Transportation  
**Location:** Engineering District 3-0  
**Duration:** Thirty (30) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2001** Retain an engineering firm to prepare and complete final design plans and engineering services during construction for structures on S. R. 6015, Section D53, Tioga County.

**Department:** Transportation  
**Location:** Engineering District 3-0  
**Duration:** Thirty-six (36) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**Food—19**

**PGC-2524** Provide meals for two (2) weekend Deputy Wildlife Conservation Officer training conferences to be held on August 24 and 25, 1996 and September 7 and 8, 1996. Vendor will be required to prepare, bring to site and clean up four meals for each session (1—breakfast, 2—lunches and 1—dinner). Location of conference site will be within 10 mile radius of Reading, PA. Approximate attendance at each session will be 100. For a bid package contact (610) 926-3136.

**Department:** Game Commission  
**Location:** Location as yet to be determined, but within 10 mile radius of Reading, PA  
**Duration:** August 24, 1996 to September 8, 1996  
**Contact:** Doug Killough, (610) 926-3136

**96-034** Pastries, pies and cakes, fresh as follows: 45 doz. buns, sticky; 810 ea. soft pretzel; 1700 ea. pies, vend-a-pies; 24 cs. carrot cake; and 1560 ea. pound cake. Bids will be awarded on an item for item basis. Bids will be opened at this facility on July 12, 1996 at 2:30 p.m.

**Department:** Public Welfare  
**Location:** Bensalem Youth Development Center, 3701 Old Trevoe Road, Bensalem, PA 19020  
**Duration:** August, 1996 thru December, 1996  
**Contact:** Dorthia Claud-Williams, Purchasing, (215) 953-6412

**Inquiry No. 108** Bread and rolls.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498  
**Duration:** 10-01-96 thru 6-30-97  
**Contact:** T. F. Snyder, Purchasing Agent, (610) 740-3428

**ACAD-150** Milk: milk standard, 2.0% B. F. low fat milk with vitamins "D" added, 2. chocolate milk, 1% B. F., 3. milk skim, fortified with protein, vitamins A & D added. Interested bidders may obtain bid from the Procurement and Supply Division, (717) 783-5485.

**Department:** Pennsylvania State Police  
**Location:** Academy, Hershey, Pennsylvania  
**Duration:** 7-1-96 thru 6-30-97  
**Contact:** Robert D. Stare, (717) 783-5485

**Fuel Related Services—20**

**Project No. 738** Construct concrete foundation pads (22 CY) reinforced for new 3,000 gallon diesel fuel dispensing system. Includes steel pipe guards, electrical work and installation of owner furnished equipment. Some coordination with contractor for removal of underground fuel dispensing tanks is necessary.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, P. O. Box 510, R. D. 1, Lock Haven, Clinton County, PA  
**Duration:** 1 July 96—30 Sep. 97  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 739** Construct concrete foundation pads (22 CY) reinforced for new 3,000 gallon diesel fuel dispensing system. Includes steel pipe guards, electrical work, and installation of owner furnished equipment. Some coordination with contractor for removal of underground fuel dispensing tanks is necessary.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, P. O. Box 589, 1101 Route 522 N. Lewistown, Mifflin County, PA  
**Duration:** 1 July 96—30 Sep. 97  
**Contact:** Emma Schroff, (717) 861-8518

**FM 067896-01** Furnish and install aboveground gasoline tank. Scope of work—contractor shall provide and install a complete turn key system for a new 2,000 gallon aboveground (concrete encased) vaulted unleaded gasoline storage tank and dispensing system at the Bensalem Youth Development Center.

**Department:** Public Welfare  
**Location:** Bensalem Youth Development Center, 3701 Old Trevoise Road, Bensalem, PA 19020  
**Duration:** September, 1996  
**Contact:** Sharon Maxwell, Purchasing Agent, (215) 953-6406

**Project No. DGS A 251-143 (Rebid)** Project title: New fuel facility. Brief description: removal and replacement of UST and fuel dispensing island/canopy. UST/AST construction. Plans deposit: \$70.00 per set. Payable to: Gannett Fleming, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011, telephone (717) 763-7211. Bid date: Wednesday, July 10, 1996 at 2:00 p.m. Any and all bulletins issued prior to June 12, 1996 are hereby canceled.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Emporium, Cameron County, PA  
**Duration:** 115 calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Project No. DGS A 251-291** Project title: plumbing fixture replacement and restroom upgrade. Brief description: remove existing restroom fixtures, floors, walls and ceilings, etc. Install new plumbing and electric, including new shower room and ADA restroom. Provide new toilet partitions, ceramic tile, counters, ceiling, etc. General and plumbing construction. Plans deposit: \$25.00 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plan 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: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Telephone (717) 787-3923. Bid date: Wednesday, July 10, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** PennDOT Office Facility District 4-0, Dunmore, Lackawanna County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**1240-95-006** Purchase of two (2) industrial portable air cleaners for the removal of weld smoke. Units to be self-cleaning and equipped with 11' self supporting arm, halogen light and pneumatic tires.

**Department:** Transportation  
**Location:** District 12-4, Washington County Garage, Washington, PA  
**Duration:** 7-8-96 to 9-30-96  
**Contact:** Liberty A. Hill, (412) 439-7361

### Hazardous Material Services—21

**12-2-015** Cleanout and proper disposal of sludge in a 7,000 gallon tank and related piping located in Greene County, Waynesburg, PA. Vendor is to furnish all necessary equipment and personnel. Tank and piping to be in operating condition when completed. PennDOT will supply any diesel fuel required to cut sludge.

**Department:** Transportation  
**Location:** PA Department of Transportation, 195 Jefferson Road, Waynesburg, PA 15370  
**Duration:** Indeterminate 1995-96  
**Contact:** David Shipman, (412) 627-6131

### Janitorial Services—23

**JC-24-96** Janitorial services: to be provided on a daily basis, Monday thru Friday, except state holidays, after 5:00 p.m. Involves 10,707 sq. ft. of office space.

**Department:** Department of Labor and Industry  
**Location:** JCFO, Hazleton Job Center, 75 North Laurel Street, Hazleton, Luzerne County, PA  
**Duration:** Two years, October 1, 1996 thru September 30, 1998  
**Contact:** Robert J. Kozak, Manager, (717) 459-3855

### Heating, Ventilation, Air Conditioning—22

**L&I-12-96** HVAC services: twenty-four (24) hour seven (7) day per week coverage for the Treasury Unemployment Compensation Disbursement check printing environmental and power conditioning systems. A mandatory pre-bid on-site inspection will be conducted.

**Department:** Labor and Industry  
**Location:** Treasury UC Disbursements, Room 400 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** October 1, 1996 through September 30, 1998  
**Contact:** Donna A. Sodrosky, Contract Officer, (717) 787-2560

**L&I-15-96** HVAC services: twenty-four (24) hour seven (7) day per week maintenance coverage for the Labor and Industry Building Environmental Systems. A mandatory pre-bid on-site inspection will be scheduled—date and time will be contained in the bid package.

**Department:** Labor and Industry  
**Location:** Bureau of Management Information Services, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** October 1, 1996 through September 30, 1999  
**Contact:** Donna A. Sodrosky, Contract Officer, (717) 787-2560

### Lodging/Meeting Facilities—27

**PGC-2523** The PA Game Commission, Southeast Region, is soliciting bids for lodging, meeting room facilities and gymnasium facilities for two (2) weekend conferences for Deputy Wildlife Conservation Officers. Training weekends will be August 24 and 25, 1996 and September 7 and 8. Conference must be held within 10 mile radius of Reading, PA. Approximate attendance at the conferences will be 100. For a bid package contact (610) 926-3136.

**Department:** Game Commission  
**Location:** 10 mile radius of Reading, PA  
**Duration:** August 24, 1996 to September 8, 1996  
**Contact:** Doug Killough, (610) 926-3136

**10-96-11** The Pennsylvania State Police is seeking a facility to conduct a conference within a 25 mile radius of Harrisburg beginning the evening of October 6 thru October 12, 1996. Forty single lodging rooms are required per night (non-smoking and smoking). One large conference/meeting room to accommodate forty people and three small breakout rooms for ten people each. Buffet breakfast and lunch for forty people October 7 thru 12, 1996 in a separate room and break refreshments daily.

**Department:** State Police  
**Location:** Within a 25 mile radius of Harrisburg, PA  
**Duration:** Oct. 6 thru 12, 1996  
**Contact:** Margaret Chapman, Procurement and Supply, (717) 783-5485

**10-96-12** The Pennsylvania State Police MPOET Commission is seeking a facility to conduct a conference in the Bucks, Delaware or Montgomery County area beginning the evening of November 17 thru November 22, 1996. Facility must be located within a 25 mile radius of Philadelphia city limits. Sixty individual single lodging rooms are required per night (non-smoking and smoking). Two large conference/meeting rooms to accommodate 50+ people each, one breakout room and one break room for 50 people each. Hot/cold buffet style breakfast and lunch for 60 people November 18 thru 22, 1996 in a separate room and break refreshments daily.

**Department:** State Police  
**Location:** Bucks, Delaware or Montgomery County area (within a 25 mile radius of Philadelphia city limits)  
**Duration:** November 17 thru 22, 1996  
**Contact:** Margaret Chapman, Procurement and Supply, (717) 783-5485

**10-96-13** The Pennsylvania State Police MPOET Commission is seeking a facility to conduct a conference in the Allegheny, Fayette or Westmoreland County area beginning the night of November 3 thru November 7, 1996. Sixty-five single lodging rooms are required per night (non-smoking and smoking). Two large conference/meeting rooms to accommodate 50+ people, one breakout room and one break room for 50 people. Hot/cold buffet style breakfast and lunch for sixty-five people November 4 thru 8, 1996 in a separate room and break refreshments daily.

**Department:** State Police  
**Location:** Allegheny, Fayette or Westmoreland County area  
**Duration:** November 3 thru 8, 1996  
**Contact:** Margaret Chapman, Procurement and Supply, (717) 783-5485

**FM 067894-03** Replacement of gymnasium roof (approx. 7,280 sq. ft.). Scope of work: contractor shall remove all damaged insulation and subroofing. Existing rubber membrane roof shall also be removed. Refasten new insulation/subroofing and install a new Firestone rubber batten system over the entire roof area.

**Department:** Public Welfare  
**Location:** Bensalem Youth Development Center, 3701 Old Trevoise Road, Bensalem, PA 19020  
**Duration:** September, 1996  
**Contact:** Sharon Maxwell, Purchasing Agent, (215) 953-6406

**Inquiry No. 8811** Repair roof: 15,000 sq. feet, rubberized flat roof.

**Department:** Public Welfare  
**Location:** Selingsgrove Center, Selingsgrove, Snyder County, PA 17870  
**Duration:** September 1, 1996 to November 15, 1996  
**Contact:** Arletta K. Ney, Purchasing Agent, (717) 372-5070

**Contract No. FDC-120-183** Removal of existing ladder rungs, providing and installing a new fiberglass reinforced plastic ladder and a fall prevention system in the outlet control chamber for the dam at R. B. Winter State Park.

**Department:** Conservation and Natural Resources  
**Location:** Hartley Township, Union County  
**Duration:** 45 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**1240-95-005** Prepare two (2) 16' openings in existing brick walls and install two (2) roll-up type garage doors.

**Department:** Transportation  
**Location:** District 12-4, Washington County Garage Office, Washington, PA  
**Duration:** 7-22-96 to 9-30-96  
**Contact:** Liberty A. Hill, (412) 439-7361

## Personnel—31

**Inquiry No. 30107** Director of Medical Services at Western Center position must be filled by a board certified physician who will be scheduled approximately 20 hrs./week during 3 year contract period. Please contact facility for details.

**Department:** Public Welfare  
**Location:** Western Center, 333 Curry Hill Road, Canonsburg, PA 15317  
**Duration:** October 1, 1996—September 30, 1999  
**Contact:** Ken Wilson, P.A. III, (412) 873-3256

## Property Maintenance—33

**MI-670** Project title: Harbold and Diehm Halls—roof replacement. Scope of work: removal and properly dispose of 14,500 square feet of existing built-up roof. Supply and install new insulation, 4-ply built-up roof, metal flashing, and modifications to parapet walls as shown on plans. Plans cost: \$50.00.

**Department:** State System of Higher Education  
**Location:** Harbold and Diehm Halls, Millersville University, Millersville, Lancaster County, PA 17551-0302  
**Duration:** 30 days from Notice to Proceed  
**Contact:** Bernadette J. Wendler, Dilworth Building, (717) 872-3829

**0800-R/W:0022-002** Sealing and boarding of vacant buildings, S. R. 0022-002, Dauphin County, PA.

**Department:** Transportation  
**Location:** District 8-0, Dauphin County, PA  
**Duration:** Open  
**Contact:** Shawn Irie, (717) 921-1950

**IFB 95-07-15** Mechanical maintenance and repair service to the Bureau of Laboratories, 37,500 square feet building premises consisting of approximately 70% clinical laboratories and 30% office area. Work to include, but not be limited to: electric, plumbing and carpentry.

**Department:** Health  
**Location:** Bureau of Laboratories, 110 Pickering Way, Lionville, PA 19353  
**Duration:** 5 years, from 7/1/96 to 6/30/01  
**Contact:** Don Middleman, (610) 363-8500, X-232

## Real Estate Services—35

**907A** Lease office space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Corrections with 12,876 useable square feet of new or existing residential/office space in Pittsburgh, Allegheny County, PA, with minimum parking for ten (10) vehicles, within the following boundaries: North: North Ave., South: Reedsdale St. and I-279, East: I-279, West: Allegheny Ave. Proposals due: July 8, 1996. Solicitation No.: 092283.

**Department:** General Services—Real Estate  
**Location:** 505 North Office Bldg., Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or Edward P. Meyer, (717) 787-4394

**908A** Lease office space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Office of Inspector General with a minimum of 33,118 useable square feet of new or existing office space, in Harrisburg, Dauphin County, PA, with zero parking, in the Harrisburg Capitol Complex area, within the following boundaries: North: Forster St., South: Chestnut St., East: Fisher Plaza, West: Front St. Proposals due: July 15, 1996. Solicitation No.: 092285.

**Department:** General Services—Real Estate  
**Location:** 505 North Office Bldg., Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or Edward P. Meyer, (717) 787-4394

**909A** Lease office space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Office of Inspector General with a minimum of 3,517 useable square feet of new or existing office space, in Philadelphia, Philadelphia County, PA, with minimum parking for eleven (11) vehicles, within the following boundaries: North, J F Kennedy Boulevard, South: Walnut St., East: Broad St., West: 20th St. Proposals due: July 22, 1996. Solicitation No.: 092286.

**Department:** General Services—Real Estate  
**Location:** 505 North Office Bldg., Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or Edward P. Meyer, (717) 787-4394

**Security Services—37**

**L&I-13-96** Maintenance: maintenance/inspection of data processing security system. Service to be available on a twenty-four (24) hour seven (7) day per week basis. A mandatory pre-bid on-site inspection will be scheduled—date and time will be contained in the bid package.

**Department:** Labor and Industry  
**Location:** Bureau of Management Information Services, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** October 1, 1996 through September 30, 1999  
**Contact:** Donna A. Sodrosky, Contract Officer, (717) 787-2560

**L&I-14-96** Maintenance: maintenance and inspection of data processing halon systems. Service to be available on a twenty-four (24) hour seven (7) day per week basis. A mandatory pre-bid on-site inspection will be scheduled—date and time will be contained in the bid package.

**Department:** Labor and Industry  
**Location:** Bureau of Management Information Services, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** October 1, 1996 through September 30, 1999  
**Contact:** Donna A. Sodrosky, Contract Officer, (717) 787-2560

**Vehicle, Heavy Equipment and Powered Machinery Services—38**

**1179** The contractor shall provide a bucket truck with operator as needed and requested to change light fixtures and/or replace bulbs on perimeter high mast light poles at the State Correctional Institution at Greensburg. The contractor's bucket truck (with adaption devices if applicable) must have a lift of at least 47 feet high. The correctional institution shall furnish the replacement units for all light fixtures and bulbs to be changed by the contractor.

**Department:** Corrections  
**Location:** State Correctional Institution at Greensburg, R. D. 10, Box 10, Route 119 South, Greensburg, PA 15601-8999  
**Duration:** September 16, 1996 to June 30, 1999  
**Contact:** Jack Loughry, (412) 837-4397, ext. 339

**Miscellaneous—39**

**RFP 96-1** The State Correctional Institution at Waymart is seeking proposals from vendors to provide Protestant Chaplaincy services to the Forensic Psychiatric Unit at Waymart. The institution estimates services at approximately 20 to 22 hours per week for an average population of 120 male mentally ill offenders.

**Department:** Corrections  
**Location:** SCI Waymart, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Raymond J. Collieran, Deputy Superintendent, (717) 488-2520

**9523** Bid for contractor to provide transportation for children of incarcerated women from various locations of the Commonwealth of Pennsylvania to the State Correctional Institution at Muncy.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** 9/1/96—12/31/97  
**Contact:** W. Voeckler, Pur. Agent, (717) 546-3171

**RFP No. 1996-02** The Department of Aging is seeking to secure a contractor to evaluate a rural service delivery model used by one of the Area Agencies on Aging. Sealed proposals will be received by the Department until 3:00 p.m. on July 15, 1996. A pre-proposal conference will be held on Monday, June 17, 1996 at 10:00 a.m. in the sixth floor conference room—Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301. Interested bidders must request a copy of the RFP by calling (717) 783-3704 or in writing to the Department of Aging, Bureau of Administrative Services, 400 Market Street, Harrisburg, PA 17101-2301.

**Department:** Aging  
**Location:** Statewide  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Patricia M. Lingle, (717) 783-3704

**RFP No. 6-96** This RFP is to provide for Management, Administration and Operation of Cresson Secure Treatment Unit and South Mountain Secure Treatment Unit. These units are 50 bed highly secure facilities for serious and habitual delinquent males and will be situated in newly constructed, stand alone buildings on the grounds of State Correctional Institution—Cresson (Cambria County) and South Mountain Restoration Center (Franklin County). This service is to provide a highly secure program that is designed to serve adjudicated delinquents between the ages of 16 and 20 years who are serious offenders, extremely aggressive runaway risks who may have serious emotional problems. Students committed to the unit have had prior contacts with the courts, have had several placements and are most often lacking in the internal control necessary to cope in less secure settings, and thus require controls provided by a maximum security setting. Cresson Security Treatment Unit—(CSTU). South Mountain Secure Treatment Unit—(SMSTU).

**Department:** Public Welfare  
**Location:** CSTU—grounds of State Correctional Institution—Cresson (Cambria County) and SMSTU—grounds of South Mountain Restoration Center (Franklin County)  
**Duration:** This is a one-year contract with the option to renew for four additional years.  
**Contact:** Polly Hahn, (717) 787-7585

[Pa.B. Doc. No. 96-1041. Filed for public inspection June 21, 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	Requisition or Contract #	Awarded On	To	In the Amount Of
0008-12	06/12/96	American Mail-Well	6,488.00	2485355-01	06/10/96	Questron Corp.	17,700.00
0008-12	06/12/96	Alling & Cory Co.	4,589.30	2514155-01	06/04/96	Lab Products	306,127.00
0008-12	06/12/96	Tri State Envelope Corp.	77,135.85	2515155-01	06/10/96	Allentown Caging Equipment, Inc.	138,247.00
0008-12	06/12/96	USA Direct, Inc.	6,297.00	2528725-01	06/10/96	Eagle Computer Assoc.	73,904.00
0008-12	06/12/96	Westvaco Env. Div.	542,052.45	2539325-01	06/10/96	NCS	6,814.00
0008-12	06/12/96	Commercial Envelope	6,636.00	2563305-01	06/04/96	Secco Incorporated	22,039.00
1003046-01	06/10/96	Neogen Corporation	16,916.00	2564355-01	06/10/96	Corvallis Micro Technology	10,780.00
1013116-01	06/04/96	Geneco Service, Inc.	18,953.68	2565355-01	06/10/96	Magellan Systems Corp.	5,000.00
1014116-01	06/10/96	Suburban Textile Equipment Company	13,150.00	2569155-01	06/10/96	L G L Products, Inc.	11,391.00
1928235-01	06/04/96	Foster F. Wineland, Inc.	56,885.00	2581185-01	06/10/96	PA Industries for the Blind and Handicapped	64,992.50
2037115-01	06/04/96	Wheelabrator E O S, Inc.	215,600.00	2619385-01	06/10/96	Starr Uniform	83,360.00
227715-01	06/10/96	Dan Starsonneck	236,351.00	2626205-01	06/10/96	Blauer Mfg. Co.	57,910.00
2291225-01	06/10/96	Cognitronics Imaging Systems, Inc.	63,545.00	2627205-01	06/10/96	Blauer Manufacturing Co., Inc.	88,273.12
2341385-01	06/10/96	Messick Farm Equipment, Inc.	52,850.00	2631075-01	06/10/96	Moore Business Forms, Inc.	11,140.00
2366215-02	06/04/96	The Okonite Company	16,310.00	2640155-01	06/10/96	Bunting, Inc.	31,593.56
2446355-01	06/10/96	Gamma Products, Inc.	19,900.00	2650215-01	06/10/96	Anacomp, Inc.	25,700.00
2448115-01	06/10/96	National Guardian Security Services	14,096.23	2660355-01	06/10/96	Culligan of Erie	32,271.00
2461355-01	06/10/96	Sciex, Inc.	441,600.00	7313460-01	06/04/96	Plastic Manufacturers	25,325.00
2462355-01	06/10/96	Oxford Instruments, Inc.	11,614.12	7510-10	06/10/96	Adolph Sufrin, Inc.	70,878.05
2475115-01	06/04/96	Dugan Tractor, Inc.	16,178.00	7510-10	06/10/96	Standard Stationery Supply Co.	24,320.80
2478225-01	06/10/96	Smith Root, Inc.	4,863.00	7510-10	06/10/96	Logan Marketing	111,482.15
2482355-01	06/10/96	MTI Technology Corp.	76,640.00	7510-10	06/10/96	Ace Wire Spring & Form	338.00
				8071730-01	06/04/96	Russell Standard Corp.	148,257.00
				8159330-01	06/10/96	Advanced Retro Technology	5,675.00
				8205370-01	06/10/96	Standard Register Co.	325,120.00

## STATE CONTRACTS INFORMATION

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Requisition or Contract #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
8231070-01	06/10/96	Mack Sales & Service	313,568.00	8520-01	06/14/96	William Marvy	6,442.25
8231180-01	06/10/96	Highway Equipment & Supply Co.	450,358.20	8520-01	06/14/96	Carolina Beauty Sup- plies	2,163.49
8231370-01	06/10/96	ADDCO	22,865.00	8520-01	06/14/96	Village Sun- dries & To- bacco	228,955.53
8231410-01	06/04/96	Winner Group, Inc.	61,820.00	8520-01	06/14/96	Convotec-Div. of Bristol Meyers Squibb USPG	356,681.56
8305-03	06/13/96	ATD American Company	1,109,565.00	8520-01	06/14/96	Factory Ser- vice, Inc.	7,112.50
8305-03	06/13/96	Amtex	50,292.00	8520-01	06/14/96	Aviganne Div. WL Young, Inc.	123,319.15
8305-03	06/13/96	Raeford Uni- form Fabrics Co.	284,100.00	8520-01	06/14/96	Airwick Pro- fessional Products of Phila.	112,842.70
8305-03	06/13/96	Herculite Products, Inc.	56,400.00	8520-01	06/14/96	Owens & Mi- nors	450,641.28
8305-03	06/13/96	Chem Tick Coated Fab- rics, Inc.	193,200.00	8520-01	06/14/96	ICS	5,234.35
8305-03	06/13/96	J. Weinstein & Sons, Inc.	696,310.00	8520-01	06/14/96	Resource Net Interna- tional	85,451.02
8305-03	06/13/96	Fox Rich Tex- tiles, Inc.	90,250.00				
8305-03	06/13/96	Raytex Fab- rics, Inc.	46,350.00				
8305-03	06/13/96	Atlantic Tex- tiles Co.	85,960.00				
8502980-01	06/10/96	EMSCO Group	15,360.00				
8503130-01	06/04/96	Flink Co.	80,865.00				
8520-01	06/14/96	Edlis, Inc.	21,592.50				
8520-01	06/14/96	International Shaving System	26,950.80				

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 96-1042. Filed for public inspection June 21, 1996, 9:00 a.m.]