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Pennsylvania Bulletin  
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# PENNSYLVANIA BULLETIN

Volume 26

Number 30

Saturday, July 27, 1996 • Harrisburg, Pa.

Pages 3515—3610

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Turnpike Commission

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

**No. 260, July 1996**

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**PENNSYLVANIA**

**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$80.50 per year, postpaid to points in the United States. Individual copies \$2. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 340  
(800) 334-1429 ext. 340 (toll free, out-of-State)  
(800) 524-3232 ext. 340 (toll free, in State)

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

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

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ISBN 0-8182-0004-9

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

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

### Printing Format

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

### Fiscal Notes

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

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

## List of Pa. Code Chapters Affected

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# THE GENERAL ASSEMBLY

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

### CORRECTION Act 1996-54

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-54	June 19	SB1047	PN1418	Immediately	Pennsylvania Securities Act of 1972—nonprofit organizations prohibited transactions and criminal penalties

### Effective Dates of Statutes

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

### Advance Copies of Statutes

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

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

### Legislative Bills and Documents

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

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

CARL MEASE,  
*Acting Director*

[Pa.B. Doc. No. 96-1200. Filed for public inspection July 26, 1996, 9:00 a.m.]

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

The following is a summary of recent actions of the General Assembly during the 1996 Regular and Special Sessions.

### 1996 ACTS—Acts 67 through 117 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-67	June 29	HB2668	PN3934	Immediately	Job Enhancement Act—enactment
1996-68	July 1	SB1346	PN2110	Immediately	Delaware River Joint Toll Bridge Commission—adding members of commission
1996-69	July 1	SB1348	PN1872	Immediately	Delaware River Joint Toll Bridge Commission—meetings open to public and news media
1996-70	July 1	SB1345	PN2109	Immediately	Delaware River Joint Toll Bridge Commission—requiring commission to adopt competitive purchasing, equal opportunity employment and competitive hiring practices
1996-71	July 2	SB564	PN1999	60 days	Real Estate Appraisers Certification Act—certification, applications, qualifications, disciplinary measures and scope of practice

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-72	July 2	SB577	PN2103	Immediately*	Insurance Department Act of 1921—order of distribution of claims from insurer's estate, brokers' licenses, temporary certificate or license and continuing education
1996-73	July 2	SB847	PN1745	60 days*	Fish and Boat Code (30 Pa.C.S.)—titling of motorboats and registration of boats
1996-74	July 2	SB1181	PN2183	60 days	Landlord and Tenant Act of 1951—regulating abandoned mobile home space recovery
1996-75	July 2	SB1313	PN2134	60 days	Crimes Code (18 Pa.C.S.)—aggravated assault on emergency medical health care workers
1996-76	July 2	SB1323	PN2007	60 days	Crimes Code (18 Pa.C.S.)—regulations on dissemination of criminal history record information
1996-77	July 2	SB1566	PN2150	Immediately	Mental Health Procedures Act—omnibus amendments
1996-78	July 2	HB2470	PN3250	60 days	Local Tax Collection Law—compensation of tax collectors in second class boroughs and townships
1996-79	July 2	HB2536	PN3912	60 days	Money Transmission Business Licensing Law—omnibus amendments
1996-80	July 2	HB2619	PN3537	Immediately	Consumer Discount Company Act—omnibus amendments
1996-81	July 2	HB2680	PN3674	Immediately	Private Licensed Schools Act—defining private licensed school
1996-82	July 2	HB2336	PN3132	Immediately	Transportation (74 Pa.C.S.)—designation of Exton Bypass as scenic byway
1996-83	July 2	HB1346	PN3087	60 days	Third Class County Assessment Board Law—changing date of appeal
1996-84	July 2	HB1571	PN3770	60 days	Real Estate Seller Disclosure Act—enactment
1996-85	July 2	HB1977	PN3382	60 days	Health Security Act—enactment
1996-86	July 2	HB2580	PN3857	60 days	Motivational Boot Camp Act—definitions
1996-87	July 2	HB216	PN3900	Immediately	Department of Health—organization and administrative powers and duties
1996-88	July 2	HB2002	PN3089	60 days	Third Class County Assessment Board Law—auxiliary appeal boards in counties of second class A and rules and regulations
1996-89	July 2	HB2041	PN3788	60 days	Third Class County Assessment Board Law—correction of errors and informal review in counties of second class A and notice requirements and appeal process
1996-90	July 2	HB2102	PN3269	60 days	Third Class County Assessment Board Law—assessment appeals and changes in assessment
1996-91	July 2	HB2223	PN2899	Immediately	Cities of first class—real property taxes for persons who meet established standards and qualifications for age and property
1996-92	July 2	HB2344	PN3031	60 days	Credit—confidentiality of credit records and credit policy of depository institutions
1996-93	July 2	HB2360	PN3913	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
1996-94	July 2	HB2446	PN3411	Immediately	Public Utility Code (66 Pa.C.S.)—omnibus amendments

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-95	July 2	SB1504	PN1923	Immediately	Fish and Boat Commission Capital Project Itemization Act of 1995-1996—enactment
1996-96	July 11	SB208	PN2219	Immediately*	Conveyances—Commonwealth property and roadways in Lackawanna, Susquehanna, Philadelphia and Cumberland counties and in cities of Harrisburg and Philadelphia
1996-97	July 11	SB674	PN2214	Immediately*	Borough Code—budget and tax ordinances and commissions of waterworks
1996-98	July 11	SB1254	PN2216	Immediately*	Crimes Code (18 Pa.C.S.)—omnibus amendments
1996-99	July 11	SB1344	PN2217	Immediately	Delaware River Joint Toll Bridge Commission—powers, limitation on employment and joint audits
1996-100	July 11	SB1432	PN2184	60 days	Agriculture Code (3 Pa.C.S.)—domestic animals
1996-101	July 11	SB1496	PN2221	Immediately	Capital Budget Act of 1996-1997—enactment
1996-102	July 11	SB1600	PN2208	Jan. 1, 1997	Cities of second class—restriction of taxing power, land use appeals and removal of archaic laws
1996-103	July 11	SB1607	PN2130	Immediately	Pennsylvania Cancer Control, Prevention and Research Act—extending expiration date of act
1996-104	July 11	SB1374	PN2218	Immediately*	Judiciary and Judicial Procedure (42 Pa.C.S.)—omnibus amendments
1996-105	July 11	SB1251	PN2215	Immediately*	Administrative Code of 1929—omnibus amendments
1996-106	July 11	HB100	PN3826	30 days	Pennsylvania Business Resource Center Act—enactment
1996-107	July 11	HB837	PN3930	Immediately*	Public School Code of 1949—omnibus amendments
1996-108	July 11	HB950	PN3779	60 days	Municipalities Financial Recovery Act—limiting right of municipality to petition court for increase in rate of taxation
1996-109	July 11	HB1130	PN3932	60 days	Third Class City Code—omnibus amendments
1996-110	July 11	HB1174	PN3872	60 days	Municipalities Authorities Act of 1945—investment of authority funds
1996-111	July 11	HB1334	PN3933	Immediately	Liquor Code—use of State Stores Fund
1996-112	July 11	HB1415	PN3853	180 days	Insurance companies—requiring reimbursement by insurers for services performed by hospital emergency facility
1996-113	July 11	HB1855	PN3931	60 days	Dental Law—powers of State Board of Dentistry
1996-114	July 11	HB1711	PN3910	Immediately	Game and Wildlife Code (34 Pa.C.S.)—junior hunter projects
1996-115	July 11	HB1712	PN3858	Immediately*	Vehicle Code (75 Pa.C.S.) and Transportation Code (74 Pa.C.S.)—omnibus amendments
1996-116	July 11	HB2666	PN3927	Immediately	Infrastructure Development Act—enactment
1996-117	July 12	HB1689	PN3873	Immediately	Pennsylvania Human Relations Act—omnibus amendments

\* with exceptions

## 1996 APPROPRIATIONS—Act 1A through 46A (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-1A	June 29	SB1583	PN2212	Immediately	General Appropriation Act of 1996—enactment
1996-2A	July 2	SB753	PN2142	Immediately	Office of Consumer Advocate—operation
1996-3A	July 2	SB1480	PN2143	Immediately	State Employees' Retirement Board—administrative expenses, etc.
1996-4A	July 2	SB1481	PN2144	Immediately	Public School Employees' Retirement Board—administrative expenses, etc.
1996-5A	July 2	SB1482	PN1891	Immediately	Department of Labor and Industry—workers' compensation and occupational disease administrative expenses, etc.
1996-6A	July 2	SB1483	PN2145	Immediately	Bureau of Professional and Occupational Affairs—operation
1996-7A	July 2	SB1484	PN1893	Immediately	Treasury Department—general obligation debt service from Fish Fund
1996-8A	July 2	SB1487	PN2147	Immediately	Office of Small Business Advocate—operation
1996-9A	July 2	HB2720	PN3722	Immediately	Beacon Lodge Camp—services to the blind
1996-10A	July 2	HB2721	PN3723	Immediately	Philadelphia Civic Center—museum maintenance and purchases
1996-11A	July 2	HB2722	PN3724	Immediately	Everhart Museum—operation
1996-12A	July 2	HB2723	PN3725	Immediately	Academy of Natural Sciences—maintenance
1996-13A	July 2	HB2724	PN3726	Immediately	Franklin Institute Science Museum—maintenance
1996-14A	July 2	HB2725	PN3727	Immediately	Mercer Museum—operation
1996-15A	July 2	HB2726	PN3728	Immediately	University of Pennsylvania—museum maintenance and purchases
1996-16A	July 2	HB2727	PN3729	Immediately	Museum of Scientific Discovery—operation
1996-17A	July 2	HB2728	PN3730	Immediately	Afro-American Historical and Cultural Museum—operation, maintenance and purchases
1996-18A	July 2	HB2729	PN3731	Immediately	Carnegie Museum of Natural History and Carnegie Science Center—operation, maintenance and purchases
1996-19A	July 2	HB2730	PN3732	Immediately	Rehabilitation Institute of Pittsburgh—operation
1996-20A	July 2	HB2731	PN3733	Immediately	St. Christopher's Hospital—operation, maintenance and treatment
1996-21A	July 2	HB2732	PN3734	Immediately	Wistar Institute-Research—operation, maintenance and AIDS research
1996-22A	July 2	HB2733	PN3735	Immediately	Fox Chase Institute for Cancer Research—operation and maintenance program
1996-23A	July 2	HB2734	PN3736	Immediately	St. Francis Hospital—cardiovascular studies
1996-24A	July 2	HB2735	PN3737	Immediately	University of Pennsylvania—cardiovascular studies
1996-25A	July 2	HB2736	PN3738	Immediately	Central Penn Oncology Group—operation
1996-26A	July 2	HB2737	PN3739	Immediately	Jefferson Medical College and Hospital—Tay-Sachs disease program
1996-27A	July 2	HB2738	PN3740	Immediately	Burn Foundation—treatment
1996-28A	July 2	HB2739	PN3741	Immediately	Lancaster Cleft Palate—treatment
1996-29A	July 2	HB2740	PN3742	Immediately	Pittsburgh Cleft Palate—treatment

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-30A	July 2	HB2741	PN3743	Immediately	Drexel University—instruction and student aid
1996-31A	July 2	HB2742	PN3828	Immediately	University of Pennsylvania—operation and instruction
1996-32A	July 2	HB2743	PN3745	Immediately	Pennsylvania College of Optometry—instruction
1996-33A	July 2	HB2744	PN3746	Immediately	Philadelphia College of Osteopathic Medicine—instruction
1996-34A	July 2	HB2745	PN3747	Immediately	Thomas Jefferson University—instruction and maintenance
1996-35A	July 2	HB2746	PN3748	Immediately	Hahnemann University—instruction, maintenance and student aid
1996-36A	July 2	HB2747	PN3749	Immediately	Pennsylvania College of Podiatric Medicine—instruction
1996-37A	July 2	HB2748	PN3750	Immediately	Williamson Free School of Mechanical Trades—operation and maintenance
1996-38A	July 2	HB2749	PN3751	Immediately	Johnson Technical Institute—operation and maintenance
1996-39A	July 2	HB2750	PN3752	Immediately	University of the Arts—instruction and student aid
1996-40A	July 2	HB2751	PN3753	Immediately	Berean Training and Industrial School—operation, maintenance and debt service
1996-41A	July 2	HB2752	PN3831	Immediately	Pennsylvania State University—operation, instruction and research
1996-42A	July 2	HB2753	PN3906	Immediately	Temple University—operation and instruction, etc.
1996-43A	July 2	HB2754	PN3907	Immediately	Lincoln University—operation and instruction, etc.
1996-44A	July 2	HB2755	PN3908	Immediately	University of Pittsburgh—operation and instruction, etc.
1996-45A	July 2	HB2768	PN3786	Immediately	Arsenal Family and Children's Center—operation
1996-46A	July 10	SB1485	PN2210	Immediately	Pennsylvania Public Utility Commission—operation

**1996 VETO—Veto 1 (numerical)**

<i>Veto No.</i>	<i>Veto Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Subject Matter</i>
1996-1	July 11	HB2064	PN3914	Vehicle Code (75 Pa.C.S.) and Transportation Code (74 Pa.C.S.)—omnibus amendments

**1996 JOINT RESOLUTIONS—JR 1 through 3 (numerical)**

<i>Jr No.</i>	<i>Filing Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Prior Passage</i>	<i>Subject Matter</i>
1996-1	June 13	SB752	PN2065	none	Trial by jury—rights of Commonwealth
1996-2	June 18	HB1865	PN2287	none	Elections—absentee voting
1996-3	June 29	SB284	PN2205	none	Taxation—exclusion of portion of assessed value of homestead property

**1996 SPECIAL SESSION ACTS—Acts 4 through 10 (numerical)**

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-4	July 11	SB1	PN35	Immediately	Blizzard and flood emergency of 1996—omnibus amendments

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-5	July 11	SB4	PN36	Immediately	Emergency Management Services Code (35 Pa.C.S.)—authorizing Governor to enter into cooperative agreements for grants for hazard mitigation
1996-6	July 11	SB5	PN34	Immediately	Blizzard and flood emergency of 1996—abatement, refund and limited moratorium on increase of certain real estate taxes, assessment of properties retroactive to Jan. 1, 1996
1996-7	July 11	HB1	PN53	Immediately	Special Session Capital Budget Act of 1996 for Flood-Damaged Highways—enactment
1996-8	July 11	HB2	PN57	Immediately	Special Session Flood Control and Hazard Mitigation Itemization Act of 1996—enactment
1996-9	July 11	HB3	PN60	Immediately	Special Session Flood Relief Act—enactment
1996-10	July 11	HB5	PN52	Immediately	Flood Insurance Education and Information Act—enactment

#### Effective Dates of Statutes

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

#### Advance Copies of Statutes

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

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

#### Legislative Bills and Documents

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

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

CARL MEASE,  
*Acting Director*

[Pa.B. Doc. No. 96-1201. Filed for public inspection July 26, 1996, 9:00 a.m.]



# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PENNSYLVANIA COMMISSION ON SENTENCING Impact of '3-Strikes' Legislation (Act 21 of 1995)

Act 21 of 1995, referred to as the '3-strikes' legislation, increased the mandatory penalties for certain repeat violent offenders. Act 21 further mandated the Pennsylvania Commission on Sentencing to provide an impact statement on the projected increases in the prison population as a result of this legislation. This impact analysis was conducted by the Correctional Population Projection Committee, which is comprised of the Lancaster County Prison Warden, the York County Chief Adult Probation Officer along with representatives of the following agencies: Commission on Crime and Delinquency, Commission on Sentencing, Department of Corrections, Board of Probation and Parole, and Office of the Budget. Questions concerning this impact statement should be directed to Doug Hoffman, Chair, at (717) 787-5152., of the Pennsylvania Commission on Crime and Delinquency.

SENATOR DAVID HECKLER,  
*Chair*

*Impact Summary:* Violent Offense Mandatories—Act 21 of 1995 expands the definition of Act 54 of 1982 to include the offenses of robbery of a motor vehicle and burglary of an occupied dwelling. It also added solicitation or conspiracy to commit any of the designated offenses to the list of offenses for repeat offenders. The act increases the mandatory sentences for second offenses from 5 to 10 years if the presumption that the offender is a "High Risk

Dangerous" offender has not been rebutted. The act increases mandatory minimum sentences for third and subsequent offenses to 25 years and allows the court to sentence these offenders to life in prison.

*Analysis and Assumptions:* Consistent with all previous special session bill impact analyses, the Committee assumed that all new sentences would be effective January 1, 1996. For this analysis, the Committee assumed that 90% of the offenders who meet the criteria for the second offense mandatories will be found to be "High Risk Dangerous" and receive the 10 year mandatory minimum sentence. The other 10% of second time offenders will receive the mandatory 5 year minimum sentence. For third and subsequent offenders, it was assumed that all offenders who met the criteria would receive at least the 25 year mandatory minimum sentence and that 20% of these offenders would receive a sentence of life imprisonment. While the imposition of these mandatory sentences is currently subject to the discretion of the prosecution, the new criteria and sentence length is expected to affect plea bargains and other sentences by lengthening those sentences. The following tables show the estimated impact of this bill through the year 2005. However, the long sentences, defined as those with minimum sentences of up to 25 years or a life sentence, mean that the maximum impact will not be experienced for 40 years, assuming the average life sentence will be 40 years (average offender age = 32 years). That impact has been included below the projection for the year 2005.

Note: All analyses produced by the Committee unless, stated otherwise, assume only the changes described in the analyzed bill will occur. Total impact of all bills enacted will require a separate analysis. Since a single offender may be affected by more than one bill, simply adding the individual impact estimates will not produce an accurate total impact estimate.

Estimated Impact of Act 21 of 1995 (3-strikes legislation)<sup>1</sup>

*Department of Corrections*

	<i>Past Policy</i>	<i>Impact of Act 21 of 1995</i>	<i>Prison Population Under Act 21 of 1995</i>
1996	35,606	+23	35,629
1997	35,557	+46	35,603
1998	35,132	+76	35,208
1999	34,773	+118	34,891
2000	34,739	+194	34,933
2001	34,742	+328	35,070
2002	34,833	+526	35,359
2003	35,025	+774	35,799
2004	35,345	+1044	36,389
2005	35,741	+1301	37,042

Eventual Impact (40 years) + 3069

<sup>1</sup> This assumes that 90 percent of second time offenders are determined to be "High Risk Dangerous".

*Board of Probation and Parole*

	<i>Past Policy</i>	<i>Impact of Special Session Act 21 of 1995</i>	<i>Prison Population Under Act 21 of 1996</i>
1996	22,111	0	22,111
1997	24,711	0	24,711
1998	27,317	-7	27,310
1999	29,709	-26	29,683
2000	31,556	-79	31,477
2001	33,153	-190	32,963
2002	34,675	-365	34,310
2003	36,015	-590	35,425
2004	37,165	-837	36,328
2005	38,070	-1071	36,999

Eventual Impact (40 years) + 2389

Jail Impact -45 within 2 years

[Pa.B. Doc. No. 96-1202. Filed for public inspection July 26, 1996, 9:00 a.m.]

**Title 231—RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**[231 PA. CODE CH. 2970]**

**Amendment of Rules Governing Confession of Judgment in Ejectment for Possession of Real Property; No. 263; Doc. No. 5**

**Amendatory Order**

*Per Curiam:*

And Now, this 3rd day of July, 1996, Order No. 257, Civil Procedural Rules Docket No. 5, dated April 1, 1996 is amended by deleting Rule 2974.1 and substituting new Rule 2974.1 to read as follows.

This Order shall be effective immediately upon publication in the *Pennsylvania Bulletin* and shall be processed in accordance with Rule of Judicial Administration 103(b).

**Annex A**

**TITLE 231. RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**CHAPTER 2970. CONFESSION OF JUDGMENT FOR POSSESSION OF REAL PROPERTY**

**Rule 2974.1. Praecept for Writ of Possession.**

The praecipe for a writ of possession shall be substantially in the following form:

[Caption]

**PRAECIPE FOR WRIT OF POSSESSION UPON A CONFESSED JUDGMENT**

To the Prothonotary:

Issue writ of possession upon the judgment in ejectment entered by confession in the above matter.

**Certification**

I certify that

- (1) This praecipe is based upon a judgment entered by confession, and (Delete three of the following paragraphs which are inapplicable.)
- (2) Notice pursuant to Rule 2973.2 has been served at least thirty days prior to the filing of this praecipe as evidenced by a return of service filed of record.
- (3) Notice pursuant to Rule 2973.3 will be served with the writ of possession.
- (4) Notice was served in connection with a prior execution on this judgment and, pursuant to Rule 2973.4(b), no further notice is required.
- (5) Notice is not required under Rule 2973.1(c) because a petition to open or strike the judgment was previously filed.

\_\_\_\_\_  
Attorney for

[Pa.B. Doc. No. 96-1203. Filed for public inspection July 26, 1996, 9:00 a.m.]

**Title 234—RULES OF CRIMINAL PROCEDURE**

**PART I. GENERAL**

**[234 PA. CODE CH. 9000]**

**Order Amending Filings by Represented Defendants; No. 210; Doc. No. 2**

**Order**

*Per Curiam:*

Now, this 9th day of July, 1996, upon the recommendation of the Criminal Procedural Rules Committee; this

Recommendation having been published at 25 Pa.B. 5920 (December 23, 1995) and in the *Pennsylvania Reporter* (Atlantic Second Series Advance Sheets Vol. 672) before adoption, with a *Final Report* to be published with this Order:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa.R.Crim.P. 9022 is hereby amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective September 1, 1996.

The Criminal Procedural Rules Committee has prepared a *Final Report* explaining the July 9, 1996 amendments to Rule of Criminal Procedure 9022 (Filing). The amendments provide that the clerk of courts forward to counsel of record any filings by a defendant represented by counsel, rather than docket such filings. The *Final Report* follows the Court's Order.

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### PART II. LOCAL AND MINOR COURT RULES

#### CHAPTER 9000. GENERAL PROVISIONS

#### Rule 9022. Filing.

(a) Except as otherwise provided in these rules, all written motions, and any notice or document for which filing is required, shall be filed with the clerk of courts.

(b) [ **When** ] Except as provided in paragraph (c), when a written motion, notice, or document is received by the clerk of courts, the clerk shall docket it and record the time of filing in the docket. A copy of these papers shall be promptly transmitted to such person as may be designated by the court.

(c) **In any case in which a defendant is represented by an attorney, if the defendant submits for filing a written motion, notice, or document that has not been signed by the defendant's attorney, the clerk of courts shall not docket or record it, but shall forward it to the defendant's attorney within 10 days of receipt.**

[ (c) ] (d) Filing may be accomplished by:

(1) personal delivery to the clerk of courts; or

(2) mail addressed to the clerk of courts, provided, however, that filing by mail shall be timely only when actually received by the clerk within the time fixed for filing.

**Official Note:** Adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective January 1, 1994; **amended July 9, 1996, effective September 1, 1996.**

#### Comment

This rule requires the filing of all written motions, but it applies to notices and other documents only if filing is required by some other rule or provision of law. As used here, "written motions" includes all motions, challenges, and applications or requests for an order or relief that must be made by written motion under Rule 9020(a). [ **Filing was covered by former Rule 309(a) before adoption of this rule in 1983.** ]

Those rules that provide for filing with the trial court or the sentencing court are not exceptions to the general requirement of this rule that filing be with the clerk of courts. As used in this rule, "clerk of courts" is intended to mean that official in each judicial district who has the

responsibility and function under state or local law to maintain the official court file and docket, without regard to that person's official title.

The second sentence of paragraph (b) is intended to provide flexibility to the local courts to designate the court official, such as a local court administrator, who processes motions and other matters for appropriate scheduling and disposition.

**Paragraph (c) was added in 1996 to provide a uniform, statewide procedure for the clerks of courts to handle filings by represented defendants when the defendant's attorney has not signed the document being filed by the defendant. See Pa.R.A.P. 3304 (Hybrid Representation). Paragraph (c) only applies to cases in which the defendant is represented by counsel, not cases in which the defendant is proceeding pro se.**

*Committee Explanatory Reports:* Final Report explaining the March 22, 1993 amendments published with the Court's Order at 23 Pa.B. 1699 (April 10, 1993).

**Final Report explaining the July 9, 1996 amendments published with the Court's Order at 26 Pa.B. 3532 (July 27, 1996).**

#### FINAL REPORT

*Amendments to Pa.R.Crim.P. 9022  
Filings by Represented Defendants*

#### Introduction

On July 9, 1996, upon the recommendation of the Criminal Procedural Rules Committee, the Supreme Court amended Rule 9022 (Filing) to require, in any case in which a defendant is represented, that the clerk of courts forward to the attorney of record, within ten days of receipt, any documents filed by the defendant which have not been signed by the defendant's attorney. The amendment will be effective September 1, 1996. This Final Report highlights the Committee's considerations in formulating this amendment.<sup>1</sup>

#### Discussion

The changes to Rule 9022 are necessary to address a recurring problem in criminal cases—how to handle cases in which a defendant who is represented by counsel submits documents to the clerk of courts for filing.

At the request of John P. Moses and James G. Morgan, Special Counsel and Solicitor, respectively, to the State Association of Prothonotaries and Clerks of Courts, the Committee reviewed the procedure set forth in Rule of Appellate Procedure 3304 (Hybrid Representation), which requires that submissions for filing by represented litigants be forwarded to the attorney of record without docketing. The Committee concluded that it made sense to establish a comparable procedure for criminal cases at the trial court level, thereby establishing a uniform procedure statewide for the handling of these "hybrid representation" cases, and that it made sense to incorporate the new procedure into Rule 9022 (Filing), which provides the procedures for the docketing and recording of papers submitted to the clerk of courts for filing in a criminal case. Specifically, new paragraph (c) requires that the clerk of courts forward to counsel of record, within ten days of receipt, any papers submitted for filing by a defendant who is represented by counsel if the papers are not signed by counsel. The last paragraph of

<sup>1</sup> Please note that the Committee's *Final Reports* should not be confused with the official Committee *Comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the Committee's explanatory *Final Reports*.

the *Comment* makes it clear that the new provisions do not apply to any defendant who has elected to proceed *pro se*, and includes a cross-reference to Appellate Rule 3304.

*Publication Responses*

The Committee received nine letters in response to the publication of its explanatory *Report*. Four of the correspondents wrote in support of the proposed changes, three of the correspondents wrote to express their concern about the proposal, particularly in cases in which there is a dispute between the defendant and counsel. Other correspondents suggested different approaches for resolving the problem, such as returning the documents to the

defendant or accepting the filing if it relates to problems with counsel or a request for new counsel. After carefully reviewing all the correspondence, the Committee concluded that the proposal as published satisfactorily resolved the problem. However, paragraph (c) has been modified at the request of the Court to include a 10-day time limit. Accordingly, new paragraph (c) requires that the clerk of courts forward any filings within ten days of receipt.

[Pa.B. Doc. No. 96-1204. Filed for public inspection July 26, 1996, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 7—AGRICULTURE

### DEPARTMENT OF AGRICULTURE

#### [7 PA. CODE CH. 104]

#### Potato Research Program

The Department of Agriculture (Department) amends Chapter 104, Subchapter B (relating to potato research program) to read as set forth in Annex A. These amendments are adopted under the authority of sections 3, 10 and 11 of the Pennsylvania Agricultural Commodities Marketing Act of 1968 (act) (3 P.S. §§ 1003, 1010 and 1011) which, respectively, direct the Department to administer and enforce the act, allow the Department to involve agricultural commodity sales agents in the collection of producer charges and delegate to the Department the power to adopt regulations necessary to implement the act.

The final regulations clarify the obligation of an affected potato producer to account for its production and pay the appropriate producer charge in a timely manner.

#### *Compliance with Executive Order 1996-1, Regulatory Review and Promulgation*

The Department reviewed this order and considered its purpose and likely impact in accordance with Executive Order 1996-1, Regulatory Review and Promulgation. This order accomplishes regulatory amendments that will more equitably spread the costs of the Potato Research Program (Program) among those who benefit from it: the Commonwealth's potato producers. This order addresses a compelling public interest and is otherwise in compliance with Executive Order 1996-1.

#### *Comments*

Notice of proposed rulemaking was published at 25 Pa.B. 3873 (September 16, 1995), and provided for a 30-day public comment period.

No comments were received from the general public.

No comments were offered by the Independent Regulatory Review Commission (IRRC).

The House Agricultural and Rural Affairs Committee (House Committee) offered several comments:

Initially, the House Committee observed that the proposed definition of "potatoes" at § 104.13 (relating to definitions) included all "...varieties of Irish potatoes grown in the Commonwealth," and asked whether Irish potatoes are the only type of potatoes grown, or likely to be grown, within this Commonwealth.

In response, the Department has deleted the word "Irish" from the definition of "potatoes." The proposed definition of "potatoes" was modeled after the definition of that term in the Federal Potato Research and Promotion Plan, at 7 CFR 1207.306. In considering the House Committee's comment, though, the Department acknowledges that the proposed definition may have caused confusion or been less expansive than intended. The revised definition of "potatoes" is also more consistent with the Program order which established the Program.

The House Committee noted that § 104.14 (relating to producer charge) bases the assessment of a producer charge upon the number of acres of potatoes planted in a particular calendar year, while § 104.18 (relating to

calculation of minimum producer charge) allows the Program to calculate a minimum producer charge using a mathematical formula that relies on average county yield statistics. The House Committee asked for an explanation of the rationale behind basing producer charges upon potato acreage planted, rather than actual potato yields.

In response, the Department notes that the current Program order provides, at Article VII, Section A, that: "The rate of assessment shall be \$4.00 per acre on all potatoes planted." This specific provision was approved by a majority of affected potato producers in a referendum conducted in 1993. Prior to that time, the producer charge assessment was based upon actual potato production.

Under section 11 of the act, the Department must promulgate regulations necessary "...to enforce the provisions of any marketing program..." Given this requirement, the final regulations cannot establish a producer charge assessment procedure at variance with the assessment procedure set forth in the current Program order.

There is precedent for a commodity marketing program basing its producer charge assessment upon some factor other than production. The Pennsylvania Apple Marketing Program (PAMP) requires an apple producer to pay an apple production-based charge if the producer has 500 or more apple trees of all ages. This requirement links responsibility for payment of a producer charge with the number of apple trees owned—regardless of whether 500 or more of the apple trees are capable of bearing fruit during a particular growing season.

The House Committee also asked the Department to clarify whether it intends to calculate a minimum producer charge in accordance with § 104.18 only with respect to those producers who have not voluntarily complied with the Program.

The Department anticipates that the Program will conduct some random spot-audits of producers using the procedures established in §§ 104.16 and 104.17 (relating to accounting and payment; and responsibilities of sales agents).

It is expected that in the vast majority of cases, though, the Program will only calculate a minimum producer charge in accordance with § 104.18 when it has evidence that a particular producer's potato production outstrips the average county per-acre potato yield figures—thereby suggesting the producer under-reported the acreage from which the potatoes were produced.

#### *Fiscal Impact*

##### *Commonwealth*

The amendments impose no costs and have no fiscal impact upon the Commonwealth. The Program obtains its operating funds entirely from producer charges collected from Pennsylvania's potato producers.

##### *Political Subdivisions*

The amendments impose no costs and have no fiscal impact upon political subdivisions.

##### *Private Sector*

The amendments impose minimal costs and have only slight fiscal impact upon the private sector. These costs are not readily measurable. Although requiring certain sales agents to provide information regarding the potato production of potato growers with which they transact business might impose some minor cost upon the sales

agents, these costs would certainly be lower than the cost of requiring sales agents to actually collect producer charges on the Program's behalf.

*General Public*

The amendments will impose no costs and have no fiscal impact upon the general public.

*Paperwork Requirements*

The amendments are not expected to result in an appreciable increase in paperwork.

*Contact Person*

Further information is available by contacting the Department of Agriculture, Attention: Michael Varner, Bureau of Market Development, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)) the Department submitted a copy of the notice of proposed rulemaking published at 25 Pa.B. 3873 on September 5, 1995, to IRRC and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation.

In preparing these final-form regulations, the Department has considered all comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Committee on June 11, 1996, were deemed approved by the Senate Committee on June 11, 1996, and were deemed approved by the Commission on June 20, 1996, in accordance with section 5(c) of the Regulatory Review Act.

*Findings*

The Department finds that:

- (1) Public notice of intention to adopt the amendments encompassed by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law and that all comments received were considered.
- (3) The modifications that were made to these regulations in response to comments received do not enlarge the purpose of the proposed amendments published at 25 Pa.B. 3873.
- (4) The adoption of the amendments in the manner provided by this order is necessary and appropriate for the administration of the authorizing statute.

*Order*

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

(a) The amendments to the regulations of the Department, 7 Pa. Code Chapter 104, are amended by deleting § 104.11 and adding §§ 104.12, 104.14—104.16 and 104.18 to read as set forth at 25 Pa.B. 3873 (September 16, 1995) and by adding §§ 104.13 and 104.17 to read as set forth in Annex A.

(b) The Secretary of Agriculture shall submit this order, 25 Pa.B. 3873 and Annex A to the Office of General Counsel and to the Office of Attorney General for approval as required by law.

(c) The Secretary of Agriculture shall certify this order, 25 Pa.B. 3873 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*.

CHARLES C. BROSIUS,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 3237 (July 6, 1996).)*

**Fiscal Note:** Fiscal Note 2-99 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 7. AGRICULTURE**

**PART IV. BUREAU OF MARKET DEVELOPMENT**

**CHAPTER 104. ENFORCEMENT OF MARKETING PROGRAMS**

**Subchapter B. POTATO RESEARCH PROGRAM**

**§ 104.13. Definitions.**

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

*Act*—The Pennsylvania Agricultural Commodities Marketing Act of 1968 (3 P. S. §§ 1001—1013).

*Affected producer*—A person who produces or grows 5 or more acres of potatoes within this Commonwealth in a calendar year for sale or marketing.

*Department*—The Department of Agriculture of the Commonwealth.

*PASS*—The Pennsylvania Agricultural Statistics Service.

*Person*—An individual, firm, partnership, corporation, association or other business unit.

*Potatoes*—All varieties of potatoes grown in this Commonwealth.

*Processor*—A person who commercially processes potatoes into potato products, including frozen, dehydrated or canned potato products, potato chips, shoestring potatoes and flour.

*Program*—The Pennsylvania Potato Research Program.

*Sales agent*—A processor, a producer or a person who purchases, handles, receives, sells or contracts to sell potatoes originating from a producer. A producer may be a sales agent with respect to potatoes of his own production.

**§ 104.17. Responsibilities of sales agents.**

(a) *Required records.* A sales agent whose business is located in this Commonwealth shall maintain records of the identity of each producer with respect to which it transacts business, the date of the transaction and the weight of the potatoes involved in the transaction. A transaction includes the purchase of potatoes from a producer, the handling of potatoes on behalf of a producer, the processing of potatoes on behalf of a producer, the receipt of potatoes from a producer, the sale of potatoes

on behalf of a producer and the contracting to sell potatoes on behalf of a producer.

(b) *Retention of records.* A sales agent who is required to keep records under subsection (a) shall retain these records for at least 2 calendar years beyond the calendar year within which the transaction occurred.

(c) *Demand for production of information.* The Program may issue a written demand for production of the records described in subsection (a) upon a sales agent whose business is located in this Commonwealth.

(d) *Contents of demand.* A demand for production of information shall set forth the following:

(1) The time period with respect to which information is sought.

(2) A general description of the information which must be produced. This description may include the names of specific producers with respect to which information is sought.

(3) The date by which the sales agent shall mail or deliver its response to the Program. This date shall be at least 14 days from receipt of the demand for production of information.

(4) A reference to the penalties which could be imposed upon the sales agent if it fails to respond, fails to respond completely or fails to respond within the time specified to a demand for production of information.

(e) *Sales agent's duty.* A sales agent whose business is located in this Commonwealth who receives a written demand for production of information is responsible for providing the requested information that is within the sales agent's possession or control within the time specified in the demand for production of information.

(f) *Option for designated handlers under the Potato Research and Promotion Act.* A sales agent who is also a designated handler under the Potato Research and Promotion Act (7 U.S.C.A. §§ 2611—2627) and its attendant regulations, 7 CFR 1207.512 and 1207.513 (relating to designated handler; and payment of assessments), may satisfy its duty under subsection (e) by providing the Program with a copy of the appropriate designated handler report described at 7 CFR 1207.513(c).

(g) *Penalty for noncompliance.* A sales agent whose business is located in this Commonwealth who fails to respond, or who fails to respond completely, or who fails to respond within the time specified to a demand for production of information shall be required to pay a penalty of at least \$100 but not more than \$300. An action seeking imposition of a penalty may be brought in the appropriate magisterial district.

[Pa.B. Doc. No. 96-1205. Filed for public inspection July 26, 1996, 9:00 a.m.]

# PROPOSED RULEMAKING

## DELAWARE RIVER BASIN COMMISSION

[25 PA. CODE CH. 901]

### Toxic Pollutants in Tidal Delaware River

*Amendments to the Comprehensive Plan, Water Code and Administrative Manual Regarding the Tidal Delaware River*

Notice is hereby given that the Delaware River Basin Commission (Commission) will hold a public hearing in accordance with this notice to receive comments on modifications to its proposed amendments to its Comprehensive Plan, Water Code and Water Quality Regulations concerning water quality criteria for toxic pollutants, and policies and procedures to establish wasteload allocations and effluent limitations for point source discharges to Zones 2 through 5 (Trenton, New Jersey to the Delaware Bay) of the tidal Delaware River.

*Dates:* The public hearing will be held on Thursday, September 5, 1996, beginning at 10 a.m. and continuing as long as there are people present wishing to testify.

The deadline for inclusion of written comments in the hearing record will be 5 p.m. on September 5, 1996.

*Addresses:* The hearing will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

Written comments should be submitted to Susan M. Weisman, Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

*For Further Information Contact:* Susan M. Weisman, Commission Secretary at (609) 883-9500 ext. 203.

#### SUPPLEMENTARY INFORMATION

##### *Background and Rationale*

On October 5, 11 and 13, 1995, the Commission held public hearings on proposed amendments to its water quality regulations as noticed in 25 Pa.B. 3478 (August 26, 1995) and 25 Pa.B. 4007 (September 23, 1995). The public hearing record, originally scheduled to close on November 13, 1995, was extended by the Commission at its October 25, 1995, business meeting to December 13, 1995. Oral and written comments were received from 31 individuals and organizations as well as a coalition of 14 industrial and municipal dischargers to the Delaware Estuary.

As a result of comments received on that proposal and discussions with the Commission's Water Quality and Toxics Advisory Committees, the Commission has decided to modify its initial proposal. The proposal, as modified, is described below and is the subject of the September 5, 1996, public hearing.

Persons wishing to testify are requested to notify the Secretary in advance of the hearing.

The subjects of the hearing will be as follows:

*Amendments to the Comprehensive Plan, Water Code of the Delaware River Basin and Administrative Manual—Part III Water Quality Regulations*

Article 3 of the Water Code and Administrative Manual—Part III Water Quality Regulations sets forth

the water quality standards for the Delaware River Basin; Article 4 the application of those standards. These regulations apply to all waste dischargers, public and private, using the waters of the Delaware River Basin. It is proposed to:

1. Amend Article 3 of the Administrative Manual—Part III Water Quality Regulations, the Comprehensive Plan and Article 3 of the Water Code of the Delaware River Basin as follows:

a. Subsection 3.10.3C. and D. are added to read as follows:

*C. Aquatic Life Objectives for Toxic Pollutants.* It is the policy of the Commission to designate numerical stream quality objectives for the protection of aquatic life for the Delaware River Estuary (Zones 2 through 5) which correspond to the designated uses of each zone. Aquatic life objectives for the protection from both acute and chronic effects are herein established on a pollutant-specific basis for:

pollutants listed as toxic under section 307(a)(1) of the Clean Water Act for which the U.S. Environmental Protection Agency (EPA) has published final criteria,

other chemicals for which EPA has published final criteria under Section 304(a) of the act, and

pollutants and other chemicals in combinations.

Other toxic substances for which any of the three Estuary states have adopted criteria or standards may also be considered for the development of stream quality objectives.

1. For the purpose of determining compliance with stream quality objectives for the protection of aquatic life, the duration of exposure of aquatic organisms shall be 1 hour for acute objectives and 4 days for chronic objectives.

2. Stream quality objectives for cadmium, chromium, copper, lead, nickel, silver and zinc shall be expressed as the dissolved form of the metal. The factors presented in Tables 3 and 4 shall be used to convert total recoverable criteria published by the U.S. Environmental Protection Agency to dissolved stream quality objectives. In the absence of data to develop a factor for any of the metals, an adjustment factor of 1.0 shall be utilized. Stream quality objectives for other metals shall be expressed as the concentration of the total recoverable form of the metal.

*D. Human Health Objectives for Toxic Pollutants.* It is the policy of the Commission to designate numerical stream quality objectives for the protection of human health for the Delaware River Estuary (Zones 2 through 5) which correspond to the designated uses of each zone. Stream quality objectives for protection from both carcinogenic and systemic effects are herein established on a pollutant-specific basis for:

pollutants listed as toxic under section 307(a)(1) and other toxic pollutants, and

other chemicals for which EPA has published final criteria under section 304(a) of the act.

Other toxic substances for which any of the three Estuary states have adopted criteria or standards may also be considered for the development of stream quality objectives.

1. An objective to protect against carcinogenic effects shall only be established if the pollutant is classified A, B



or C under the U.S. EPA classification system for carcinogens, and if a cancer potency factor (CPF) exists in IRIS.

2. An objective to protect against systemic effects shall only be established for a pollutant if a reference dose (RfD) exists in IRIS. An additional safety factor of 10 shall be utilized in establishing the stream quality objectives to protect against systemic effects for pollutants classified as carcinogens if a CPF is not available in IRIS.

3. In the absence of toxicological data for an RfD or CPF in IRIS, data published in the 1980 U.S. EPA water quality criteria documents will be considered.

4. In establishing stream quality objectives for carcinogens, the level of risk is established at  $10^{-6}$  or one additional cancer in every 1,000,000 humans exposed for a lifetime (70 years).

5. For the purpose of determining compliance with human health stream quality objectives, the duration of exposure shall be 70 years for carcinogens and 30 days for systemic toxicants.

6. A rate of ingestion of water of 2.0 liters per day is assumed in calculating objectives for river zones where the designated uses include public water supplies after reasonable treatment. A rate of ingestion of fish of 6.5 grams per day (equivalent to consuming a 1/2 pound portion every 35 days) is assumed in calculating freshwater stream quality objectives for human health. A rate of ingestion of fish of 37 grams per day (equivalent to consuming a 1/2 pound portion every 6 days) is assumed in calculating marine stream quality objectives for human health.

7. Maximum Contaminant Levels (MCLs) shall be applied as stream quality objectives in Zones 2 and 3 which are designated for use as public water supplies for those toxic pollutants where the MCL value is more stringent than the calculated human health objectives for carcinogens or systemic toxicants.

8. Numerical criteria for toxic pollutants to protect the taste and odor of ingested water and fish shall be applied as stream quality objectives in the Estuary if these criteria are more stringent than the calculated human health objectives for carcinogens or systemic toxicants.

b. Subsection 3.10.5D. is revised to read as follows:

D. *Streamflow*. Numerical stream quality objectives are based on a minimum consecutive 7-day flow with a 10-year recurrence interval unless otherwise specified.

c. Subsection 3.10.5E. is added to read as follows:

E. *Requests for Modification of Stream Quality Objectives*. The Commission will consider requests to modify the stream quality objectives for toxic pollutants based upon site-specific factors. Such requests shall provide a demonstration of the site-specific differences in the physical, chemical or biological characteristics of the area in question, through the submission of substantial scientific data and analysis. The demonstration shall also include the proposed alternate stream quality objectives. The methodology and form of the demonstration shall be approved by the Commission.

d. Subsections 3.10.6H. through P. are added to read as follows:

H. *IRIS*. The Integrated Risk Information System established and maintained by the U.S. Environmental Protection Agency. An electronic data base containing information on the toxicity and carcinogenicity of individual substances which can be accessed by regulatory agencies and the public.

I. *Carcinogen*. A substance for which there is no level of exposure that does not pose a small, finite probability of inducing benign or malignant tumors.

J. *Systemic Toxicant*. A substance having a threshold exposure which must be exceeded before deleterious effects (other than cancer) are observed in organ systems.

K. *Acute Effects*. Effects (including but not limited to lethality) due to exposure to a toxicant over a short time period.

L. *Chronic Effects*. Effects (including but not limited to reduced reproduction, reduced growth and lethality) due to exposure to a toxicant over a relatively long period of time relative to the life span of the exposed organism.

M. *Cancer Potency Factor (CPF)*. The slope of the dose response curve in the low dose region expressed as the risk per milligram of a toxic substance per kilogram of body weight per day (mg/KG/day)<sup>-1</sup>.

N. *Reference Dose (RfD)*. The daily exposure to a substance that is likely to be without an appreciable risk of deleterious effects during a lifetime expressed as milligram of the substance per kilogram of body weight per day (mg/KG/day).

O. *Maximum Contaminant Level (MCL)*. The maximum permissible level of a contaminant in water which is delivered to any user of a public water system.

P. *Stream Quality Objectives*. Numeric values for specific pollutants and narrative descriptions of the quality of a waterbody that will assure that the designated uses of the waterbody, including the protection of aquatic life and human health, are achieved.

e. Subsection 3.30.2C.14. is added to read as follows:

14. *Toxic Pollutants*.

a. Applicable MCLs and criteria to protect the taste and odor of ingested water and fish are presented in Tables 5 and 6.

b. Applicable freshwater stream quality objectives for the protection of aquatic life are presented in Table 7.

c. Applicable freshwater stream quality objectives for the protection of human health are presented in Tables 8 and 9.

f. Subsection 3.30.3C.15. is added to read as follows:

15. *Toxic Pollutants*.

a. Applicable MCLs and criteria to protect the taste and odor of ingested water and fish are presented in Tables 5 and 6.

b. Applicable freshwater stream quality objectives for the protection of aquatic life are presented in Table 7.

c. Applicable freshwater stream quality objectives for the protection of human health are presented in Tables 8 and 9.

g. Subsection 3.30.4C.12. is added to read as follows:

12. *Toxic Pollutants*.

a. Applicable criteria to protect the taste and odor of ingested water and fish are presented in Table 6.

b. Applicable freshwater stream quality objectives for the protection of aquatic life are presented in Table 7.

c. Applicable freshwater stream quality objectives for the protection of human health are presented in Tables 8 and 9.

h. Subsection 3.30.5C.11. is added to read as follows:

11. *Toxic Pollutants.* Freshwater stream quality objectives apply in areas upstream of the Delaware Memorial Bridges (River Mile 68.75), and the more stringent of the freshwater or marine stream quality objectives apply in areas below RM 68.75.

a. Applicable criteria to protect the taste and odor of ingested water and fish are presented in Table 6.

b. Applicable freshwater and marine stream quality objectives to protect aquatic life are presented in Table 7.

c. Applicable freshwater and marine stream quality objectives to protect human health are presented in Tables 8 and 9.

Table 3: Factors for Converting Total Recoverable Freshwater Objectives for Metals for the Protection of Aquatic Life to Dissolved Objectives in the Delaware River Estuary.

METAL	Conversion Factor <sup>1</sup>
Cadmium	0.651
Chromium (Trivalent)	0.277
Chromium (Hexavalent)	0.919
Copper	0.908
Lead	0.723
Nickel	0.846
Silver	0.850
Zinc	0.950

Table 4: Factors for Converting Total Recoverable Marine Objectives for Metals for the Protection of Aquatic Life to Dissolved Objectives in the Delaware River Estuary.

METAL	Conversion Factor <sup>1</sup>
Cadmium	0.994
Chromium (Hexavalent)	0.993
Copper	0.832
Lead	0.951
Nickel	0.990
Silver	0.850
Zinc	0.946

1—Conversion Factor equals the dissolved concentration divided by the total recoverable concentration.

Table 5: Maximum Contaminant Levels to be Applied as Human Health Stream Quality Objectives in Zones 2 and 3 of the Delaware River Estuary.

Parameter	Maximum Contaminant Level (µ/l)
Antimony	6
Barium	2.0 mg/l
Cadmium	5
Chromium (total)	100
Nickel	100
Selenium	50
1,2 - trans - Dichloroethene	100
1,2 - Dichloropropane	5
Ethylbenzene	700
gamma - BHC (Lindane)	0.2
1,2,4 - Trichlorobenzene	70
Total Trihalomethanes	100

Table 6: Criteria to protect the Taste and Odor of Ingested Water and Fish to be Applied as Human Health Stream Quality Objectives in all Zones of the Delaware River Estuary.

Parameter	STREAM QUALITY OBJECTIVE (µ/l)
Phenol	300
2 - Chlorophenol	0.1
2,4 - Dichlorophenol	0.3
2,4 - Dimethylphenol	400
4 - Chloro - 3 - methylphenol	3.0 mg/l
Pentachlorophenol	30
Acenaphthene	20
Chlorobenzene	20
Hexachlorocyclopentadiene	1.0
Nitrobenzene	30

Table 7: Stream Quality Objectives for Toxic Pollutants for the Protection of Aquatic Life in the Delaware River Estuary.

Parameter	Freshwater Objectives (µg/l)		Marine Objectives (µg/l)	
	Acute	Chronic	Acute	Chronic
<b>Metals (Values indicated are total recoverable; see Section 3.10.3.C.2. for form of metal)</b>				
Aluminum	750	87	-	-
Arsenic (trivalent)	360	190	69	36
Cadmium	$e^{(1.128 \cdot \text{LN}(\text{Hardness}) - 3.828)}$	$e^{0.7852 \cdot \text{LN}(\text{Hardness}) - 3.49}$	43	9.3
Chromium (trivalent)	$e^{(0.8190 \cdot \text{LN}(\text{Hardness}) + 3.688)}$	$e^{(0.8190 \cdot \text{LN}(\text{Hardness}) + 1.561)}$	-	-
Chromium (hexavalent)	16	11	1,100	50
Copper	$e^{0.9422 \cdot \text{LN}(\text{Hardness}) - 1.464}$	$e^{0.8545 \cdot \text{LN}(\text{Hardness}) - 1.465}$	5.3	3.4
Cyanide (total)	22	5.2	1.0	-
Lead	48	16	220	8.5

## PROPOSED RULEMAKING

Parameter	Freshwater Objectives (µg/l)		Marine Objectives (µg/l)	
	Acute	Chronic	Acute	Chronic
Mercury	2.4	0.012	2.1	0.025
Nickel	$e^{(0.846 \cdot \text{LN}(\text{Hardness}) + 3.3612)}$	$e^{(0.846 \cdot \text{LN}(\text{Hardness}) + 1.1645)}$	75	8.3
Selenium	20	5.0	300	71
Silver	$e^{(1.72 \cdot \text{LN}(\text{Hardness}) - 6.52)}$	-	2.3	-
Zinc	$e^{(0.8473 \cdot \text{LN}(\text{Hardness}) + 0.8604)}$	$e^{(0.8473 \cdot \text{LN}(\text{Hardness}) + 0.7614)}$	95	86
<b>Pesticides/PCBs</b>				
Aldrin	1.5	-	0.65	-
gamma - BHC (Lindane)	1.0	0.08	0.08	-
Chlordane	1.2	0.0043	0.045	0.004
Chlorpyrifos (Dursban)	0.083	0.041	0.011	0.0056
DDT and metabolites (DDE & DDD)	0.55	0.001	0.065	0.001
Dieldrin	1.25	0.0019	0.355	0.0019
Endosulfan	0.11	0.056	0.017	0.0087
Endrin	0.09	0.0023	0.019	0.0023
Heptachlor	0.26	0.0038	0.027	0.0036
PCBs (Total)	1.0	0.014	5.0	0.03
Parathion	0.065	0.013	-	-
Toxaphene	0.73	0.0002	0.21	0.0002
<b>Acid Extractable Organics</b>				
Pentachlorophenol	$e^{(1.005 \cdot \text{pH} - 4.83)}$	$e^{(1.005 \cdot \text{pH} - 5.29)}$	13	7.9
<b>Indicator Parameters</b>				
Whole Effluent Toxicity	0.3 Toxic Units <sub>acute</sub>	1.0 Toxic Units <sub>chronic</sub>	0.3 TU <sub>a</sub>	1.0 TU <sub>c</sub>

Table 8: Stream Quality Objectives for Carcinogens for the Delaware River Estuary.

Parameter	EPA CLASS.	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
Arsenic	A	50.0	-	-
Beryllium	B2	0.00767	0.132	0.0232
Aldrin	B2	0.00189	0.0226	0.00397
alpha - BHC	B2	0.00391	0.0132	0.00231
Chlordane	B2	0.000575	0.000588	0.000104
DDT	B2	0.000588	0.000591	0.000104
DDE	B2	0.00554	0.00585	0.00103
DDD	B2	0.00423	0.00436	0.000765
Dieldrin	B2	0.000135	0.000144	0.0000253
Heptachlor	B2	0.000208	0.000214	0.0000375
Heptachlor epoxide	B2	0.000198	0.000208	0.0000366
PCBs (Total)	B2	0.0000444	0.0000448	0.0000079
Toxaphene	B2	0.000730	0.000747	0.000131
Acrylonitrile	B1	0.0591	0.665	0.117
Benzene	A	1.19	71.3	12.5
Bromoform	B2	4.31	164.0	28.9

Parameter	EPA CLASS.	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
Bromodichloromethane	B2	0.559	55.7	9.78
Carbon tetrachloride	B2	0.254	4.42	0.776
Chlorodibromomethane	C	0.411	27.8	4.88
Chloroform	B2	5.67	471.0	82.7
1,2 - Dichloroethane	B2	0.383	98.6	17.3
1,1 - Dichloroethene	C	0.0573	3.20	0.562
1,3 - Dichloropropene	B2	87.0	14.1	2.48
Methylene chloride	B2	4.65	1,580	277
Tetrachloroethene	B2	0.80	8.85	1.55
1,1,1,2 - Tetrachloroethane	C	1.29	29.3	5.15
1,1,2,2 - Tetrachloroethane	C	0.172	10.8	1.89
1,1,2 - Trichloroethane	C	0.605	41.6	7.31
Trichloroethene	B2	2.70	80.7	14.2
Vinyl chloride	A	2.00	525.0	92.9
Benzidine	A	0.000118	0.000535	0.000094
3,3 - Dichlorobenzidine	B2	0.0386	0.0767	0.0135
PAHs				
Benz[a]anthracene	B2	0.00171	0.00177	0.00031
Benzo[b]fluoranthene	B2	0.000455	0.000460	0.000081
Benzo[k]fluoranthene	B2	0.000280	0.000282	0.000049
Benzo[a]pyrene	B2	0.0000644	0.0000653	0.0000115
Chrysene	B2	0.0214	0.0224	0.00394
Dibenz[a,h]anthracene	B2	0.0000552	0.0000559	0.0000098
Indeno[1,2,3-cd]pyrene	B2	0.0000576	0.0000576	0.0000101
Bis (2-chloroethyl) ether	B2	0.0311	1.42	0.249
Bis (2-ethylhexyl) phthalate	B2	1.76	5.92	1.04
Dinitrotoluene mixture (2,4 & 2,6)	B2	17.3	1420	249
1,2 - Diphenylhydrazine	B2	0.0405	0.541	0.095
Hexachlorobenzene	B2	0.000748	0.000775	0.000136
Hexachlorobutadiene	C	0.445	49.7	8.72
Hexachloroethane	C	1.95	8.85	1.56
Isophorone	C	36.3	2590	455
N-Nitrosodi-N-methylamine	B2	0.000686	8.12	1.43
N-Nitrosodi-N-phenylamine	B2	4.95	16.2	2.84
N-Nitrosodi-N-propylamine	B2	0.00498	1.51	0.265
Pentachlorophenol	B2	0.282	8.16	1.43
2,4,6 - Trichlorophenol	B2	2.14	6.53	1.15
Dioxin (2,3,7,8 - TCDD)	-	1.3 x 10 <sup>-8</sup>	1.4 x 10 <sup>8</sup>	2.4 x 10 <sup>9</sup>

Table 9: Stream Quality Objectives for Systemic Toxicants for the Delaware River Estuary.

Parameter	EPA CLASS.	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
Antimony		14.0	4,310	757
Arsenic	A	9.19	73.4	12.9
Beryllium	B2	165	2,830	498
Cadmium		14.5	84.1	14.8
Chromium (Trivalent)		33,000	673,000	118,000
Hexavalent chromium	A	166	3,370	591
Mercury	D	0.144	0.144	0.144
Nickel		607	4,580	805
Selenium	D	100	2,020	355
Silver	D	175	108,000	18,900
Thallium		1.70	6.20	1.10
Zinc		9110	68,700	12,100
Aldrin	B2	0.96	11.5	2.03
gamma - BHC (Lindane)		7.38	24.9	4.37
Chlordane	B2	0.0448	0.0458	0.00805
DDT	B2	0.100	0.100	0.0176
Dieldrin	B2	0.108	0.115	0.020
Endosulfan		111	239	42.0
Endrin	D	0.755	0.814	0.143
Heptachlor	B2	0.337	0.344	0.060
Heptachlor epoxide	B2	0.0234	0.0246	0.00433
Total PCBs	B2	0.00839	0.00849	0.00149
Acrolein		320	780	137
Ethylbenzene		3,120	28,700	5,050
Bromoform	B2	682	25,900	4,560
Bromodichloromethane	B2	693	69,000	12,100
Dibromochloromethane	C	690	46,600	8,190
Carbon tetrachloride	B2	23.1	402	70.6
Chloroform	B2	346	28,700	5,050
Chlorobenzene	D	677	20,900	3,670
1,1 - Dichloroethene	C	309	17,300	3,040
1,2 - trans - Dichloroethene		696	136,000	23,900
1,3 - Dichloropropene	B2	10.4	1,690	297
Methyl bromide		49.0	N/A	N/A
Methylene chloride	B2	2,090	710,000	125,000
1,1,2 - Trichloroethane	C	138	9,490	1,670
Tetrachloroethene		318	3,520	618
1,1,1,2 - Tetrachloroethane	C	1,000	22,400	3,940
Toluene		6,760	201,000	35,400
Acenaphthene		1,180	2,670	469
Anthracene	D	4,110	6,760	1,190
Benzidine	A	81.8	369	64.9

Parameter	EPA CLASS.	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
		FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY
Bis (2-chloroisopropyl) ether		1,390	174,000	30,600
Bis (2-ethylhexyl) phthalate	B2	492	1,660	291
Butylbenzyl phthalate	C	298	520	91.4
Diethyl phthalate	D	22,600	118,000	20,700
Dimethyl phthalate	D	313,000	2,990,000	526,000
Dibutyl phthalate	D	2,710	12,100	2,130
1,2 - Dichlorobenzene	D	2,670	17,400	3,060
1,3 - Dichlorobenzene	D	414	3,510	617
1,4 - Dichlorobenzene		419	3,870	677
2,4 - Dinitrotoluene		69.2	5,670	996
Fluoranthene		296	375	65.8
Fluorene	D	730	1,530	268
Hexachlorobenzene	B2	0.958	0.991	0.174
Hexachlorobutadiene	C	69.4	7,750	1,360
Hexachlorocyclopentadiene		242	17,400	3,050
Hexachloroethane	C	27.3	124	21.7
Isophorone	C	6,900	492,000	86,400
Nitrobenzene	D	17.3	1,860	327
Pyrene	D	228	291	51.1
1,2,4 - Trichlorobenzene	D	255	945	166
2 - Chlorophenol		122	402	70.6
2,4 - Dichlorophenol		92.7	794	139
2,4 - Dimethylphenol		536	2,300	403
2,4 - Dinitrophenol		70	14,300	2,500
Pentachlorophenol	B2	1,010	29,400	5,160
Phenol		20,900	4,620,000	811,000

2. Amend Article 4 of the Administrative Manual—Part III Water Quality Regulations as follows:

a. Subsection 4.20.4B. is revised to read as follows:

B. so that the assimilation of such waste by the interstate waters will not result in a violation of such water quality criteria.

1. For the purposes of establishing wasteload allocations for toxic pollutants for the Delaware River Estuary, the lower of the 95th percentile of the available data at the appropriate criteria duration, or the water quality criterion at or above the head of the tide shall be used to establish boundary conditions.

b. Subsection 4.20.5 is added to read as follows:

4.20.5 Application of Criteria for Toxic Pollutants.

A. Delaware River Estuary.

1. In establishing wasteload allocations and other effluent requirements, exceedances of stream quality objectives for the protection of aquatic life from acute effects may be permitted in small areas near outfall structures, provided that all of the following requirements are met.

a. The dimensions of the area where objectives are exceeded shall be limited to the more stringent of the following restrictions:

1). a distance of 50 times the discharge length scale in any direction from the outfall structure, or

2). a distance of 5 times the local water depth in any direction from the outfall structure.

b. Stream quality objectives shall not be exceeded in areas designated as critical habitat for fish and benthic organisms.

c. Stream quality objectives shall not be exceeded where effluent flows over exposed benthic habitat prior to mixing with the receiving waters.

d. A zone of passage for free-swimming and drifting organisms equal to 50% of the surface width of the river at the location of the discharge shall be provided.

e. The total surface area of the Delaware River Estuary where stream quality objectives for the protection of aquatic life from acute effects are exceeded shall be limited to:

- 1). 5% of the total surface area of Zones 2, 3 and 4, and
- 2). 5% of the total surface area of Zone 5.

f. Upon the request of one or more dischargers, the Executive Director may consider requests for alternatives to the requirements of subsections a. through e. of section 4.20.5.A.1. Such requests shall provide a demonstration that the alternative requirement requested will not adversely impact free-swimming, drifting and benthic organisms. The demonstration(s) shall provide a sound rationale, and be supported by substantial scientific data and analysis. The methodology and form of the demonstration shall be approved by the Executive Director. The Executive Director may reject any requests which are not substantive, and may establish more restrictive areas where acute stream quality objectives may be exceeded based upon the evaluation of submitted demonstrations.

g. The Executive Director may consider requests to conduct studies to confirm the mixing characteristics and the predicted dilution isopleths of a discharge. Such requests shall provide a demonstration based upon sound scientific and technical rationale, and be supported by substantial data and analysis. The methodology and form of the demonstration shall be approved by the Executive Director. The Executive Director may reject any requests which are not substantive, and may establish areas where acute stream quality objectives may be exceeded that are less or more restrictive based upon the evaluation of submitted demonstrations.

2. For those stream quality objectives whose numerical value is related to hardness, a median hardness value of 74 mg/l as CaCO<sub>3</sub> shall be used to represent the hardness of the receiving water for the purposes of determining the numerical value of those objectives. This median hardness value shall be used to establish the aquatic life objective for protection from chronic effects; and in conjunction with the site-specific median hardness value of the effluent and the dilution factor, the aquatic life objective for protection from acute effects.

3. For those stream quality objectives whose numerical value is related to pH, a median pH value of 7.1 shall be used to represent the pH of the receiving water for the purposes of determining the numerical value of those objectives. This median pH value shall be used to establish the aquatic life objective for protection from chronic effects; and in conjunction with the site-specific median pH value of the effluent and the dilution factor, the aquatic life objective for protection from acute effects.

4. *Assumptions for Estuarine Mixing.* Complete vertical and lateral mixing shall be assumed in the Estuary in applying chronic aquatic life and human health stream quality objectives under design conditions. Site-specific data which does not support this assumption will be considered by the Commission in establishing allocations to discharges.

5. *Deriving Total Recoverable Wasteload Allocations for Metals.* Wasteload allocations developed from the dissolved stream quality objectives for seven cationic metals shall be converted into total recoverable wasteload allocations using a translator. The translator shall be determined using procedures specified by the Commission. In the absence of data to develop a translator for any of the metals, the reciprocal of the factor used to convert the total recoverable water quality criteria to a dissolved stream quality objective shall be used for the translator.

#### B. Definitions.

1. *Critical Habitat.* Specific areas within the tidal Delaware River which are or could be occupied by a

species absent the toxic effect of pollutants; and which have those physical, chemical and biological features which are essential to the conservation and maintenance of the Delaware Estuary population. The Commission shall identify and determine critical habitat within the tidal Delaware River. Such determination shall consider the spatial and temporal requirements of the species including critical life stages. Determinations shall be governed by the Commission's Rules of Practice and Procedure relating to review, hearing and decisions of objections thereto.

2. *Discharge Length Scale.* The square root of the cross-sectional area of any discharge outlet.

c. Subsection 4.30.7A.4.a. is revised to read as follows:

a. The reserve in each zone shall be utilized to accommodate new discharges or major revisions to an allocation, or any reallocation, when appropriate in the judgment of the Commission.

d. Subsection 4.30.7A.5. is revised to read as follows:

#### 5. *Reallocations.*

##### a. *Carbonaceous Oxygen Demand*

1). All allocations shall be subject to review by the Commission and, after such review, the Commission may make such reallocation as it deems necessary.

2). If any factors upon which an individual allocation is based change significantly, application shall be made to the Executive Director for a revised allocation.

3). Whenever the reserve in a zone approaches depletion, or when the full use of the assimilative capacity is approached, or when in the judgment of the Commission, the allocations existing at that time are no longer equitable, the capacity in the zone, minus a reserve, will be reallocated among the waste dischargers in that zone.

##### b. *Toxic Pollutants*

1). All allocations shall be subject to review by the Commission and, after such review, the Commission may make such reallocation as it deems necessary.

2). If any factors upon which an individual allocation is based change significantly, application shall be made to the Executive Director for a revised allocation. The Executive Director shall provide notice to interested and affected parties prior to establishing the revised allocation.

3). Allocations shall, as a minimum, be reviewed and, if required, revised every 5 years, or as directed by the Commission.

e. Subsection 4.30.7A.8. is added to read as follows:

8. *Design Effluent Flow.* For the purpose of determining the waste assimilative capacity of a stream and the wasteload allocations for discharges of toxic pollutants, the following design effluent flows will be used:

a. For industrial wastewater treatment plant discharges covered by Effluent Limitations Guidelines (ELG) promulgated by the U.S. EPA, the effluent design flow shall be the average daily flow associated with:

1). the month having the highest monthly production rate of the previous 12 months or, if greater,

2). the year having the highest annual production rate of the previous 5 years.

b. If the discharge from an industrial wastewater treatment plant is not covered by Effluent Limitations Guidelines (ELG) promulgated by the U.S. EPA, is mixed

with stormwater or cooling water or production data are not available, the effluent design flow shall be the average daily flow associated with:

1). the month with the highest monthly flow rate of the previous 12 months, or if greater,

2). the year having the highest annual flow rate of the previous 5 years.

c. For municipal wastewater treatment plant discharges, the effluent design flow shall be the higher of:

1). the average daily flow of the plant for the previous 3 years including a growth factor based upon a 5-year projection, if available, or

2). the design capacity of the plant expressed as the annual average flow.

f. Subsection 4.30.7B.2. is added to read as follows:

2. *Toxic Pollutants.* Under sections 3.10.4.E. and 4.30.7.A. of these regulations, the Commission shall establish wasteload allocations and other effluent requirements that may be necessary to meet the stream quality objectives for toxic pollutants contained in section 3.30.

a. *Reserve.* A reserve allocation of 5% of the Total Maximum Daily Load (TMDL) shall be established as a part of an allocation or reallocation, by increasing the effluent design flow by 5%.

b. *Margin of Safety.* As part of an allocation or reallocation, a proportion of the Total Maximum Daily Load shall be established as a margin of safety. The proportion established shall reflect the degree of uncertainty in the data and resulting water quality-based controls.

c. *Allocation to Discharges.*

1). Wasteload allocations shall be established for continuous point source discharges to address acute aquatic life protection, chronic aquatic life protection and both carcinogenic and systemic toxicants.

a). The water quality objective for the establishment of any allocation or reallocation shall be the stream quality objectives contained in section 3.30. If the background concentration of a toxic pollutant at the appropriate criteria duration exceeds the stream quality objective as a result of loadings from sources not subject to control, then the water quality objective shall be the background concentration of the pollutant.

b). The minimum flows for aquatic life protection and to protect the taste and odor of ingested water and fish are based on a minimum consecutive 7-day flow with a 10-year recurrence interval for all tributaries; and for the Delaware River, a flow of 2500 cfs at Trenton. For the protection of human health, the harmonic mean flow shall be used for carcinogens, and the minimum consecutive 30-day flow with a 5-year recurrence interval shall be used for systemic toxicants.

2). Allocations shall be determined by the Executive Director using the procedure described in section 4.30.7.B.2.c.4). or alternative procedures that are consistent with the doctrine of equitable apportionment, and achieve the following:

a). assure compliance with applicable stream quality objectives;

b). provide maximum equity among competing discharges; and

c). minimize the overall cost of compliance.

3). The loadings of toxic pollutants identified in section 4.30.7.B.2.c. shall be allocated among individual continuous point source discharges which meet any of the following criteria:

a). The discharge has an existing permit limit for the parameter,

b). Effluent data indicates the presence of the parameter, or

c). The reasonable potential exists for the parameter to occur in the discharge.

4). Allocations for continuous point source discharges will be based upon the equal marginal percent reduction procedure which has been determined to be consistent with the requirements of section 4.30.7.B.2.c.2). This procedure requires all dischargers, whether they are part of a multiple discharge wasteload allocation scenario or not, to provide treatment of their wastewater to achieve the applicable water quality standard; and in addition, requires some dischargers to provide additional treatment due to the cumulative impact of all discharges.

a). Alternative wasteload allocation procedures may be considered by the Commission if they provide timely compliance with section 4.30.7.B.2.c.2). and include the consent of all dischargers affected by the alternative procedure.

b). Discharges meeting any of the requirements of section 4.30.7.B.2.c.3). will be assigned an initial loading based upon the following information in order of preference:

i). The average monthly limit obtained from effluent guideline limitations promulgated by the U.S. Environmental Protection Agency for the point source category applicable to the discharge,

ii). Any average monthly limitation for the parameter in the current discharge permit,

iii). Monitoring data of sufficient quantity and quality, as determined by the Executive Director, to characterize the concentration of the parameter in the discharge, or

iv). Minimum performance standards established by the Executive Director for industrial and municipal wastewater treatment plants discharging to the tidal Delaware River. In assigning the initial loading, the average loading at the appropriate criteria duration will be calculated using the coefficient of variation (CV) calculated from monitoring data or a default value of 0.6 in the absence of data of sufficient quantity and quality, as determined by the Executive Director.

c). Discharges contributing to an exceedance of a stream quality objective due to the cumulative effect of all discharges may not be required to provide additional treatment or loading reduction if the discharge does not represent a significant proportion of the marginal loading.

5). Allocations established by the Executive Director and reallocations required under section 4.30.7.A.5.b.2). shall be published in a document containing the specific procedures, tools and assumptions used to derive the allocations.

6). Wasteload allocations established under section 4.30.7.B.2.c. shall be referred to the appropriate agency of the signatory parties, respectively, for use, as appropriate, in developing effluent limitations, schedules of compliance and other requirements in permits.

d. *Adjustment for Pollutants in Intake Water.* Wasteload allocations established for an industrial discharge may be



adjusted by the Executive Director, in consultation with the appropriate agency of the signatory parties, to account for pollutants present in water withdrawn for use by the facility from the receiving water provided that the following conditions are met:

- 1). In the absence of pollutants in the water withdrawn, there would be no exceedance of the stream quality objectives for toxic pollutants;
- 2). Pollutants in the discharge resulting from any other activity, operation or materials used or produced at the facility do not significantly contribute to an exceedance of the stream quality objectives for toxic pollutants contained in section 3.30.;
- 3). No statistically significant difference can be detected between the intake and effluent concentrations and loadings of a toxic pollutant based upon a rigorous analysis of data representative of operating and ambient conditions at the facility; and
- 4). No practicable alternative source of intake water is available.

g. Subsection 4.30.7C. is added to read as follows:

C. *Definitions.*

1. *Wasteload Allocation.*

The portion of the Total Maximum Daily Load of a body of water or section thereof that is allocated to an existing or future point source of pollution. Or, any limitation on the loading and/or concentration of a pollutant discharged from a point source required to ensure that stream quality objectives are not exceeded.

2. *Total Maximum Daily Load (TMDL).* The maximum daily loading of a pollutant from all sources which still ensures that water quality objectives are met.

3. *Margin of Safety.* A factor that takes into account any uncertainty or lack of knowledge about the relationship between pollutant loadings and the quality of the receiving water.

4. *Marginal Load.* The portion of the loading of a pollutant that contributes to an exceedance of a stream quality objective when the cumulative loading from all point sources is considered.

5. *Effluent Limitations Guidelines.* Effluent limitations for pollutants for categories and classes of point sources promulgated by the U.S. Environmental Protection Agency under section 301 of the Clean Water Act which reflect the best available treatment technology.

6. *Harmonic Mean Flow.* The flow value corresponding to the number of daily flow measurements divided by the sum of the reciprocals of the flows.

7. *Background Concentration.* The concentration of a toxic pollutant at any point in the Estuary that results from loadings from tributaries, sediments (if applicable), and any point or non-point sources not subject to control in the current allocation or reallocation.

8. *Continuous Point Source Discharge.* A discharge of wastewater permitted under the National Pollutant Discharge Elimination System (NPDES) which occurs without interruption during the operating hours of a facility except for infrequent shutdowns, and is not primarily dependent on precipitation-induced flows.

9. *Long-term Average Concentration.* The mean concentration of a toxic pollutant in the effluent that represents the desired performance of a wastewater treatment plant.

10. *Minimum Performance Standards.* The long-term average concentration for an parameter for which stream quality objectives have been established under section 3.10.3.C. or D.

a. For volatile and non-volatile organic chemicals, the standard is the maximum for a monthly average specified in the effluent guideline limitations for the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) industrial category, or the highest reported effluent value for activated sludge treatment specified in the U.S. EPA's Water Engineering Research Laboratory data base.

b. For chlorinated pesticides and polychlorinated biphenyls, the standard is the Practical Quantitation Limit (PQL) for the compound.

c. For metals and indicator parameters, the standard is the average concentration of the parameter in industrial or municipal treatment plant discharges to the Estuary.

3. Amend Interpretive Guideline No. 1 of the Administrative Manual—Part III Water Quality Regulations as follows:

a. Subsection A.(1)a. is revised to read as follows:

a. *Toxic Substances.* The following limits shall apply in Basin waters other than Zones 2, 3, 4 and 5.

b. Subsection B.(2)b. is revised to read as follows:

b. *Toxicity.* The following requirements shall apply in Basin waters other than Zones 2, 3, 4 and 5.

Delaware River Basin Compact, 75 Stat. 688.

SUSAN M. WEISMAN,  
*Secretary*

**Fiscal Note:** 68-33. No fiscal impact; (8) recommends adoption.

#### Annex A

### TITLE 25. ENVIRONMENTAL PROTECTION PART V. DELAWARE RIVER BASIN COMMISSION CHAPTER 901. GENERAL PROVISIONS

#### § 901.2. Water quality.

The Basin Regulations—Water Code and Water Quality Standards as set forth in 18 CFR Part 410 [ (1994) ] 1996 are hereby incorporated by reference and made a part of this title.

[Pa.B. Doc. No. 96-1206. Filed for public inspection July 26, 1996, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 59]

### Deletion of Grade AA Regulatory Standards for Milk

The Department of Agriculture (Department) proposes to amend Chapter 59 (relating to milk sanitation) by deleting all current provisions that allow milk to be designated Grade AA.

The statutory authority for these regulatory amendments is the act of July 2, 1935 (P. L. 589, No. 210) (31 P. S. §§ 645—660f), which authorizes the Department to

regulate the production, processing, storage and packaging of milk to safeguard human health.

Under current regulations, milk processed within this Commonwealth may be designated Grade AA if it meets prescribed chemical, bacteriological and temperature standards. This Grade AA standard, though, is in direct conflict with the requirements of the Nationwide compact under which Grade A milk moves unimpeded in interstate commerce. The regulatory amendment is necessary to keep Pennsylvania-produced milk and milk products competitive in interstate commerce, and to prevent the imposition of embargoes or burdensome inspection or certification requirements upon Pennsylvania-produced milk and milk products by other states.

The Commonwealth is a participant in the National Conference of Interstate Milk Shippers (NCIMS). The NCIMS is an organization created by the United States Food and Drug Administration Milk Safety Branch, state regulatory agencies and the Nation's dairy industry to standardize regulations to ensure the safety of the milk supply and to facilitate the interstate shipment of milk. Prior to NCIMS individual states—and even individual municipalities—had established milk sanitation or testing requirements that impeded the flow of milk in interstate commerce. The NCIMS developed a uniform set of standards—the Grade A Pasteurized Milk Ordinance—which, when adhered to by a member state, allows that state's milk to move in interstate commerce to other member states without those states imposing any further sanitation or testing requirements.

Since the 1950's, the Department has allowed limited use of a Grade AA designation for certain dairy products produced in this Commonwealth. As early as 1953, though, the Department and the Commonwealth's dairy processors were aware the NCIMS standards for Grade A milk prohibited the use of super-grade designations such as Grade AA.

The Commonwealth gained NCIMS in compliance status in the late 1970's.

The Department revised its milk sanitation regulations in 1982 and planned to delete the provisions relating to Grade AA at that time. A committee of dairy processors requested the retention of Grade AA standards and agreed to refrain from seeking certification for the interstate shipment of their pasteurized milk in exchange for the retention of these standards. The Department acceded to this request and retained the Grade AA standards.

Although the Department believed retention of the Grade AA standard for certain milk processed and sold only within this Commonwealth would not put other NCIMS member states at a competitive disadvantage, this has not proven to be the case. Out-of-State dairy processors who produce Grade A milk in accordance with the NCIMS Grade A Pasteurized Milk Ordinance (PMO) and attempt to market their milk in this Commonwealth are at some disadvantage when competing with products bearing a Grade AA designation.

On December 27, 1995, the NCIMS Council III (of which the Commonwealth is a member) ruled, in a 19-to-1 decision, that the Commonwealth's Grade AA standards violate the NCIMS's Grade A PMO. On January 8, 1996, the NCIMS Executive Board adopted this decision.

The NCIMS has made clear its intention to designate the Commonwealth as a state that is not in compliance with the NCIMS Grade A PMO if the Commonwealth

does not promptly delete its Grade AA standard. The Grade A PMO plainly states (at Part II, Section 4) that:

... The use of super grade designations shall not be permitted. Grade designations such as "Grade AA Pasteurized" ... give the consumer the impression that such a grade is significantly safer than Grade A. Such an implication is false, because the Ordinance requirements for Grade A pasteurized, ultrapasteurized or aseptically processed milk when properly enforced, will insure that this grade of milk will be as safe as milk can practicably be made.

Grade AA milk represents less than 5% of this Commonwealth's dairy output. Grade A milk, by contrast, represents over 90% of this Commonwealth's dairy output. If the Department deletes its Grade AA regulatory standards, current Grade AA processors will be affected. If the Department fails to delete its Grade AA regulatory standards, the NCIMS will take action that would seriously impede the marketability of Pennsylvania-produced Grade A milk in interstate commerce.

If the NCIMS designates this Commonwealth as a state that is not in compliance with the Grade A PMO, the immediate effect would be to allow member states to embargo Pennsylvania-produced milk or impose sanitation, testing or compositional requirements that would impede the interstate flow of that milk. For example, the state regulatory agency overseeing Maryland's dairy industry has stated it would require Pennsylvania dairy processors to be inspected by Maryland inspection personnel as a prerequisite to the importation of Pennsylvania-produced milk into Maryland.

This Commonwealth is an exporter of dairy products. Its dairy production far outstrips its consumption. The vast majority of this Commonwealth's dairy production is geared for compliance with the NCIMS standards in order to facilitate this export industry. On balance, the Department agrees the Grade AA regulatory standards must be deleted in order to protect this important export industry.

#### *Fiscal Impact*

##### *Commonwealth*

The proposed amendments would impose no costs and have no fiscal impact upon the Commonwealth.

##### *Political Subdivisions*

The proposed amendments would impose no costs and have no fiscal impact upon political subdivisions.

##### *Private Sector*

The proposed amendments may impose some costs upon the Pennsylvania-based dairy processors that currently produce milk meeting Grade AA requirements. Although the proposed amendments would decrease the testing costs borne by these dairy processors, these processors might suffer some short-term financial loss as customers familiar with the Grade AA designation on milk containers from these dairy processors encounter Grade A designations for the first time. It is not known whether these losses would be entirely offset by decreased testing costs.

The result of failing to proceed with these proposed amendments would be to subject Pennsylvania-produced milk and milk products to embargoes or testing requirements of other NCIMS member states. The adverse fiscal impact on this Commonwealth's dairy industry would be immediate and dramatic, and would far outweigh any adverse fiscal impact which this Commonwealth's Grade AA dairy processors might suffer if the regulation is promulgated.

*General Public*

The proposed amendments would impose no costs and have no fiscal impact upon the general public.

*Paperwork Requirements*

The proposed amendments would not result in an increase in paperwork.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of the proposed amendments on July 17, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs. In addition to the proposed amendments, the Department 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," and Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

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

*Contact Person*

All interested persons are invited to submit written comments regarding the proposed amendments within 30 days following publication in the *Pennsylvania Bulletin*. Comments are to be submitted to the Department of Agriculture, Bureau of Food Safety and Laboratory Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, Attention: James Dell.

*Effective Date*

The proposed amendments will become effective upon final adoption.

CHARLES C. BROSIUS,  
*Secretary*

(*Editor's Note:* A proposal to amend § 59.1(a) remains outstanding at 25 Pa.B. 5510 (December 2, 1995).)

**[ Grade AA Milk for pasteurization**

**Temperature**—Bulk milk cooled to 40°F (4°C) or less within two hours after milking provided that the blend temperature after the first and subsequent milkings do not exceed 50°F (10°C).

**Bacterial limits**—Individual producer milk not to exceed 20,000 per ml. prior to commingling with other producer milk.

**Growth Inhibitors**—No growth inhibitor residue in excess of actionable level as determined by the *B. stearothermophilus* Disc Assay Method or equivalent.

**Somatic cell count**—Samples exceeding 18mm WMT to be confirmed by DMSCC or acceptable tests. Not to exceed 1,000,000 per ml.

**Temperature**—Maintained at 45°F or less.

**Bacterial limits**—Not to exceed 60,000 per ml.

**Growth inhibitors**—No growth inhibitor residue in excess of actionable levels as determined by the *B. stearothermophilus* Disc Assay Method or equivalent. ]

\* \* \* \* \*

**Commingled Grade AA milk**

**Fiscal Note:** 2-108. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 7. AGRICULTURE**

**PART III. BUREAU OF [ FOODS AND CHEMISTRY ]FOOD SAFETY AND LABORATORY SERVICES**

**CHAPTER 59. MILK SANITATION**

**Subchapter A. PRELIMINARY PROVISIONS**

**§ 59.1. Definitions.**

\* \* \* \* \*

(b) *Milk and milk products.* The following words and terms, when used in this chapter, [ **shall** ] have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

[ **Commingled Grade AA milk**—Commingled milk which will be used in the preparation of Grade AA pasteurized milk. ]

\* \* \* \* \*

[ **Grade AA milk for pasteurization**—Milk which conforms to the relevant provisions of this chapter and is used in the preparation of Grade AA pasteurized milk. ]

\* \* \* \* \*

**§ 59.12. [ Segregation. ] (Reserved).**

[ **Milk to be used in the preparation of Grade AA pasteurized milk shall be completely segregated during receiving, storing, processing and bottling. ]**

**Subchapter B. STANDARDS FOR MILK AND MILK PRODUCTS**

**GENERAL PROVISIONS**

**§ 59.52. Table.**

The following table sets forth the chemical, bacteriological and temperature standards for milk and milk products:

\* \* \* \* \*

[ Grade AA pasteurized milk

Temperature—Cooled to 45°F (7°C) or less and maintained thereat.

Bacterial limits—3,000 per ml.

Coliform—Less than 1 per ml.

Phosphatase—Less than 1 microgram per ml. by the Scharer Rapid Method or equivalent.

Growth inhibitors—No growth inhibitor residue in excess of actionable level as determined by the *B. stearothermophilus* Disc Assay Method or equivalent. ]

\* \* \* \* \*

Subchapter C. MISCELLANEOUS PROVISIONS

§ 59.310. Frequency of analyses.

[ All required ] Required bacteriological, chemical [ , ] and physical analyses shall be made in Pennsylvania approved dairy laboratories at the following minimum frequencies:

\* \* \* \* \*

(2) Milk for pasteurization.

(i) Milk for pasteurization shall be tested at least monthly for SPC or PLC, growth inhibitors, temperature [ , ] and somatic cell count.

[ (ii) Grade AA milk for pasteurization shall be tested at least weekly for SPC or PLC and at least monthly for growth inhibitors, temperature and somatic cell count.

(iii) (ii) Condensed milk, dry milk powder [ , ] and whey powder shall be tested at least monthly for SPC, coliform group [ , ] and growth inhibitors.

(3) Pasteurized milk, cultured and acidulated products.

[ (i) Except as noted in subparagraph (ii), all ] All types of pasteurized milk shall be tested at least monthly for standard plate count, coliform group, growth inhibitors [ , ] and phosphatase activity. Cultured or acidulated products shall be tested at least monthly for coliform group. Milk and cream used in processing of cultured or acidulated [ products ] products shall be tested at least monthly for phosphatase activity prior to culturing or acidulating.

[ (ii) Grade AA pasteurized milk shall be tested at least weekly for standard plate count, coliform group, and phosphatase activity and at least monthly for growth inhibitors. ]

\* \* \* \* \*

[Pa.B. Doc. No. 96-1207. Filed for public inspection July 26, 1996, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Department of Labor and Industry

The Executive Board approved a reorganization of the Department of Labor and Industry effective July 12, 1996.

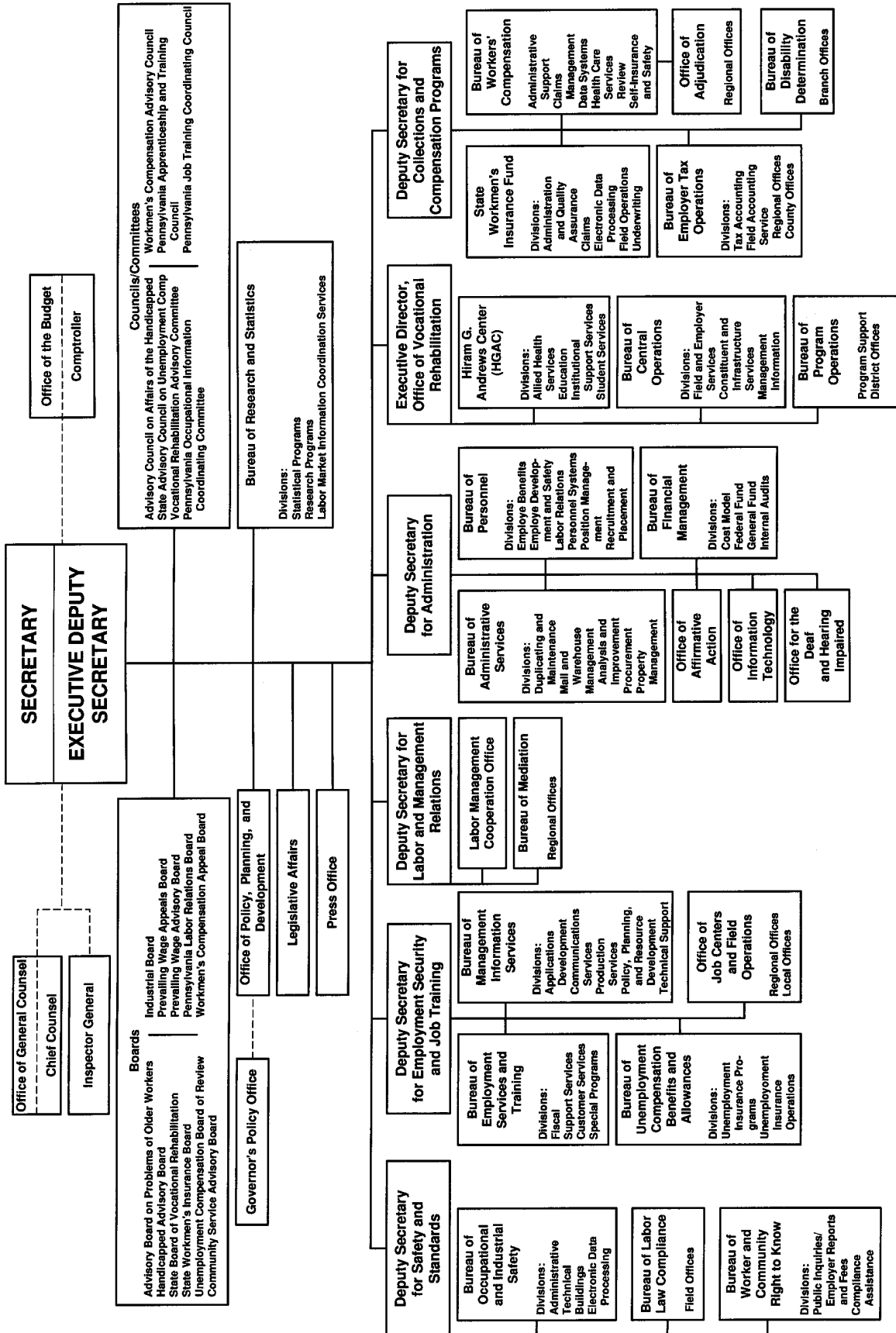
The organization chart at 26 Pa.B. 3551 (July 27, 1996) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 96-1208. Filed for public inspection July 26, 1996, 9:00 a.m.]

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DEPARTMENT OF LABOR AND INDUSTRY



## Title 55—PUBLIC WELFARE

### DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 3270 AND 3280]

#### Supervision of Children

The purpose of this statement of policy is to clarify the requirement for supervision of children in child day care centers and group day care homes in order to assure that children in care are supervised at all times.

#### *Discussion*

The proper supervision of children in care is a critical health and safety issue. Children who are not properly supervised are more likely to be injured or wander into unsafe situations. Facilities are required to maintain staff: child ratios as specified in regulations at all times when children are in the care of the facility, including times when children are transported by the facility on a vehicle and when children are on a facility field trip.

The Department of Public Welfare (Department) reviewed the requirements relating to supervision of children in child day care centers and group day care homes and determined that it is necessary to issue policy clarifying the requirement to supervise children at all times (§§ 3270.113(a) and 3280.113(a)).

#### *Interpretation*

The phrase "supervised at all times" means that each staff person shall be assigned the responsibility for supervision of specific children. The staff person shall know the names and whereabouts of the children in his assigned group. The staff person must be physically present with the children in this group.

#### *Contact Person*

Comments and questions regarding this statement of policy should be directed to Jennifer Lau, Bureau of Child Day Care Services, 4th Fl. Bertolino Bldg., 1401 N. 7th St., Harrisburg, PA 17105-2675, (717) 787-8691.

#### *Effective Date*

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

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270 and 3280, are amended by adding statements of policy at §§ 3270.113a and 3280.113a to read as set forth in Annex A.)

**Fiscal Note:** 14 BUL-44. No fiscal impact; (8) recommends adoption.

#### Annex A

### TITLE 55. PUBLIC WELFARE

#### PART V. CHILDREN, YOUTH AND FAMILIES MANUAL

#### Subpart D. NONRESIDENTIAL AGENCIES, FACILITIES AND SERVICES

#### ARTICLE I. LICENSING/APPROVAL

#### CHAPTER 3270. CHILD DAY CARE CENTERS PROGRAM

#### § 3270.113a. Supervision of children—statement of policy.

The phrase "supervised at all times" means that each staff person shall be assigned the responsibility for

supervision of specific children. The staff person shall know the names and whereabouts of the children in his assigned group. The staff person shall be physically present with the children in his group.

#### CHAPTER 3280. GROUP DAY CARE HOMES PROGRAM

#### § 3280.113a. Supervision of children—statement of policy.

The phrase "supervised at all times" means that each staff person shall be assigned the responsibility for supervision of specific children. The staff person shall know the names and whereabouts of the children in his assigned group. The staff person shall be physically present with the children in his group.

[Pa.B. Doc. No. 96-1209. Filed for public inspection July 26, 1996, 9:00 a.m.]

### DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 3270, 3280 AND 3290]

#### Departmental Access to the Facility Premises

The purpose of this statement of policy is to inform child day care facility operators that agents of the Department of Public Welfare (Department) will inspect all areas of the facility premises that are accessible to children.

#### *Discussion*

Current regulations require that a staff person shall provide to agents of the Department immediate access to the facility, children, files and records (§§ 3270.24, 3280.23 and 3290.21). The Department's inspection has been confined to areas of the facility identified by the operator for use by the children in care.

Following a child's death in a pool that was declared by the operator to be off-limits for children in care, the Department has determined to clarify its position regarding the extent of its inspection. The Department determines that an area of the facility not identified for use by children in care may nonetheless be accessed by a child. Conditions in that area may pose a hazard to a child who enters the area. The Department's agents are responsible to determine the hazardous condition of any area of a premise that may be accessible to children.

#### *Interpretation*

Agents of the Department will inspect the safety of all areas of the child day care facility premises that are accessible to children.

#### *Contact Person*

Comments and questions regarding this statement of policy should be directed to Jennifer Lau, Bureau of Child Day Care Services, 4th Fl., Bertolino Bldg., 1401 N. 7th St., Harrisburg, PA 17105-2675, (717) 787-8691.

#### *Effective Date*

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

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270, 3280 and 3290, are amended by

adding statements of policy at 55 Pa. Code §§ 3270.24a, 3280.23a and 3290.21a, to read as set forth in Annex A.)

**Fiscal Note:** 14-BUL-47. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART V. CHILDREN, YOUTH AND FAMILIES  
MANUAL**

**Subpart D. NONRESIDENTIAL AGENCIES,  
FACILITIES AND SERVICES**

**ARTICLE I. LICENSING/APPROVAL**

**CHAPTER 3270. CHILD DAY CARE CENTERS  
GENERAL REQUIREMENTS**

**§ 3270.24a. Departmental access—statement of policy.**

Agents of the Department will inspect the safety of all areas of the child day care facility premises that are accessible to children.

**CHAPTER 3280. GROUP DAY CARE HOMES  
GENERAL REQUIREMENTS**

**§ 3280.23a. Departmental access—statement of policy.**

Agents of the Department will inspect the safety of all areas of the child day care facility premises that are accessible to children.

**CHAPTER 3290. FAMILY DAY CARE HOMES  
GENERAL REQUIREMENTS**

**§ 3290.21a. Departmental access—statement of policy.**

Agents of the Department will inspect the safety of all areas of the child day care facility premises that are accessible to children.

[Pa.B. Doc. No. 96-1210. Filed for public inspection July 26, 1996, 9:00 a.m.]

**DEPARTMENT OF PUBLIC WELFARE**

**[55 PA. CODE CHS. 3270, 3280 AND 3290]**

**Inaccessibility of Aboveground Swimming Pools**

The purpose of this statement of policy is to clarify the Department of Public Welfare's (Department) policy regarding inaccessibility of aboveground swimming pools.

*Discussion*

Swimming pools are inherently hazardous and children are inherently curious. They are often unaware of the potential drowning dangers associated with pools. In the summer of 1995, a child in care in a group day care home drowned in a swimming pool at the facility. As a result of that incident, the Department has determined it is necessary to clarify the current regulations that require that an above-ground pool which is not in use shall be made inaccessible to children (§§ 3270.115(a)(3), 3280.115(a)(3) and 3290.115(a)(2)).

The operator's assertion that an aboveground swimming pool is off-limits or inaccessible to children is not sufficient to constitute compliance with these regulations. Training has been provided to day care licensing representatives regarding assessing the potential for children

to access an aboveground swimming pool. If a licensing representative determines that a child can access a pool, the pool will be considered accessible to children and therefore not in compliance with the Department's regulations. The operator will be required to render the pool inaccessible to children. The Department must be satisfied that as the result of the correction, no child will be able to access the pool. All aboveground pools will be inspected according to this clarification.

*Interpretation*

The operator's representation that an above-ground swimming pool is off-limits or inaccessible to children is not sufficient to ensure compliance with the regulation. At the time of a facility inspection, the Department's licensing representative will determine whether an above-ground swimming pool is accessible to children. If the pool is accessible, the operator will be required to make the swimming pool inaccessible to children.

*Contact Person*

Comments and questions regarding this statement of policy should be directed to Jennifer Lau, Bureau of Child Day Care Services, 4th Fl., Bertolino Bldg., 1401 N. 7th St., Harrisburg, PA 17105-2675, (717) 787-8691.

*Effective Date*

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

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270, 3280 and 3290, are amended by adding statements of policy at §§ 3270.115a, 3280.115a and 3290.115a, to read as set forth in Annex A.)

**Fiscal Note:** 14-BUL-46. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART V. CHILDREN, YOUTH AND FAMILIES  
MANUAL**

**Subpart D. NONRESIDENTIAL AGENCIES,  
FACILITIES AND SERVICES**

**ARTICLE I. LICENSING/APPROVAL**

**CHAPTER 3270. CHILD DAY CARE CENTERS  
PROGRAM**

**§ 3270.115a. Water activity—statement of policy.**

The operator's representation that an aboveground swimming pool is off-limits or inaccessible to children is not acceptable to ensure compliance with the regulation. At the time of a facility inspection, the Department's licensing representative will determine whether an above-ground swimming pool is accessible to children. If the pool is accessible, the operator will be required to make the swimming pool inaccessible to children.

**CHAPTER 3280. GROUP DAY CARE HOMES  
PROGRAM**

**§ 3280.115a. Water activity—statement of policy.**

The operator's representation that an aboveground swimming pool is off-limits or inaccessible to children is not acceptable to ensure compliance with the regulation. At the time of a facility inspection, the Department's licensing representative will determine whether an above-ground swimming pool is accessible to children. If the



pool is accessible, the operator will be required to make the swimming pool inaccessible to children.

**CHAPTER 3290. FAMILY DAY CARE HOMES  
PROGRAM**

**§ 3290.115a. Water activity—statement of policy.**

The operator's representation that an aboveground swimming pool is off-limits or inaccessible to children is not acceptable to ensure compliance with the regulation. At the time of a facility inspection, the Department's licensing representative will determine whether an aboveground swimming pool is accessible to children. If the pool is accessible, the operator will be required to make the swimming pool inaccessible to children.

[Pa.B. Doc. No. 96-1211. Filed for public inspection July 26, 1996, 9:00 a.m.]

**DEPARTMENT OF PUBLIC WELFARE  
[55 PA. CODE CHS. 3270, 3280 AND 3290]  
Posting Department Inspection Summaries**

The purpose of this statement of policy is to inform child day care facility operators that a copy of the Department of Public Welfare (Department) inspection summary shall be posted in the facility next to the facility's certificate of compliance or registration.

*Discussion*

Current Department regulations require that a facility's certificate of compliance or registration and the child day care service regulations applicable to the facility shall be posted in a conspicuous location used by parents (§§ 3270.25, 3280.24 and 3290.22). The certificate of compliance or registration reflects the Department's approval of facility operation and the status of the facility compliance with Department regulations.

Following an inspection, the Department issues an inspection summary to the operator to provide information regarding the facility's compliance with regulations. By citing regulatory noncompliance on an inspection summary, the Department notes failure to approve specific regulated or regulatory aspects of the facility operation. It is misleading to consumers to post only a certificate of compliance or registration indicating the Department's approval of a facility when noncompliance has been cited. The Department cannot permit an operator to display only a certificate indicating approval by the Department when noncompliance has been cited. Posting the inspection summary gives a true picture of the status of the facility.

*Contact Person*

Comments and questions regarding this statement of policy should be directed to Jennifer Lau, Bureau of Child Day Care Services, 4th Floor, Bertolino Building, 1401 N. 7th St., Harrisburg, PA 17105-2675, (717) 787-8691.

*Interpretation*

To accurately reflect the status of the Department's approval, the operator of a child day care facility is required to post each inspection summary issued by the Department next to the facility's certificate of compliance or registration in a conspicuous location used by parents. The inspection summary shall remain posted until a Department representative verifies that each noncompliance item noted on the inspection summary has been corrected.

*Effective Date*

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

FEATHER O. HOUSTOUN,  
*Secretary*

(*Editor's Note:* The regulations of the Department, 55 Pa. Code Chapters 3270, 3280 and 3290, are amended by adding statements of policy at §§ 3270.25a, 3280.24a and 3290.22a, to read as set forth in Annex A.)

**Fiscal Note:** 14-BUL-45. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART V. CHILDREN, YOUTH AND FAMILIES  
MANUAL**

**Subpart D. NONRESIDENTIAL AGENCIES,  
FACILITIES AND SERVICES**

**ARTICLE I. LICENSING/APPROVAL**

**CHAPTER 3270. CHILD DAY CARE CENTERS**

**GENERAL REQUIREMENTS**

**§ 3270.25a. Availability of certificate of compliance and applicable regulations—statement of policy.**

To accurately reflect the status of the Department's approval, the operator of a child day care center is required to post each inspection summary issued by the Department next to the facility's certificate of compliance in a conspicuous location used by parents. The inspection summary shall remain posted until a Department representative verifies that each noncompliance item noted on the inspection summary has been corrected.

**CHAPTER 3280. GROUP DAY CARE HOMES**

**GENERAL REQUIREMENTS**

**§ 3280.24a. Availability of certificate of compliance and applicable regulations—statement of policy.**

To accurately reflect the status of the Department's approval, the operator of a group day care home is required to post each inspection summary issued by the Department next to the facility's certificate of compliance in a conspicuous location used by parents. The inspection summary shall remain posted until a Department representative verifies that each noncompliance item noted on the inspection summary has been corrected.

**CHAPTER 3290. FAMILY DAY CARE HOMES**

**GENERAL REQUIREMENTS**

**§ 3290.22a. Availability of certificate of registration and applicable regulations—statement of policy.**

To accurately reflect the status of the Department's approval, the operator of a family day care home is required to post each inspection summary issued by the Department next to the facility's certificate of registration in a conspicuous location used by parents. The inspection summary shall remain posted until a Department representative verifies that each noncompliance item noted on the inspection summary has been corrected.

[Pa.B. Doc. No. 96-1212. Filed for public inspection July 26, 1996, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Peach and Nectarine Research Program; Referendum Order

Referendum on Proposed Amendment of the Pennsylvania Peach and Nectarine Research Program:

I. The Pennsylvania Peach and Nectarine Research Program (Program) was established in 1984 under the provisions of the Agricultural Commodities Marketing Act of 1968 (act), as amended (3 P. S. §§ 1001—1012). The Program was continued by referenda conducted in 1989 and 1994. The Commodity Research Board of the Program requested the Secretary of Agriculture to call a referendum on a proposed amendment to the program, to determine whether or not a majority of those voting desire the change. The proposed amendment would increase the producer charge assessed against affected producers by \$2 per acre. The current program order establishes a producer charge of \$3 per acre. The proposed amendment would increase that producer charge to \$5 per acre by revising Article VII, Section A of the program order to read, in pertinent part, as follows:

...The rate of assessment shall be \$5.00 per acre for each affected producer.

II. *Referendum Period:* The referendum period shall be August 5, 1996, until 4 p.m. on August 19, 1996. Completed ballots shall be mailed or hand-delivered to the Department of Agriculture, Bureau of Market Development, 2301 North Cameron Street, Harrisburg, PA 17110-9408. Hand-delivered ballots must be received by 4 p.m. on August 19, 1996. Ballots that are mailed must be postmarked no later than August 19, 1996, and received no later than August 22, 1996.

III. *Notice of Referendum:* This Referendum Order and an official ballot shall be mailed no later than August 5, 1996, to all affected producers, whose names appear on the list of Pennsylvania peach and nectarine producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same material shall be made available at the Office of the Secretary of Agriculture.

IV. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: All growers with 500 or more peach and/or nectarine trees maintained for the purpose of producing or growing peaches and/or nectarines for sale or marketing are entitled to vote.

V. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m., Friday, August 23, 1996, in the State Agriculture Building, Harrisburg, PA. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and disseminated to the news media.

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

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

VIII. *Effective Date:* The foregoing order shall be effective from and after the seventeenth day of July, 1996.

CHARLES C. BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-1213. Filed for public inspection July 26, 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 July 16, 1996.

### BANKING INSTITUTIONS

#### Section 112 Applications

<i>Date</i>	<i>Name of Individual</i>	<i>Location</i>	<i>Action</i>
7-11-96	William Peter Ahnert, Voting Trustee, and the Ahnert Family Voting Trust to acquire up to 30.6% of the outstanding shares of common stock of Pocono Community Bank, Stroudsburg (in organization)	Bushkill	Filed

**Conversions**

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
7-12-96	Pennwood Savings Bank Pittsburgh Allegheny County	683 Lincoln Ave. Pittsburgh Allegheny County	Effective

Represents conversion from a State-chartered mutual savings bank to a State-chartered stock savings bank.

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-5-96	United Bank of Philadelphia Philadelphia Philadelphia County	38th Street and Lancaster Avenue Philadelphia Philadelphia County	Filed
7-11-96	United Savings Bank Philadelphia Philadelphia County	2535 West Center Pike Broomall Delaware County	Filed
7-12-96	The York Bank and Trust Company York York County	Weis Market 2850 Carlisle Road Dover Township York County	Filed
7-12-96	The York Bank and Trust Company York York County	Weis Market 2160 White Street York York County	Filed
7-12-96	The York Bank and Trust Company York York County	Weis Market 2400 East Market St. York York County	Filed
7-16-96	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 2603 Durham Road Bristol Bucks County	Filed
7-16-96	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 2506 Knights Road Bensalem Bucks County	Filed
7-16-96	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 500 Lincoln Highway Fairless Hills Bucks County	Filed

**Branch Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
Northern Central Bank, Williamsport, a wholly-owned subsidiary of Keystone Financial, Inc., Harrisburg, has filed an application to consolidate the following branch offices:			
7-9-96	Northern Central Bank Williamsport Lycoming County	<i>At:</i> 400 Main Street Towanda Bradford County  <i>To:</i> 312 Main Street Towanda Bradford County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
Johnstown Bank and Trust Company, Johnstown, and Laurel Bank, Ebensburg, both wholly-owned subsidiaries of BT Financial Corporation, Johnstown, have filed applications to consolidate the following branch offices:			
7-11-96	Johnstown Bank and Trust Company Johnstown Cambria	<i>At:</i> Jefferson Ave. Ext. Windber Somerset County  <i>To:</i> 415 Park Place Windber Somerset County	Filed
	<i>At:</i> 112 N. Market St. Ligonier		

**NOTICES**

**3557**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	Westmoreland County and # 1 Ligonier Valley Mini Mall Ligonier Westmoreland County	<i>At:</i> 262 East Main St. Somerset Somerset County	
<i>To:</i>	402 West Main St. Ligonier Westmoreland County	<i>To:</i> 121 South Center Ave. Somerset Somerset County	
<i>At:</i>	407 Main Street Johnstown Cambria County	<i>At:</i> 1231 Scalp Avenue Johnstown Cambria County	
<i>To:</i>	532—534 Main Street Johnstown Cambria County	<i>To:</i> 1458 Scalp Avenue Johnstown Cambria County	
	Laurel Bank Ebensburg Cambria County	<i>At:</i> 1304 William Penn Highway Conemaugh Cambria County	
		<i>To:</i> 50 Main Street Conemaugh Cambria County	

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-11-96	United Bank of Philadelphia Philadelphia Philadelphia County	<i>To:</i> 38th Street and Lancaster Ave. Philadelphia Philadelphia County	Withdrawn
		<i>From:</i> 1015 N. Marshall St. Philadelphia Philadelphia County	
7-11-96	United Bank of Philadelphia Philadelphia Philadelphia County	<i>To:</i> Front Street and Olney Avenue Philadelphia Philadelphia County	Withdrawn
		<i>From:</i> 1321 W. Lindley Ave. Philadelphia Philadelphia County	

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
7-10-96	Vanguard Fiduciary Trust Company Malvern Chester County	Provides for the amendment and restatement of Article 6 of the Articles of Incorporation to expand the investment powers of the Trust Company.	Approved and Effective
7-12-96	First Valley Bank Bethlehem Northampton County	Provides for a change in corporate title to "Summit Bank."	Approved and Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1214. Filed for public inspection July 26, 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 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 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 for National Pollutant Discharge Elimination System (NPDES) permit to discharge to State waters.**

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

**PA 0222038.** Sewage, **Robert B. Pangallo**, R. D. 1, Box 51A, Sigel, PA 15860.

This application is for a new Part I NPDES permit to discharge treated sewage to an unnamed tributary to Cathers Run in Barnett Township, **Jefferson County**. This is a new discharge.

The receiving water is classified for the following uses: high quality cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Clarion River and is used by the Pennsylvania-American Water Company Clarion District which is 13.31 miles below the discharge at river mile 40.96.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.000400 mgd are:

<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 (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	monitor and report	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0222071.** Sewage, **Bruce W. and Cynthia A. Baker SFTF**, 316 South High Street, Zelienople, PA 16063.

This application is for a new Part I NPDES permit to discharge treated sewage to an unnamed tributary to Camp Run in Perry Township, **Lawrence County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Municipal Authority of the Township of North Sewickley on the Beaver River located at North Sewickley Township, approximately 24 miles below the discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.0008 mgd are:

<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 (year around)	200/100 ml as a geometric average monitor and report	
Total Residual Chlorine	6.0—9.0 at all times	
pH		

The EPA waiver is in effect.

**PA 0000809.** Industrial waste, SIC: 4941 (Water Supply). **Shenango Valley Water Company**, 665 South Dock Street, P. O. Box 572, Sharon, PA 16146.

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

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the PA-American Water Company intake on the Shenango River located at New Castle, approximately 25 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.45 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
Total Suspended Solids	30	60	75
Aluminum	4	8	10
Iron	2	4	5
Manganese	1	2	2.5
Zinc	0.35	0.7	0.88
Total Residual Chlorine	0.5		1.6
pH	6.0		9.0

The EPA waiver is in effect.

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

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

The receiving water is classified for warm water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, there is no potable water supply to consider during the evaluation until Lake Erie.

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

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31)	4.5	9
(11-1 to 4-30)	13.5	27
Phosphorus as "P"	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine (Interim Limits)	1.75	4.4
(Final Limits)	0.93	2.3
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	19,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0104507.** Sewage, **Keith and Debra Palumbo**, Palumbo Meat Market, 3600 Hubbard West Middlesex Road, West Middlesex, PA 16159.

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

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Shenango River and is used by the Pennsylvania-American Water Company New Castle District at river mile 5.05 and is 21.60 miles below the discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.000350 mgd are:

<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 (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0026174.** Sewage. **The General Authority of the City of Franklin**, City Hall, 430 Thirteenth Street, Franklin, PA 16323.

This application is for a renewal of a Part I NPDES permit to discharge treated sewage to the Allegheny River in Franklin, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company, on the Allegheny River located at Emlenton, approximately 30 miles below point of discharge.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	100,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.6
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

**PA 0104396.** Amendment No. 1. Industrial waste, SIC: 4911 (Electrical Power Generation) and SIC: 0182 (Food Crops Under Cover). **Cogentrix of Pennsylvania, Inc.**, P. O. Box 192, Hwy. LR 33001, Ringgold, PA 15770.

This application is for an amendment of an NPDES permit to discharge treated industrial waste and Group 1 stormwater to Caylor Run in Ringgold Township, **Jefferson 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 Allegheny River and the PA-American Water Company located at Kittanning, 30 miles below point of discharge.

The proposed discharge limits for Outfall No. 101 based on a design flow of 0.0287 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report on DMR		
Total Chromium	0.2	0.2	0.2
Total Zinc	1.0	1.0	1.0
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 201 based on a design flow of 0.0246 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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This discharge shall be received by the wastewater treatment basin. All monitoring requirements and limits shall be met at Outfall 601, the discharge from the treatment basin.

The proposed discharge limits for Outfall No. 301 based on a design flow of 0.0013 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report on DMR		
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Fecal Coliforms* (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	100,000/100 ml as a geometric average		
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 401 based on a design flow of N/A mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This discharge shall consist solely of overflow from the stormwater collection/greenhouse irrigation pond.			

The proposed discharge limits for Outfall No. 501 based on a design flow of 0.0216 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This discharge shall be received by the wastewater treatment basin, which discharges through Outfall 601.			

The proposed discharge limits for Outfall No. 601 based on a design flow of 0.0749 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report on DMR		
Total Suspended Solids	30	100	100
Oil and Grease	15	20	30
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.1842 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.6
Mercury	monitor and report on DMR		

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 011112.** Sewerage, SIC: 4952, **H. H. Knoebel Sons, Inc.**, R. D. 1, Elysburg, PA 17824.

This proposed action is for issuance of an NPDES permit for an expansion to 0.1 mgd of an existing discharge of treated sewage to south branch of Roaring Creek in Franklin Township, **Columbia County**.

The receiving stream is classified for the following uses: high quality, cold 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 nearest downstream potable water supply (PWS) considered during the evaluation is at Danville.

The proposed effluent limits for Outfall 001 based on a design flow of 0.10 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	12	24
Total Suspended Solids	12	24
N-NH <sub>3</sub> (5-1 to 10-31)	4.5	9.0
(11-1 to 4-30)	13.5	27.0
Free Residual Chlorine	monitor and report. Provide effective de-chlorination by April 1, 1997	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within the limits of 6.0—9.0 standard units at all times	
Fecal Coliforms (10-1 to 4-30)	2,000 lbs./100 ml as a geometric means	
(5-1 to 9-30)	200 lbs./100 ml as a geometric means	

The EPA waiver is in effect.



**PA 0008451.** Industrial waste, SIC: 4911, **Pennsylvania Power and Light Company**, Two North Ninth Street, Allentown, PA 18101.

This proposed action is for renewal of an NPDES permit for an existing discharge of untreated cooling water, treated process water, stormwater and treated ash transport water from the Sunbury Steam Electric Station in Shamokin Dam Borough, **Snyder County**.

The following effluent limitations are proposed for discharges to the receiving waters of the Susquehanna River, Rolling Green Run and an unnamed tributary to the Susquehanna River.

The receiving streams are 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 existing downstream potable water supply (PWS) considered during the evaluation is Dolphin Consolidated Water Company located approximately 50 river miles downstream.

The proposed effluent limits are: Outfall 030: Existing discharge of 330 mgd of once through cooling water to the Susquehanna River.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine			0.2
Heat:		BTU/day	
January		246,400 x 10 <sup>6</sup>	
February		266,900 x 10 <sup>6</sup>	
March		394,900 x 10 <sup>6</sup>	
April (1—15)		156,200 x 10 <sup>6</sup>	
April (16—30)		625,000 x 10 <sup>6</sup>	
May (1—15)		210,400 x 10 <sup>6</sup>	
May (16—31)		631,200 x 10 <sup>6</sup>	
June (1—15)		359,300 x 10 <sup>6</sup>	
June (16—30)		489,900 x 10 <sup>6</sup>	
July		134,100 x 10 <sup>6</sup>	
August		233,900 x 10 <sup>6</sup>	
September (1—15)		280,800 x 10 <sup>6</sup>	
September (16—30)		175,500 x 10 <sup>6</sup>	
October (1—15)		297,100 x 10 <sup>6</sup>	
October (16—31)		178,200 x 10 <sup>6</sup>	
November (1—15)		385,600 x 10 <sup>6</sup>	
November (16—30)		148,300 x 10 <sup>6</sup>	
December		208,400 x 10 <sup>6</sup>	

\*This discharge shall not change the stream temperature by more than  $\pm 2^{\circ}\text{F}$  in any 1 hour period.

Internal monitoring point 130: This will be a discharge from a new treatment system for plant miscellaneous wastewater and coal pile runoff (beginning July 1997). The proposed effluent limits are based on a design flow of 0.5 mgd to the Susquehanna River at Outfall 030.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	100	125
Oil and Grease	15	20	30
Total PCBs	monitor and report		
pH	6.0—9.0 at all times		
Hexavalent Chromium	monitor and report		
Total Lead	monitor and report		
Total Selenium	monitor and report		
Total Thallium	monitor and report		

Outfall 031 (interim) and Outfall 037 (before ash basin closure): Outfall 031 (interim) is an existing discharge of 3.38 mgd until July 1997 of treated plant miscellaneous wastewater, coal pile runoff, bottom ash sluice water and ash hopper overflow wastewater from ash basin No. 1 to Rolling Green Run. Outfall 037 is an existing discharge of 4.34 mgd of treated fly ash transport water from ash basin No. 2 to an unnamed tributary of the Susquehanna River. After July 1997 this ash basin will be closed and this discharge will consist of stormwater only.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	100	125
Oil and Grease	15	20	30
Total Antimony	monitor and report		
Total Beryllium	monitor and report		
Total Selenium	monitor and report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total PCBs	monitor and report		
pH	6.0—9.0 at all times		

Outfall 031 (final): After July 1997 this Outfall will consist of treated bottom ash sluice water and ash hopper overflow water only. The design flow for this discharge will be 2.8 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	100	125
Oil and Grease	15	20	30
Total PCBs	monitor and report		
pH	6.0—9.0 at all times		
Total Antimony	monitor and report		
Total Cadmium	monitor and report		
Hexavalent Chromium	monitor and report		
Total Copper	monitor and report		
Total Lead	monitor and report		
Total Mercury	monitor and report		
Total Selenium	monitor and report		
Total Thallium	monitor and report		
Total Zinc	monitor and report		
Total Aluminum	monitor and report		

Outfall 033 and Outfall 037 (after ash basin closure): Outfall 033 is an existing discharge of stormwater from ash basin No. 3 (closed in 1989) to an unnamed tributary of the Susquehanna River. Outfall 037 will consist of stormwater discharges from fly ash basin No. 2 after closure to an unnamed tributary of the Susquehanna River.

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

*Other conditions:*

If after 1 year of monitoring of metals at Outfall 031 it is determined that metal limitations are necessary the permit will be amended to establish these limitations.

Outfalls 032, 034, 035, 036 and 038 consist of stormwater discharges permitted under Permit No. PAR704805.

There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.

The EPA waiver is not in effect.

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

**PA 0056561.** Industrial waste, **Richard M. Armstrong Company**, P. O. Box 566, West Chester, PA 19381.

This application is for issuance of an NPDES permit to discharge stormwater from a heat transfer equipment manufacturing facility in West Bradford Township, **Chester County**. This is an existing discharge to Broad Run.

The receiving stream for Outfall 002 is classified for migratory fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports, exceptional value waters and esthetics.

A public hearing will be held on this application prior to Department action.

The proposed monitoring requirements for Outfall 002, based on an average storm event are as follows:

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

The receiving stream for Outfall 001 is classified for warm water fish, 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 monitoring requirements for Outfall 001 based on an average storm event are as follows:

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

**PA 0051292.** Industrial waste, **Municipal Authority of the Borough of Morrisville**, Ferry and River Roads, Morrisville, PA 19067.

This application is for renewal of an NPDES permit to discharge treated process wastewater from a water filtration plant in Lower Makefield Township, **Bucks County**. This is an existing discharge to the Delaware River (Zone 1E).

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

The proposed effluent limits for Outfall 001 based on an average flow of 0.15 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>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
pH	within limits of 6.0—9.0 standard units at all times		
Total Iron	2.0	3.0	4.0
Total Aluminum	4.0	6.0	8.0
Total Manganese	1.0	1.5	2.0
Total Residual Chlorine	0.5		

The EPA waiver is in effect.

**PA 0051713.** Amendment No. 1, Industrial waste, **Degussa Corporation**, 1200 West Front Street, Chester, PA 19013.

This application is for amendment of an NPDES permit to discharge treated process wastewater from an industrial wastewater treatment plant in the City of Chester, **Delaware County**. This is an existing discharge to Delaware Estuary—Zone 4.

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

The proposed effluent limits for Outfall 001 before treatment plant expansion, based on an average flow of 0.60 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	100	200	250
Total Dissolved Solids	24,000	25,000	33,000
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Arsenic			monitor/report
Copper			monitor/report
Lead			monitor/report
Silver			monitor/report
Bis (2 ethylhexylphthalate)			monitor/report

The proposed effluent limits for Outfall 001 after treatment plant expansion based on an average flow of 0.95 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	100	200	250
Total Dissolved Solids	30,000	32,000	33,000
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Arsenic			monitor/report
Copper			monitor/report
Lead			monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Silver Bis (2 ethylhexylphthalate)	monitor/report monitor/report		

*Other Conditions:*

The EPA waiver is in effect.

85% reduction of suspended solids per DRBC requirements.

Special Test Methods for certain pollutants.

Special conditions to conduct instream monitoring program to confirm the mixing zone for Total Dissolved Solids.

Instream Total Dissolved Solids Monitoring

**PA 0050741.** Sewage, **Selas Corporation of America**, 2034 South Limekiln Pike, Dresher, PA 19025.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant serving Selas Corporation of America located in Upper Dublin Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Sandy Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 26,000 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine (years 1 and 2)	monitor/ report	monitor/ report
(years 3, 4 and 5)	0.5	1.17

Final Technology Based Effluent Limitations for Total Residual Chlorine.

**PA 0056961.** Sewage, **Rick Mars**, 2973 Artmar Road, Glen Moore, PA 19343.

This application is for issuance of an NPDES permit to discharge treated sewage from Rick Mars SRSTP in Worcester Township, **Montgomery County**. This is a new discharge to a tributary to Stony Creek.

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

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

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

The EPA waiver is in effect.

The following notice reflects changes to the notice published in the March 9, 1996 *Pennsylvania Bulletin*.

**PA 0029441.** Sewage, **Township of Upper Dublin**, 801 Loch Alsh Avenue, Fort Washington, PA 19034.

This application is for renewal of an NPDES permit to discharge treated sewage from Upper Dublin Township STP serving the Pine Run and Rapp Run drainage basins in Upper Dublin Township, **Montgomery County**. This is an existing discharge to Pine Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1.0 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>
Total Oxygen Demand (6-1 to 10-31)	24		
(11-1 to 5-31)	57		
CBOD <sub>5</sub> (6-1 to 10-31)	15	23	30
(11-1 to 5-31)	20	30	40
Suspended Solids	30	45	60
Ammonia (as N) (6-1 to 10-31)	2.5	3.8	5.0
(11-1 to 5-31)	6	9	12
Total Residual Chlorine	1.00 Interim 0.064*		2.5 Interim 0.21*
Fecal Coliforms	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	0.03*	0.06*	0.075*
Total Silver	0.012*	0.024*	0.03*
Free Cyanide	0.007*	0.014*	0.018*

\*Limits effective beginning of fourth year.

**PA 0056456.** Industrial waste, **Metro Machine Corporation**, P. O. Box 1860, Norfolk, VA 23501.

This application is for amendment of an NPDES permit to discharge treated process wastewater from dry dock No. 4 in Philadelphia. This is an existing discharge to the Delaware River.

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

The proposed effluent limits for Outfall 007 based on a long term average flow of .0156 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	100	200	250
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Total Iron	monitor/report		
Total Copper	monitor/report		
Total Lead	monitor/report		
Total Zinc	monitor/report		
Tributyltin	monitor/report		
Pretreatment	monitor/report	monitor/report	
Post-Treatment	monitor/report	monitor/report	

*Other Conditions:*

The EPA waiver is in effect.

Requirement to conduct Acute Whole Effluent Toxicity Testing.

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*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2553.*

**PA 0026492.** Sewerage, **The Sewer Authority of the City of Scranton**, 307 North Washington Avenue, Scranton, PA 18503.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into the Lackawanna River in The City of Scranton, **Lackawanna County**.

The receiving stream is classified for the following uses: warm water 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 downstream potable water supply (PWS) considered during the evaluation is The Danville Water Authority located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 20.0 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
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 standard units at all times		
Total Residual Chlorine First Month through 36th Month	monitor and report		
37th Month through Expiration Date	.40		0.95
Chloroform	.033		.066

Point Sources 003 through 071 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are, at this time, no specific effluent limitations on these discharges.

The EPA waiver is not in effect.

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

**PA 0051560.** Industrial waste, SIC: 4941, **Western Berks Water Authority**, 91 Water Road, Sinking Spring, PA 19608-9633.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Tulpehocken Creek, in Sinking Spring Borough, **Berks County**.

The receiving stream is classified for trout stocking fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Western Berks Water Authority located in Sinking Spring Borough, Berks County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	report	report	
pH (s.u.)	from 6.0—9.0 inclusive		
Total Suspended Solids	30	60	75
Total Iron	2	4	5
Total Aluminum	4	8	10
Total Manganese	1	2	2.5
Total Residual Chlorine	1.5		2.5

The EPA waiver is in effect.

**PA 0080624.** Industrial waste, SIC: 0161, **B & W Quality Growers, Inc.**, 1166 South Spring Garden Road, Carlisle, PA 17013.

This application is for renewal of an NPDES permit for an existing discharge of flow-through water cress irrigation to Letort Spring Run, in South Middleton Township, **Cumberland County**.

The receiving stream is classified for cold water fish (high quality water), recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was South Middleton Township located in Cumberland County. The discharge is not expected to impact any potable water supply.

The proposed best management practices and monitoring requirements for Outfalls M-1, M-2, M-3, M-3A, M-4, M-4A, M-5, BB-1, BB-2, SD-4, SD-5, SD-6, and SD-8 are:

B & W shall restrict pesticide usage at the Carlisle Facility to:

Dipel  
Malathion  
Induce  
Safer Insecticidal Soap  
Neemix  
Kocide 101  
Roundup

B & W shall maintain a trout basin to serve as an aquatic indicator of potential flow-through of applied pesticides.

The EPA waiver is in effect.

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


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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0081949	West Earl Sewer Authority 157 Metzler Road P. O. Box 604 Brownstown, PA 17508	Lancaster West Earl	Conestoga River	Total Residual Chlorine
PA0081710	Outdoor World Corp-Circle Route 209 Bushkill, PA 18324	Lancaster Pequea	Conestoga River	Total Residual Chlorine
PA0082333	Conestoga Hills MHP Robert Harnish 1230 Stony Lane Conestoga, PA	Lancaster Marietta	Tributary to Stehman Run	Total Residual Chlorine
PA0021717	Marietta-Donegal Jt. Sewer Authority P. O. Box 167 Marietta, PA 17547	Lancaster Marietta	Susquehanna River	Total Residual Chlorine
PA0084506	Starlite Camping Resort 1500 Furnace Hill Road Stevens, PA 17578	Lancaster Clay	Dry swale to Middle Creek	Total Residual Chlorine
PA0042781	Mt. Joy Wire Corporation 1000 East Main Street Mount Joy, PA 17552	Lancaster Rapho	Little Chickies Creek	None

The following parties have applied for an NPDES permit to discharge stormwater 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 set forth in Appendix A—J of the general permit 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 who wish to comment on the proposed permit are invited to submit a statement to the Regional Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the 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 Quality 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 Regional Office that has been indicated above the application.

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### NOIS and Applications Received

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR214821	Keystone Filler Mfg. 214 Railroad St. Muncy, PA 17756	Lycoming Muncy Ck. Twp.	WWF Unnamed Trib. west branch Susquehanna	3295

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.*

*Northcentral Regional Office: Regional Water Management Program Manager, 208 W. Third Street, Williamsport, PA 17701, telephone (717) 327-3669.*

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

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

**NPDES Permit PAS10D082.** Stormwater. **Stump Associates**, 6 E. Germantown Pike, Plymouth Meeting, PA 19462 has applied to discharge stormwater from a construction activity located in Warrington Township, **Bucks County**, to UNT to Neshaminy.

*Carbon County Conservation District, District Manager, 92 Blakeslee Boulevard East, Lehighton, PA 18235, telephone (610) 377-4894.*

**NPDES Permit PAS101308.** Stormwater. **John and Joseph Kovatch**, 1 Industrial Complex, Nesquehoning, PA 18240 has applied to discharge stormwater from a construction activity located in Nesquehoning Borough, **Carbon County**, to First Hollow Run.

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

**NPDES Permit PAS10F058.** Stormwater. **Rigg and Gardner Contracting and Design**, 475 Valley View Road, Bellefonte, PA 16823 has applied to discharge stormwater from a construction activity located in Howard Borough and Howard Township, **Centre County**, to UNT to Lick Run.

**NPDES Permit PAS10F059.** Stormwater. **DEP—Bureau of Abandoned Mine Reclamation**, P. O. Box 149, Ebensburg, PA 15931 has applied to discharge stormwater from a construction activity located in Snow Shoe Township, **Centre County**, to the north fork of Beech Creek Basin.



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

**NPDES Permit PAS10G217.** Stormwater. **Gray Creighton**, P. O. Box 68, Media, PA 19063 has applied to discharge stormwater from a construction activity located in Londonderry Township, **Chester County**, to UNT to the east branch of Elk Creek.

**NPDES Permit PAS10G218.** Stormwater. **T A G Builders**, P. O. Box 973, Paoli, PA 19301 has applied to discharge stormwater from a construction activity located in Willistown Township, **Chester County**, to Crum Creek.

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

**NPDES Permit PAS10I027.** Stormwater. **Union Deposit Corporation**, 651 East Park Drive, Harrisburg, PA 17111 has applied to discharge stormwater from a construction activity located in Susquehanna Township, **Dauphin County**, to Paxton Creek.

*Monroe County Conservation District, District Manager, 8050 Running Valley Rd., Stroudsburg, PA 18360, telephone (717) 629-3060.*

**NPDES Permit PAS10S044.** Stormwater. **Monroe County Vo Technical School**, P. O. Box 66, Bartonsville, PA 18321 has applied to discharge stormwater from a construction activity located in Pocono Township, **Monroe County**, to UNT to Pocono Creek.

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

**NPDES Permit PAS105710.** Stormwater. **Frank Zukas**, SEDCO, P. O. Box 659, Pottsville, PA 17901 has applied to discharge stormwater from a construction activity located in Butler, Foster and Cass Townships, **Schuylkill County**, to the west branch of the Schuylkill River.

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number, identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commenter will be notified in writing of the time and place if a hearing or conference concerning the plan, 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. 2696202.** Industrial waste. **North Fayette County Municipal Authority**, University Drive at Ranch Road, Box 368, Dunbar, PA 15431. Application for the construction and operation of a backwash filter settling/discharge facility at the Wheeler Bottom Water Treatment Plant located in Dunbar Township, **Fayette County**.

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

**WQM Permit No. 6196401.** Sewage. **Sandycreek Township**, R. D. 4, Box 200, Franklin, PA 16323 is for the construction of four pump stations and 97,000 lineal feet of PVC sewer line to discharge into existing sewer lines.

**WQM Permit No. 3796405.** Sewage. **Baker Plan** (Bruce W. and Cynthia A. Baker), 316 South High Street, Zelienople, PA 16063 is for the construction of a small flow treatment facility to serve two single family residences in Perry Township, **Lawrence County**.

**WQM Permit No. 1696201.** Sewage. **Hawthorn Area Water Authority**, P. O. Box 241, Hawthorn, PA 16240 is for the construction of a pump station, flow equalization tank and backwash treatment system, yard piping and site improvements for an existing facility.

**WQM Permit No. 2596408.** Sewage. **Wattsburg Area School District**, P. O. Box 219, Wattsburg, PA 16442 is for the expansion of Seneca High School Sewage Treatment Plant to accommodate the proposed Wattsburg Elementary Center.

**WQM Permit No. 6296406.** Sewage. **Charles W. Hice**, SRSTP, R. D. 1, Box 1392, Egypt Hollow Road, Russell, PA 16345. This project is for the construction of a single residence sewage treatment plant in Glade Township, **Warren County**.

**WQM Permit No. 6296407.** Sewage. **Leroy E. Klakamp**, SRSTP, R. D. 2, Box 2681, Russell, PA 16345. This project is for the construction of a single residence sewage treatment plant in Pine Grove Township, **Warren County**.

**WQM Permit No. 2596409.** Sewage. **Robert and Shirley Rathmann**, 5662 Kuhl Road, Erie, PA 16510. This project is for the construction of a single residence sewage treatment plant in Greenfield Township, **Erie County**.

**WQM Permit No. 6296408.** Sewage. **Anthony and Julia Milliner**, 330 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. 0696504.** Public water supply. **Reading Alloys, Inc.**, Heidelberg Township, **Berks County**, (Brian Higgins, Reading Alloys, Inc., Vice President and Technical Director, P. O. Box 53, Robesonia, PA 19551-0053), the installation of a corrosion control treatment system using a blended phosphate, (Daniel Cargnel, P.E., RUST Environmental and Infrastructure, Two Market Plaza Way, Mechanicsburg, PA 17055).

**A. 0696506.** Public water supply. **Highland Estates MHP**, Greenwich Township, **Berks County**, (Kenneth L. Fulford, Operation Consultant, K. L. Fulford Associates, Inc., P. O. Box 304, Allentown, PA 18105-0304), the installation of a corrosion control treatment system using sodium hydroxide and a blended phosphate at an existing water system, (K. L. Fulford Associates, Inc., M. J. Kaszyski, P.E., P. O. Box 304, Allentown, PA 18105).

**A. 0696505.** Public water supply. **DPW, Hamburg Center**, Windsor Township, **Berks County**, (Thomas J. Curran, Hamburg Center, Old Route 22, Hamburg, PA 19526-0400), the installation of a corrosion control treatment system using adjustment of current alkalinity chemical and the addition of a blended phosphate using a two pump system—one on the 75 HP pump and one on the 25 HP pump on the existing water system, (David A. Long, Ph.D., P.E., David A. Long and Associates c/o Penn State Facilities Engineering Institute, 202 Engineering "A", University Park, PA 16802-1417).

**A. 2296501.** Public water supply. **GPU Nuclear Corporation**, Middletown Borough, **Dauphin County**, (J. Knubel, Vice President and Director, Three Mile Island Nuclear Station, Route 441, Middletown, PA 17057), the installation of a corrosion control system using a zinc orthophosphate on two existing well sources, (Peter J. Lusardi, CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112).

**A. 0696507.** Public water supply. **Lower Heidelberg Elementary School**, Lower Heidelberg Township, **Berks County**, (David Smith, Maintenance Supervisor, 2601 Grandview Boulevard, West Lawn, PA 19609), the installation of a corrosion control treatment system on an existing water system consisting of orthophosphate additions and the continued use of lead filters, (Keith R. Showalter, P.E., Great Valley Consultants, 2 Meridian Boulevard, Suite 201, Wyomissing, PA 19610-3202).

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

**A. 3296501.** **Nowrytown Water Association**, R. D. 3, Box 278, Saltsburg, PA 15681. Construction of a new well, water treatment plant, and water storage tank in Conemaugh Township, **Indiana County**.

**A. 5696504.** **Windber Area Authority**, 1700 Stockholm Avenue, Windber, PA 15963. To develop a wellfield for a back-up/emergency water source in Ogle Township, **Somerset County**.

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

**A. 6296502.** Public water supply. **Clarendon Water Company**, 7 Center Street, Clarendon, PA 16313. Pro-

posal involves the addition of a sequestering agent to potable water supply known as the Clarendon Water Company. The purpose of the polyphosphate inhibitor is to prevent the precipitation of dissolved iron and manganese and to control corrosion and scale build-up in the distribution system. Facility located in Clarendon Borough, **Warren County**.

*Type of Facility:* Public water supply.

*Consulting Engineer:* James E. Murphy, P.E., Northwest Engineering, Inc., P. O. Box Q, Tidioute, PA 16351.

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

**A. 5996501.** **Mansfield University**, Sherwood Street, Mansfield, PA 16933, Mansfield Township, **Tioga County**. Improvement to existing water filtration facility including chemical feed system and residual analyzer to feed zinc-orthophosphate corrosion control inhibitor to control lead and copper corrosion.

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**Acknowledgment of Notices of Intent to Remediate**

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

For further information concerning the content of a Notice of Intent to Remediate, 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:

*Northcentral Regional Office: Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 321-6525.*

**Coley's Auto Salvage and Recycling**, Loyalsock Township, **Lycoming County**. Staiman Brothers, Inc., 201 Hepburn Street, Williamsport, PA 17701 has submitted a Notice of Intent to Remediate soil and sediment contaminated with lead. The applicant proposes to remediate the site to meet the Statewide Health Stan-

ward. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun-Gazette* on July 5, 1996.

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

**American Trading and Production Corp.**, Bristol Township, **Bucks County**. Gary R. Brown, P.E., President, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with heavy metals and solvents. The applicant proposes to remediate the site to meet the Statewide health standard and/or the background standard.

**Bustleton Partners—Seaman's Underground Storage Tank Area**, City of Philadelphia, **Philadelphia County**. Terence A. O'Reilly, Senior Project Manager, TriState Environmental Management Services, Inc., 1810A Byberry Rd., Bensalem, PA 19020, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with petroleum hydrocarbons and other undetermined contaminants. The applicant proposes to remediate the site to meet the Statewide health standard.

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#### Public Notice of Proposed Consent Decree

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Millcreek Dump Site  
Millcreek Township, Erie County

Under section 122 of the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. § 9622, and section 1113 of the Hazardous Sites Cleanup Act (35 P. S. § 6020.1113) notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Decree concerning settlement of the Department's Complaint against Max Silver and Sons and A. Arthur Silver (the Silvers). The Department's Complaint concerns the response costs that the Department has incurred and will incur to clean-up the Millcreek Dump Site in Erie County, PA. The Department's Complaint is filed in the United States District Court for the Western District of Pennsylvania, at Docket No. 93-297 (Erie).

The Department has incurred over \$700,000 in past response costs, and estimates that it will incur over 4 million dollars in response costs in the future at the Millcreek Dump Site. However, based upon the Silvers limited ability to pay, the Department has agreed to settle its Complaint against the Silvers for \$10,000. The specifics of the Department's settlement with the Silvers are set forth in the Consent Decree.

The Department will receive and consider comments relating to the Consent Decree for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the Consent Decree if the comments concerning the Consent Decree disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, inadequate or not in the public interest. After the public comment period, the Department's settlement with the Silvers shall become final upon the filing of the Department's response to significant written comments to the Consent Decree and upon the United States District Court's approval of the Consent Decree.

Copies of the Consent Decree are available for inspection at the Department's office at 230 Chestnut Street,

Meadville, PA, and at the United States District Court-house in Erie, PA. Comments may be submitted, in writing, to Edward Orris, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335-3481. Further information may be obtained by contacting Edward Orris at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at 1 (800) 645-5984.

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#### 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.

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

**Kuprianov Co.**, 569 Shunpike Road, Burleigh, NJ 08210; License No. **PA-HC 0149**; application received July 10, 1996.

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

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

**A. 300987. Montour Steam Electric Station Ash Disposal Site**, (Pennsylvania Power & Light Company, Two North 9th Street, Allentown, PA 18101-1179). Repermitting of an existing Class II Residual Waste Landfill by July 4, 1992 Residual Waste Regulations. This Ash Disposal Site is located in Derry Township, **Montour County**. Application received in Regional Office July 8, 1996.

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#### Applications submitted under 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.

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

**Permit No. 101654. Quorum Sani-Tech., Inc.**, 1620 South 49th Street, Philadelphia, PA. This new permit application is for a material recovery facility at the former ORFA site located in the City of Philadelphia. Application received in the Southeast Regional Office on June 28, 1996.

**Permit No. 40061. Upper Mooreland-Hatboro Joint Sewer Authority**, 2875 Terwood Road, Willow Grove, PA 19090. Received new application for their sewage sludge incinerator which is existing but had never applied for a waste management permit. Facility located in Upper Mooreland Township, **Montgomery County**. Application received in the Southeast Regional Office on July 2, 1996.

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

**Permit No. 101529. Demotech, Inc.** (formerly American Fuel Harvesters, Inc.), P. O. Box 520, N. Broad Street, East Bangor, PA 18013. A Major Permit Modification to operate the American Fuel Harvester Construction and Demolition Debris Processing/Recycling Facility, located in East Bangor Borough, **Northampton County**. The major permit modification was received on June 20, 1996, and was determined to be complete in the Regional Office on June 28, 1996.

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

**36-3001.** Construction of a luminescent materials processing facility by **Nichia America Corporation** (3775 Hempland Road, Mountville, PA 17554) in West Hempfield Township, **Lancaster County**.

**38-399-010A.** Modification of an air pollution control device on polyvinyl chloride mills and calendar by **O'Sullivan Corporation** (1501 Willow Street, Lebanon, PA 17042) in the City of Lebanon, **Lebanon County**.

**67-318-119.** Construction of a surface coating operation by **Blockhouse Furniture** (121 1st Avenue, Red Lion, PA 17356) in Manchester Township, **York County**.

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

**53-329-010.** Construction of three 4,000 horsepower natural gas-fired reciprocating engines by **CNG Transmission Corporation** (P. O. Box 2450, Clarksburg, WV 26302-2450) at the Greenlick Compressor Station in Stewardson Township, **Potter County**.

**8-317-006.** Construction of a whey drying system and associated air cleaning devices (fabric collectors and scrubbers) by **Leprino Foods Company** (117 Bradford Street, South Waverly, PA 18840) in South Waverly Borough, **Bradford County**.

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

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

**06-1022.** The Department intends to issue a NOx RACT Air Quality Operating Permit to **Kutztown University** (P. O. Box 730, Kutztown, PA 19530) for various boilers and combustion units in Maxatawny Township, **Berks County**.

**06-304-045A.** The Department intends to issue an Air Quality Operating Permit to **Unicast Company** (P. O. Box 248, Boyertown, PA 19512) for the sand system controlled by three fabric collectors in Boyertown, **Berks County**.

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

**18-399-013.** The Department intends to issue an operating permit to **Champion Parts, Inc., Northeast Divi-**

**sion** (P. O. Box 400, Beech Creek, PA 16822) for the operation of 14 carburetor test stands and associated air cleaning devices (demisters) in Beech Creek Township, **Clinton County**.

**8-313-038D.** The Department intends to issue an operating permit to **Osram Sylvania, Inc.** (Box 504, Towanda, PA 18848-0504) for the operation of a tungsten carbide scrap pyrolysis oven, cooling chamber, rotary impactor and associated air cleaning devices (thermal fume incinerator, cartridge collectors and an absolute filter) in Towanda Borough, **Bradford County**.

**8-399-030A.** The Department intends to issue an operating permit to **Osram Sylvania, Inc.** (Box 504, Towanda, PA 18848-0504) for the operation of various blenders, and the like, and associated air cleaning devices (a cartridge collector and an absolute filter) in North Towanda Township, **Bradford 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: **48-320-009**

Source: Web Press w/Catalytic Oxidizer

Company: **Mack Printing Company**

Location: Wilson Borough

County: **Northampton**

Permit: **48-323-003**

Source: Machine Shop w/Torit Baghouse

Company: **Specialty Minerals Incorporated**

Location: City of Easton

County: **Northampton**

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**Applications received for Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 129.91 for Reasonable 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 intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described for:

Permit: **OP-46-0013A**

Source: 3 boilers, Rendering Process, 60 Heaters, 2

Generators

Company: **Hatfield Quality Meats, Inc.**

Location: Hatfield

County: **Montgomery**

Permit: **OP-15-0039**

Source: Batch Mix Asphalt Dryer with NG-fired Burner

Company: **Ackworth Materials, Inc.**

Location: East Caln

County: **Chester**

Permit: **OP-09-0026**

Source: Synthetic Minor/Surface Coating Process

Facility

Company: **Browning-Ferris, Inc.**

Location: Hilltown

County: **Bucks**

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**Reasonably Available Control Technology; Public Hearings**


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Approval of Reasonably Available Control Technology (RACT) Plans for:

Occidental Chemical Corporation (Lower Pottsgrove Township, Montgomery County)

Quaker Chemical Corporation (Whitemarsh Township, Montgomery County)

SmithKline Beecham Pharmaceuticals (Upper Merion Township, Montgomery County)

American Inks and Coatings Corporation (Schuylkill Township, Chester County)

Norwood Industries, Inc. (East Whiteland Township, Chester County)

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Brown Printing Company (Upper Hanover Township, Montgomery County)

DEP has made a preliminary determination to approve RACT plans as amendments to the State Implementation Plan (SIP) for the above facilities. 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.

These preliminary 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 revisions to Pennsylvania's SIP.

The following is a summary of the preliminary RACT determinations for these facilities:

*Occidental Chemical Corporation (Operating Permit OP-46-0015)*

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Device</i>
Boiler No. 1	116.4 NOx	Annual Tune-up
Boiler No. 3	122.6 NOx	50% Capacity Factor
Boiler No. 4	184.4 NOx	50% Capacity Factor
Boiler No. 5	360.7 NOx	Alternate Fuel
Reactors	2.7 VOC	Recordkeeping
Spray Dryers	171.0 VOC	Recordkeeping
Rotary Dryers	69.4 VOC	Recordkeeping
Wastewater Plant	25 VOC	Recordkeeping
Cleaning Tanks	2.7 VOC	Recordkeeping
Storage Tanks	2.7 VOC	Recordkeeping
Laboratories	2.7 VOC	Recordkeeping

The implementation schedule for the above is upon issuance of permit.

*Quaker Chemical Corporation (Operating Permit OP-46-0071)*

<i>Source</i>	<i>VOC Emission Limit (tons/year)</i>	<i>Control Device</i>	<i>Implementation Schedule</i>
Building 19	14	Recordkeeping	Upon permit issuance
Building 3	23	Recordkeeping	Upon permit issuance

This facility will meet the presumptive NOx requirements of section 129.93.

*Smithkline Beecham Pharmaceuticals (Operating Permit OP-46-0035)*

<i>Source</i>	<i>VOC Emission Limit (tons/year)</i>	<i>Control Device</i>
6 Raw Material Storage Tanks	2.79	White Paint
Ethyl Acetate Tank	1.2	Pressure Relief Vent

The implementation schedule for the above is within 2 months of issuance of the permit. This facility will meet the presumptive NOx requirements of section 129.93.

*American Inks and Coatings Corporation (Operating Permit OP-15-0026A)*

<i>Source</i>	<i>VOC Emission Limit (tons/year)</i>	<i>Control Device</i>	<i>Implementation Schedule</i>
Mixing & Milling Vessels	95	Covers, Housekeeping Practices, Maintenance Inspection Procedures	May 31, 1995

*Norwood Industries, Inc.* (Operating Permit OP-15-0014A)

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Device</i>	<i>Implementation Schedule</i>
Cleanup Operation	4.5 VOC	Recordkeeping	Upon permit issuance
DMF Combustion	115 NOx	Recordkeeping	Upon permit issuance

*Brown Printing Company* (Compliance Permit CP-46-0018)

<i>Source</i>	<i>VOC Emission Limit (tons/year)</i>	<i>Control Device</i>	<i>Implementation Schedule</i>
7 Presses	53.8	Thermal Oxidizer	Implemented
8 Ink Jet Printers	12.4	Condenser	Upon permit issuance

This facility will meet the presumptive NOx requirements of section 129.93.

One public hearing will be held for the purpose of receiving comments on the proposed SIP revisions. The hearing will be held at 2 p.m. on August 29, 1996, at the Department of Environmental Protection Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to DEP on the proposed SIP revisions and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, DEP Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before August 29, 1996.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Copies of the pertinent documents are available for review at the DEP Southeast Regional Office. Appointments for scheduling a review may be made by calling (610) 832-6268.

**Notice of Intent to Issue Title V Operating Permit #03-076**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to The Peoples Natural Gas Company for the Girty compressor station. Girty compressor station is located in South Bend Township, Armstrong County. The Peoples Natural Gas Company representative to contact regarding this application is William Runyan, P.E., Safety, Environmental and Compliance, 625 Liberty Avenue, Pittsburgh, PA 15222-3197.

The Girty compressor station is primarily used for the storage and distribution of natural gas. As a result of the levels of nitrogen oxides emitted, Girty is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, DEP's analysis and other documents used in evaluation of the application are available for public inspection during normal business

hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

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

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit #03-076).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Joseph Pezze, Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Region—Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000. For additional information, contact Thomas J. Joseph, Air Pollution Control Engineer II, Air Quality Control, at the same address.

**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.*

**24-313-138.** The Department received a plan approval application for construction of a burn-off oven (7.5 mm Btu/hr with afterburner) by **The Carbide/Graphite Group, Inc.** (800 Theresia Street, St. Marys, PA 15857) in St. Marys, **Elk County**.

**33-399-011.** The Department received a plan approval application for construction of three leachate storage tanks and the installation of three carbon adsorption canisters to control venting from the storage tanks by **Eagle Environmental, L. P.** (Happy Landing Landfill, 9 Logan Blvd., Altoona, PA 16602) in Washington Twp., **Jefferson 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: 39-313-028A**

Source: 4M Line IR Heaters w/Incinerator

Received: June 25, 1996

Company: **Tarkett, Incorporated**

Location: Whitehall Township

County: **Lehigh**

**Permit: 39-318-075A**

Source: Sat Enhanced Rollwrap w/Demister

Received: June 25, 1996

Company: **Tarkett, Incorporated**

Location: Whitehall Township

County: **Lehigh**

**Permit: 40-318-047**

Source: 2 Paint Spray Booths w/Filters

Received: June 18, 1996

Company: **Altec Industries Incorporated**

Location: Plains Township

County: **Luzerne**

**Permit: 54-305-017**

Source: Anthracite Coal Screening Plant

Received: June 19, 1996

Company: **Northeastern Power Company**

Location: Kline Township

County: **Schuylkill**

**MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (52

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

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

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

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

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

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

*Coal Applications Received*

**11960106. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of bituminous strip-auger mine in Jackson Township, **Cambria County**, affecting 363.0 acres, receiving

stream unnamed tributaries to Laurel Run and Laurel Run to Conemaugh River, application received July 1, 1996.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03910109R. Rosebud Mining Company** (R. D. 1, Box 379A, Kittanning, PA 16201). Renewal application received for continued reclamation of a bituminous surface mine located in Kiskiminetas Township, **Armstrong County**. Receiving streams unnamed tributaries to Roaring Run to the Kiskiminetas River. Renewal application received July 5, 1996.

**04850103R. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine located in Big Beaver Borough, **Beaver County**. Receiving streams Beaver Run Watershed. Renewal application received July 5, 1996.

**03850117R. Terry Coal Sales, Inc.** (Box 58, Distant, PA 16223). Renewal application received for continued reclamation of a bituminous surface mine located in Boggs Township, **Armstrong County**. Receiving streams North and South Fork Pine Creek Watersheds. Renewal application received July 9, 1996.

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

**56841605. Croner Inc.** (629 Main St. #6, Berlin, PA 15530), to renew the permit for the Goodtown Prep Plant in Brothersvalley Township, **Somerset County**, no additional discharge. Application received June 27, 1996.

**32901601. Millcreek Processing** (110 Cedar Lane, McMurray, PA 15317), to renew the permit for the Challenger Coal Yard in East Wheatfield Township, **Indiana County**, no additional discharge. Application received June 13, 1996.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

#### *Noncoal Applications Received*

**04910301. Jerart, Inc.** (Box 11637, Pittsburgh, PA 15228-0637). Revision received to change land use to development of the site for the Major General Anthony Wayne Historic Park and to enclose Legionville Run with a culvert on an existing large noncoal surface mine located in Harmony Township, **Beaver County**, that affects 26.2 acres. Receiving streams Legionville Run. Revision application received July 5, 1996.

**65900403R. Davison Sand & Gravel Co.** (400 Industrial Boulevard, New Kensington, PA 15068). NPDES renewal application received for continued operation and reclamation of a large noncoal limestone site located in Unity Township, **Westmoreland County**. Receiving streams unnamed tributary to Ninemile Run. Renewal application received July 9, 1996.

**3378NC17R. Davison Sand & Gravel Co.** (400 Industrial Boulevard, New Kensington, PA 15068). NPDES renewal application received for continued operation and reclamation of a large noncoal limestone site located in Connellsville Township, **Fayette County**. Receiving streams unnamed tributary to Connell Run, and Connell Run. Renewal application received July 9, 1996.

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval, and requests for water quality certification have been received by the Department of Environmental Protection. Section 401(a) of the Federal Water Pollution

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

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

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

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

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

**EA56-002C0.** Environmental assessment. **Huston Farms**, R. R. 1, Box 214, Rockwood, PA 15557. To construct and maintain a nonjurisdictional dam across a tributary to South Glade Creek (WWF) impacting approximately 0.15 acre of wetlands (PEM) for the purpose of recreation located approximately 1,100 feet northwest of the intersection of S. R. 281 and T497 (Rockwood, PA Quadrangle N: 15.85 inches; W: 8.45 inches) in Milford Township, **Somerset County**.

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

**EA45-003C0.** Environmental assessment. **National Utilities, Inc.**, 1120 South Washington Avenue, P. O. Box 955, Scranton, PA 18505. To breach and abandon the Flytes Road Dam for the purpose of restoring a tributary to Lake Creek (HQ-CWF) to a free-flowing condition located approximately 2,500 feet southeast of the intersection of Meixell Valley Road and T375 (Saylorsburg, PA Quadrangle N: 4.7 inches; W: 14.9 inches) in Ross Township, **Monroe County**.

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

**E14-289.** Water obstruction and encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105-8451. Remove the existing structure and to construct and maintain a single span bridge with a clear normal span of 34.0 feet and minimum underclearance of 5.4 feet over Pine Creek on Pine Creek Road at the second crossing of Pine Creek off of T-515. This project will be a de minimus impact (.02 acre) to existing wetlands (Woodward, PA Quadrangle N:



10.4 inches; W: 11.5 inches) in Haines Township, **Centre County**. Estimated stream disturbance less than 250.0 linear feet; stream classification is HQ-CWF.

**E19-156.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. Repair the existing structure by paving aprons, cutoff walls, concrete jacket applications and general patching of the abutments over an unnamed tributary to Coles Creek on SR 487 about 1 mile northeast of the village of Tri Mills (Red Rock, PA Quadrangle N: 3.8 inches; W: 11.9 inches) in Sugarloaf Township, **Columbia County**. Estimated stream disturbance less than 250.0 linear feet; stream classification is CWF.

**E41-373.** Water obstruction and encroachment. **CBBH**, R. R. 1, Box 169A, Allenwood, PA 17810. To remove the existing structure and to construct and maintain a steel beam bridge with a single span of 42 feet and underclearance of 6.9 feet across White Deer Hole Creek. This project is located just north of SR 2002 about 3.2 miles west of Rt. 44 (Williamsport SE, PA Quadrangle N: 21.1 inches; W: 10.6 inches) in Washington Township, **Lycoming County**. Estimated stream disturbance is 40 feet with no wetland impact; stream classification is HQ-CWF.

**E41-377.** Water obstruction and encroachment. **Alan and Elizabeth Metzger**, R. R. 1, Box 379, Williamsport, PA 17701. To remove the existing structure and to construct and maintain a 6 foot diameter pipe culvert in Lick Run. The project is located off LR 41133 about 900 feet north of the intersection with Warrensville Road (Montoursville North, PA Quadrangle N: 8.29 inches; W: 9.09 inches) in Eldred Township, **Lycoming County**. Estimated stream disturbance 40 feet of stream with no wetland impact; stream classification is TSF.

**E49-201.** Water obstruction and encroachment. **Municipal Authority of Sunbury**, 225 Market St., Sunbury, PA 17801. To maintain an existing levee and concrete wall flood protection project along the Susquehanna River and Shamokin Creek (Sunbury, PA Quadrangle N: 20.5 inches; W: 6.5 inches) in the City of Sunbury, **Northumberland County**. Stream classification is WWF.

**E57-070.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. Repair and maintain the existing bridge by repairing eroded abutments, wings, deck and foundations and paving a section of the stream bed slab over Double Run on SR 154 just southeast of Double Run Road (Eagles Mere, PA Quadrangle N: 16.6 inches; W: 10.8 inches) in Forks Township, **Sullivan County**. Estimated stream disturbance less than 250.0 linear feet; stream classification is CWF.

**E59-323.** Water obstruction and encroachment. **Monroe Muffler Brake**, 200 Holleder Pkwy., Rochester, NY 14615. To place and maintain fill in the floodway of an unnamed tributary to the Tioga River. This project is located on Business Route 15 about 800 feet south of its intersection with SR 2027 (Mansfield, PA Quadrangle N: 5.4 inches; W: 9.4 inches) in Richmond Township, **Tioga County**. Estimated stream disturbance approximately 200 feet and 0.1 acre of wetlands; stream classification is CWF.

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

**E46-748.** Encroachment. **Thomas and Patricia Fahy**, 300 Stump Road, North Wales, PA 19454. To place and maintain fill in 0.7 acre of a pond/wetland (PEM) complex

in the Bally Gwynedd Subdivision located approximately 1,600 feet southwest of the intersection of Stump Road and PA Route 309 (Amber, PA Quadrangle N: 17.5 inches; W: 15.7 inches) in Montgomery Township, **Montgomery County**.

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

**E10-238.** Encroachment. **Spang and Company**, 100 Brugh Avenue, Box 751, Butler, PA 16003-0751. To enclose 480 linear feet of stream enclosure of a tributary of Bonnie Brook Creek (WWF) with a 14-foot wide by 6-foot high arched top concrete box culvert to allow for the expansion of an existing industrial facility. The project is located directly southwest of Grant Avenue (SR1011) approximately 800 feet east of the intersection of Grant Avenue (SR1011) and SR2004, (East Butler, PA Quadrangle N: 0.2 inch; W: 13.1 inches) in East Butler Borough, **Butler County**.

**E10-242.** Encroachment. **Butler County Commissioners**, P. O. Box 1208, Butler, PA 16003-1208. To remove existing bridge superstructure and to install and maintain new structural steel girders, reinforced concrete deck and steel guide rails on Heck Bridge (County Bridge No. 68) across Bonnie Brook Creek (WWF). The project is located across Bonnie Brook Creek on Fallecker Road (T-620) approximately 500 feet northwest of the intersection of Fallecker Road (T-620) and Welter Road (T-601), East Butler (PA Quadrangle N: 3.9 inches; W: 6.3 inches) in Oakland Township, **Butler County**.

**E16-095.** Encroachment. **Dept. of Transportation**, Engineering District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701. To remove the existing two span through truss bridge with two 135.5-foot clear spans and to construct and maintain a three span steel girder bridge with two 90.75-foot clear spans for the end spans and a 125.5-foot clear span for the center section with a minimum underclearance of 25.4 feet on a 90 degree skew across the Clarion River (CWFR). This project will also include construction of temporary causeways and cofferdams for pier removal and pier construction. The project is located on SR1001 across the Clarion River approximately 6,000 feet southeast of the intersection of SR1001, SR1005, and SR0036 (Cooksburg, PA Quadrangle N: 12.0 inches; W: 16.0 inches) in Farmington and Millcreek Townships, **Clarion County**.

**E62-324.** Encroachment. **Brokenstraw Township**, 770 Rouse Avenue, P. O. Box 156, Youngsville, PA 16731-0156. To remove two existing 24-inch concrete culverts and associated headwalls and to install and maintain a 43-inch high by 64-inch wide oblong corrugated metal pipe culvert and associated headwalls in Anders Run (CWF). The project is located on Allegheny Springs Road (T-435) approximately 3,600 feet east of the intersection of Allegheny Springs Road (T-435) and S. R. 3017 (Youngsville, PA Quadrangle N: 13.5 inches; W: 7.25 inches) in Brokenstraw Township, **Warren County**.

**E62-325.** Encroachment. **Brokenstraw Township Supervisors**, 770 Rouse Avenue, P. O. Box 156, Youngsville, PA 16371-0156. To remove an existing 36-inch corrugated metal pipe culvert and associated headwalls and to install and maintain a 64-inch wide by 43-inch high oblong corrugated metal pipe culvert and associated headwalls in Brown Run (CWF). The project is located on Lauger Road (T-469) approximately 200 feet south of the intersection of Lauger Road (T-469) and Murray Hill Road (T-430) (Youngsville, PA Quadrangle N: 22.0 inches; W: 12.5 inches) in Brokenstraw Township, **Warren County**.

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

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

**WA2-536C.** Water allocation. **Fox Chapel Authority, Allegheny County.** Fox Chapel Authority, Allegheny County, has submitted an application, requesting permission to purchase water from the Pittsburgh Water and Sewer Authority. The applicant is requesting permission to withdraw a maximum of 10 million gallons per day of water, as a daily peak, in Fox Chapel Borough, Allegheny County, PA.

**WA4-1005.** Water allocation. **Municipal Authority of the Township of North Sewickley, Beaver County.** The Municipal Authority of the Township of North Sewickley, Beaver County, has submitted an application to acquire initial water rights for the acquisition of water from the Beaver River. The applicant is requesting permission to withdraw a maximum of 700,000 gallons per day of water as a daily peak, from the Beaver River, in North Sewickley Township, Beaver County, PA.

**ACTIONS**

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel

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

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

*Permits Issued*

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

**NPDES Permit No. PA-0063550.** Sewerage. **Jefferson Township Sewer Authority, R. R. 3, Box 451-H, Lake Ariel, PA 18436** is authorized to discharge from a facility located in Jefferson Township, **Lackawanna County** to an unnamed tributary of the west branch Wallenpaupack Creek.

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

**NPDES Permit No. PA0003921.** Industrial waste. **Sun Company, Inc., Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103.**

This notice reflects changes from the notice published in the April 6, 1996 *Pennsylvania Bulletin*:

Delete Parameter	Mass (lb/day)		Concentrations (mg/l)			
	Average Monthly	Maximum Daily	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Oil and Grease						15

**NPDES Permit No. PA0003921.** Industrial waste, **Sun Company, Inc., Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103** is authorized to discharge from a facility located at Blawnox Marketing Terminal, O'Hara Township, **Allegheny County** to Allegheny River.

**NPDES Permit No. PA0025844.** Industrial waste, **Department of Energy, Pittsburgh Energy Technology Center, 626 Cochran Mill Road, Pittsburgh, PA 15236.**

This notice reflects changes from the notice published in the June 1, 1996 *Pennsylvania Bulletin*. Internal outfall 101 has been added with the following limitations:

Parameter	Mass (lb/day)		Concentrations (mg/l)			
	Avg. Mon.	Max. Daily	Avg. Mon.	Avg. Weekly	Max. Daily	Instant. Max.
Flow (mgd)	monitor and report					
Suspended Solids			35			70
Iron			3.5			7.0
Manganese			2.0			4.0
pH (s.u.)	6.0—9.0					

**NPDES Permit No. PA0025844.** Industrial waste, **Department of Energy, 626 Cochran Mill Road, Pittsburgh, PA 15236** is authorized to discharge from a facility located at Bruceton Research Center, South Park Township, **Allegheny County** to Lick Run.

**NPDES Permit No. PA0096792.** Industrial waste, **Metaltech, 2400 Second Avenue, Pittsburgh, PA 15219** is authorized to discharge from a facility located at City of Pittsburgh, **Allegheny County** to the Monongahela River.

**NPDES Permit No. PA0020702.** Sewerage, **Municipal Authority of the Borough of Fayette City**, P. O. Box 552, Fayette City, PA 15438 is authorized to discharge from a facility located at Fayette City Wastewater Treatment Plant, Fayette City Borough, **Fayette County** to Monongahela River.

**NPDES Permit No. PA0024589.** Sewerage, **Municipal Authority of the Borough of Leetsdale**, 10 Sixth Street, Leetsdale, PA 15056 is authorized to discharge from a facility located at Leetsdale Sewage Treatment Plant, Leetsdale Borough, **Allegheny County** to Ohio River.

**NPDES Permit No. PA0026522.** Sewerage, **Borough of West Mifflin**, 4733 Greensprings Avenue, West Mifflin, PA 15122 is authorized to discharge from a facility located at New England Sewage Treatment Plant, West Mifflin Borough, **Allegheny County** to unnamed tributary of Monongahela River.

**NPDES Permit No. PA0217328.** Sewerage, **A. Duane Lohr**, R. D. 1, Box 322D, Somerset, PA 15501 is authorized to discharge from a facility located at Lohr Single Residence Sewage Treatment Plant, Somerset Township, **Somerset County** to tributary of west branch Coxes Creek.

**NPDES Permit No. PA0097420.** Sewerage, **Emidio and Emma Jean Crocetti**, Box 84, Dunbar, PA 15431 is authorized to discharge from a facility located at Greenhill Mobile Home Court STP, Dunbar Township, **Fayette County** to Drainage Way to Gist Run.

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

**NPDES Permit No. PA 0103641.** Sewerage, **Wilmington Township Sewer Authority**, R. D. 5, Box 469, New Castle, PA 16105 is authorized to discharge from a facility located in Wilmington Township, **Lawrence County** to an unnamed tributary to Little Neshannock Creek.

**NPDES Permit No. PA 0100382.** Industrial waste, **Erie Coke Corporation**, P. O. Box 6180, Erie, PA 16512-6180 is authorized to discharge from a facility located in the City of Erie, **Erie County** to an unnamed tributary to Outer Erie Harbor.

**NPDES Permit No. PA 0222020.** Sewerage, **Kuhl Road Property Owners Association**, 5662 Kuhl Road, Erie, PA 16510 is authorized to discharge from a facility located in Harborcreek Township, **Erie County** to an unnamed tributary to Four Mile Creek.

**NPDES Permit No. PA 0104442.** Sewerage, **Breakneck Creek Regional Authority**, 1166 Mars-Evans City Road, Mars, PA 16046 is authorized to discharge from a facility located in Adams Township, **Butler County** to an unnamed tributary to Breakneck Creek.

*Northcentral Regional Office: Department of Environmental Protection, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**Permit No. NPDES PA0112933.** Sewerage, **Penns Creek Municipal Authority**, P. O. Box 93, Penns Creek, PA 17862. Applicants submittal for renewal has been approved, facility is located in Centre Township, **Snyder County**.

**Permit No. NPDES PAG044879.** Sewerage, **George T. Garver**, 102 Morris Street, Jersey City, NJ 07302. Approval has been granted for renewal of an existing NPDES Sewerage Permit. Facility located in Standing Stone Township, **Bradford County**.

**Permit No. NPDES PA0209341.** Sewerage, **Harry and Virginia Beck**, Beck's Restaurant & Convenience Store, R. R. 1, Box 166B, Liberty, PA 16930. Has been approved to discharge treated wastewater, from facility located in Liberty Township, **Tioga County**. The treatment facilities will serve the Beck's Restaurant and Convenience Store and owners mobile home.

**Permit No. PA0112704.** Sewerage, **Clyde E. Yohey**, 560 Montour Boulevard, Bloomsburg, PA 17815. This action is for renewal of the NPDES permit to discharge treated domestic wastewater from facilities serving the Stone Castle Motel in Montour Township, **Columbia County**.

**Permit No. PA0020567.** Sewerage, **Northumberland Sewer Authority**, P. O. Box 325, Northumberland, PA 17857. Applicant requests transfer of the NPDES permit and all Water Management permits from the Borough of Northumberland Sewer Authority. The Authority is located in Northumberland Borough, **Northumberland County**.

**Permit No. PA 0110957-A1.** Industrial waste, **TRW, Inc.—Valve Division**, 601 East Market Street, Danville, PA 17821. The permit is being amended to allow the usage proposed to the Department. The facility is located in Danville Borough, **Montour County**.

**Permit No. NPDES PA0043419.** Sewerage, **Coudersport Borough Authority**, 201 South West Street, Coudersport, PA 16915. Applicant submittal for renewal has been approved. The facility is located in Coudersport Borough, **Potter County**.

**Permit No. NPDES PA0033928.** Sewerage, **Thomas Calkins**, Town and Country Estates, R. D. 3, Box 8, Troy, PA 16947. Has been approved for renewal. Facility is located in Troy Township, **Bradford County**.

**Permit No. NPDES PA0114766.** Sewerage, **South Williamsport Area School District**, 515 South Central Avenue, South Williamsport, PA 17701. Has been approved for renewal. Facility is located in Susquehanna Township, **Lycoming County**.

**Permit No. NPDES PAG044817.** Sewerage, **Charlene and Michael Dymeck**, P. O. Box 172, Trout Run, PA 17771. Applicant submitted an application for transfer for facilities located in Old Lycoming Township, **Lycoming County**.

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

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

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

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

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

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

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

Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge 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>
PAG043552	4	Donald Wasson 381 Carey Rd. Douglasville, PA 19518	Berks Union Twp.	UNT to Schuylkill River
PAG043554	4	David R. Stup R. D. 2, Box 230-5 Clearville, PA 15535	Bedford Monroe Twp.	UNT to W. Branch Sidling Crk.
PAG043553	4	Point United Methodist Church R. D. 1, Box 109A Schellsburg, PA 15559	Bedford Napier Twp.	UNT to Adams Run
PAG043555	4	Shirley & Wm. Ballantine 803 Hollywood Blvd. Crownsville, MD 21032	Bedford Mann Township	UNT to Johnson branch of Piney Creek

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR101510	Pierce Hardy Ltd. Partnership 4121 Washington Rd. McMurray, PA 15317	Monroe Twp. Clarion Co.	Courtley Run

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10L022	DEP—Bur Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931	Nicholson Twp. Fayette County	UNT Cats Run
PAR10L023	DOT P. O. Box 459 Uniontown, PA 15401	Perryopolis Boro Fayette County	Washington Run

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**Final Actions**


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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)).

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>
PAR804836	Raymond Nargi, Treas. University Pk Airport 2535 Fox Hill Rd. University Park, PA 16802	Centre Patton	Buffalo Run to Spring Crk. CWF

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**The following approvals from coverage under NPDES Individual Permit for Discharge of Stormwater from Construction Activities have been issued.**


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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10F050	Pa. State University 268 N. Physical Plant Bldg. University Park, PA 16802	Benner, College and Patton Twps.	Spring Creek

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


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*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-G208	Michael Fein 1040 Bobwhite Drive Cherry Hill, NJ 08003-3104	West Brandywine Twp. Chester County	Beaver Creek
PAS10-G188	Morgan Brothers Builders Four White Horse Lane Spring City, PA 19475	East Vincent Twp. Chester County	Unnamed Tributary to Schuylkill River

*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>
PAS105709	Seiders Hill, Inc. 301 North Second St. Pottsville, PA 17901-1427	Schuylkill County North Manheim Twp.	West Branch Schuylkill River

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**The following approvals for coverage under NPDES Individual Permit for Discharges of Stormwater from Construction Activities have been issued.**


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*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>
PAS10E052	Chicora Borough Sewer Authority Chicora Mun. Bldg. 112 N. Main St. P. O. Box 35 Chicora, PA 16025-0035	Butler Co. Donegal Twp.	Buffalo Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10K015	Wegmans Food Markets, Inc. 1500 Brooks Ave. Rochester, NY 14624-0844	Erie Co. Millcreek Twp.	Unnamed Tributary Lake Erie

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

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#### Permits Issued

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

**Permit No. 6196601.** Industrial waste, **Big Sandy Oil Company**, P. O. Box 269, Franklin, PA 16323. Construction and operation of a passive treatment system for production fluids from an oil production operation in Cranberry Township, **Venango County**, with discharge of treated effluent to the Allegheny River.

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

**Permit No. 1395402.** Sewerage. **Jim Thorpe Municipal Authority**, 101 East 10th Street, Jim Thorpe, PA 18229. Permit to construct and operate sewage treatment facilities for the purpose of a sewage treatment plant reroute, located in Jim Thorpe Borough, **Carbon County**.

**Permit No. 5496403.** Sewerage. **Tamaqua Borough Authority**, 320 East Broad Street, Tamaqua, PA 18252. Permit to construct and operate sewage treatment facilities (Filter Press) at the Tamaqua Borough Authority Sewage Treatment Plant, located in Walker Township, **Schuylkill County**.

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

**A. 0696405.** Sewage. **Midway Lodgings, Inc.**, P. O. Box 6, Bethel, PA 19507 in Bethel Township, **Berks County** to construct a Comfort Inn adjacent to the Midway Diner was received in the Southcentral Regional Office on July 2, 1996.

**A. 0596403.** Sewage. **Shirley and William Balantine**, 803 Hollywood Boulevard, Crownsville, MD 21032 to construct a single residence sewage treatment plant in Mann Township, **Bedford County** was received in the Southcentral Regional Office on June 25, 1996.

**A. 6796408.** Sewage. **York City Sewer Authority**, 17 East Market Street, York, PA 17401 to upgrade sanitary sewer interceptor in York City, **York County** was received in the Southcentral Regional Office on June 27, 1996.

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

**Permit No. 4671005-T2.** Amendment No. 1. Industrial waste, **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033. Construction of water treatment plant located in the Township of Union to serve the Aldrich Station.

**Permit No. 1187202.** Industrial waste, **Pennzoil Products Company**, 100 Pennzoil Drive, Johnstown, PA 15909-4232. Construction of blending and packaging in-

dustrial lubricants located in the Township of Jackson, **Cambria County** to serve the Mundy's Corner Facility.

**Permit No. 0296403.** Sewerage, **Ohio Township Sanitary Authority**, 1719 Roosevelt Road, Pittsburgh, PA 15237-1099. Construction of pump station located in the Township of Ohio, **Allegheny County** to serve The Verland Foundation, Inc.

**Permit No. 5696401.** Sewerage, **A. Duane Lohr**, R. D. 1, Box 322D, Somerset, PA 15501. Construction of single family sewage treatment plant located in the Township Somerset, **Somerset County** to serve the Lohr Single Family Sewage Treatment Plant.

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

**WQM Permit No. 2596404.** Sewage. **Lake City Sewer Authority**, 2350 Main Street, Lake City, PA 16423. This project is for plans to construct a two-unit covered sludge bed in Lake City Boro, **Erie County**.

**WQM Permit No. 2596402.** Sewage. **Kuhl Road Property Owners Association**, 5662 Kuhl Road, Erie, PA 16510. This project is for plans to construct a small flow wastewater treatment facility in Harborcreek Township, **Erie County**.

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

**Permit No. WQM 4996402.** Sewerage. **Consumers Pennsylvania Water Company**, Roaring Creek Division, 204 East Sunbury Street, Shamokin, PA 17872-0909. Facility has been approved to discharge waste to a concrete holding tank. Location is Coal Township, **Northumberland County**.

**Permit No. WQM 662S44T1, 8953S-T1, 4988407-T1, 4971403-T1, 4980404-T1, 4986406-T1, 4988407-T1, 4990403-T1, and 4990404-T1.** Sewerage. The applicant requests transfer of WQM permits from the Borough of Northumberland to the Northumberland Sewer Authority.

**Permit No. WQM 5996402.** Sewerage. **Harry and Virginia Beck**, Beck's Restaurant and Convenience Store, R. R. 1, Box 166B, Liberty, PA 16930. The applicants propose to construct and maintain a treatment plant to serve the restaurant, convenience store and mobile home. The location is Liberty Township, **Tioga County**.

**Permit No. WQM 4195406-T1. Michael and Charlene Dymeck**, P. O. Box 172, Trout Run, PA 17771. The applicants have received approval to construct a sewage facility to serve single family residence located in Old Lycoming Township, **Lycoming County**.

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

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

**Permit No. 0996501.** Public water supply. **Borough of Quakertown**, David Woglom, 15-35 North Second

Street, Quakertown, PA 18951. This permit has been approved for the construction of a new well to replace existing well No. 13 in Quakertown Borough, **Bucks County**.

*Type of Facility:* Public water supply.

*Consulting Engineer:* Boucher & James Engineers, Inc., Mark S. Geosits, 127 South Fifth Street, Quakertown, PA 18951.

*Permit to Construct Issued:* July 5, 1996.

**Permit No. 4696501.** Public water supply. **Ridge View Terrance, Inc.**, 165 West Ridge Pike, Limerick, PA 19468-1734. This proposal involves the construction of well no. 4 to replace existing well no. 2 in Limerick Township, **Montgomery County**.

*Type of Facility:* Water supply system.

*Consulting Engineer:* R. E. Coleman Associates, Inc., 638 Lancaster Avenue, Frazer, PA 19355-1898.

*Permit to Construct Issued:* July 9, 1996.

**Permit No. 0996505.** Public water supply. **River Woods Water Company, Inc.**, Richard R. Carroll, Jr., 3326 Old York Road, Suite B, Furlong, PA 18925. This permit is for the construction of a water supply system. The project includes a well, a storage tank, booster pumps and a distribution system in New Hope Borough, **Bucks County**.

*Type of Facility:* Water supply system.

*Consulting Engineer:* Boucher & James, Inc., 127 South Fifth Street, Suite 300, Quakertown, PA 18951.

*Permit to Construct Issued:* July 7, 1996.

**Permit No. 0995515.** Public water supply. **Pennsylvania-American Water Company**, David V. Modeer, 800 West Hershey Park Drive, Hershey, PA 17033-0888. This permit is for the expansion of Mill Road water treatment plant from 2 mgd to 6 mgd and to construct a raw water intake, pump station and transmission main with the Delaware River in Lower Makefield Township, **Bucks County**.

*Type of Facility:* Water filtration plant.

*Consulting Engineer:* Acer Engineers & Consultants, Inc., 270 Granite Run Drive, Lancaster, PA 17601.

*Permit to Construct Issued:* July 9, 1996.

**Permit No. 0996502.** Public water supply. **Quakertown Borough**, David Woglom, 15-35 North Second Street, Quakertown, PA 18951. This proposal involves the construction of a new well to replace existing well no. 14, replacement of an existing treatment facility for iron and manganese removal, and installation of an air stripper tower and clear well in Quakertown Borough, **Bucks County**.

*Type of Facility:* Water supply system.

*Consulting Engineer:* Boucher & James, Inc., 127 South Fifth Street, Suite 300, Quakertown, PA 18951.

*Permit to Construct Issued:* July 7, 1996.

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

**Permit No. 2096501.** Public water supply. **Doral Estates Mobile Home Park**, Route 18, East Side, Conneaut Lake, PA 16316. This permit is for the extension of the water lines to serve 72 new lots in Summit Township, **Crawford County**.

*Type of Facility:* Mobile home park.

*Consulting Engineer:* Richard A. Deiss, 9342 Pettis Road, Meadville, PA 16335.

*Permit to Construct Issued:* July 9, 1996.

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

**Permit No. 6593501.** Public water supply. **Municipal Authority of Westmoreland County**, Southwest Corner of US Route 30 and South Greengate Road, P. O. Box 730, Greensburg, PA 15601.

*Type of Facility:* Beaver Run filtration plant.

*Permit to Operate Issued:* July 3, 1996.

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### Final Reports

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

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

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

The Department has received the following final report:

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

**Gabe Staino Chrysler-Plymouth (Drains)**, Birmingham Township, **Delaware County**. Thomas R. Bugey and Pamela K. Pidge, Dames & Moore, 2325 Maryland Rd., Willow Grove, PA 19090, have submitted a Final Report concerning remediation of site soils contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide health standard.

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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.*

**David J. Winning Company**, 5610 Aiken Road, McKees Rocks, PA 15136; License No. **PA-AH S100**; license issued July 11, 1996.

**John Pfrommer, Inc.**, 1320 Ben Franklin Highway East, Douglassville, PA 19518; License No. **PA-AH 0042**; license issued July 11, 1996.

**Ken's Marine Service, Inc.**, P. O. Box 4001, Bayonne, NJ 07002; License No. **PA-AH S154**; license issued July 11, 1996.

**S&M Management Incorporated**, P. O. Box 1429, Milford, PA 18337; License No. **PA-AH 0412**; license issued July 11, 1996.

**The Patterson Group, Inc.**, 161 S. 6th Avenue, La Puente, CA 91746; License No. **PA-AH S230**; license issued July 11, 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.*

**David J. Winning Company**, 5610 Aiken Road, McKees Rocks, PA 15136; License No. **PA-AH S100**; amended license issued July 11, 1996.

**Ken's Marine Service, Inc.**, P. O. Box 4001, Bayonne, NJ 07002; License No. **PA-AH S154**; amended license issued July 11, 1996.

**S&M Management Incorporated**, P. O. Box 1429, Milford, PA 18337; License No. **PA-AH 0412**; amended license issued July 11, 1996.

**The Patterson Group, Inc.**, 161 S. 6th Avenue, La Puente, CA 91746; License No. **PA-AH S230**; amended license issued July 11, 1996.

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**Hazardous Waste Transporter license reinstated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) 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.*

**S&M Management Incorporated**, P. O. Box 1429, Milford, PA 18337; License No. **PA-AH 0412**; license reinstated July 11, 1996.

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

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

**Permit No. 400407. Ciba Self-Medication, Inc.**, 500 Virginia Drive, P. O. Box 1727, Fort Washington, PA 19034. This permit was revoked because the facility indicated that they are no longer operating their solid waste incinerator at the Fort Washington Facility. Facility is located in Upper Dublin Township, **Montgomery County**. Permit revoked in the Southeast Regional Office on July 10, 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 (53 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. 100933. Empire Sanitary Landfill, Inc.**, P. O. Box 28, Taylor, PA 18517. A permit modification authorizing changes to the construction and operation of the landfill, which includes the expansion of the landfill by three pads known as the Area II expansion area, removing groundwater monitoring well no. 8 in Pad 10, and incorporating all previous relevant permit modification(s) by reference for this municipal waste landfill, located in Taylor and Old Forge Boroughs and Ransom Township, **Lackawanna County**. Although this action expands the landfill, the boundaries of the permit area have not changed. The number of acres used for disposal has increased from 150 acres to 203 acres. The permit modification was issued in the Regional Office on July 3, 1996.

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**Applications denied 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.**

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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.*

**Permit I. D. No. 101268. Solomon Industries, Inc.**, 495 Stanton Street, Wilkes-Barre, PA 18702. Permit application for the operation of a municipal waste processing and transfer facility, located in Wilkes-Barre City, **Luzerne County**. This permit application was denied in the Regional Office on June 21, 1996.

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

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **39-318-091A**  
 Source: Touch-Up Paint Spray Booth & Oven  
 Company: **Mack Trucks Incorporated**  
 Location: Lower Macungie Township  
 County: **Lehigh**

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

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

**06-323-017.** On July 8, 1996, the Department issued a Plan Approval to **Lindberg Heat Treating Company**



(17 Dennis Drive, Reading, PA 19606) for the construction of a metal heat treating facility at their Reading Plant in Exeter Township, **Berks County**.

**07-313-012H.** On July 9, 1996, the Department issued a Plan Approval to **Quality Chemicals, Inc.** (P. O. Box 216, Tyrone, PA 16686) for the modification of a batch specialty chemical manufacturing operation in Tyrone Borough, **Blair County**.

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

**60-318-007A.** On June 14, 1996, plan approval was issued to the **Federal Bureau of Prisons** (P. O. Box 1500, White Deer, PA 17887) for the modification of a wood furniture finishing operation (increase in the amount of volatile organic compound emissions allowed) at FCI Allenwood in Gregg Township, **Union County**.

**49-301-018A.** On June 18, 1996, plan approval was issued to **Merck & Company, Inc.** (P. O. Box 600, Danville, PA 17821) for the construction of a waste solvent storage vessel (TA-862) and associated air cleaning devices (condensers and an existing thermal fume incinerator) in Riverside Borough, **Northumberland County**. TA-862 is subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources.

**OP-55-0001B.** On June 18, 1996, plan approval was issued to **Pennsylvania Power & Light Company** (Two North Ninth Street, Allentown, PA 18101-1179) for the construction of a dry fly ash handling system and associated air cleaning devices (fabric collectors, paddle mixers and enclosures) at the Sunbury SES in Shamokin Dam Borough, **Snyder County**.

**19-317-023A.** On June 28, 1996, plan approval was issued to **Heinz Pet Products** (6670 Low Street, Bloomsburg, PA 17815) for the installation of an air cleaning device (a packed bed scrubber) on various wastewater treatment operations in South Centre Township, **Columbia County**.

**41-310-010C.** On June 28, 1996, plan approval was issued to **Lycoming County Solid Waste Department** (R. D. 2, Box 587, Montgomery, PA 17752) for the construction of various pieces of stone crushing equipment and four associated diesel engines at the Lycoming County Landfill in Brady Township, **Lycoming County**. Some of the crushing equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**59-399-012.** On June 28, 1996, plan approval was issued to **Westfield Tanning Company** (360 Church Street, Westfield, PA 16950) for the construction of a spent tanning solutions box dryer and associated air cleaning device (a fabric filter) in Westfield Borough, **Tioga 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: **39-304-022**

Source: 5 Grinding Benches w/Baghouses

Issued: June 18, 1996

Company: **Bridesburg Foundry Company**

Location: Whitehall Township

County: **Lehigh**

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

Source: Plating Lines with Scrubbers

Issued: June 18, 1996

Company: **Instrument Specialties Company**

Location: Delaware Water Gap Boro

County: **Monroe**

Permit: **48-328-001A**

Source: Unit 5 Boiler w/Low NOx Burners

Issued: June 26, 1996

Company: **Metropolitan Edison Company**

Location: Upper Mt. Bethel Township

County: **Northampton**

#### **MINING ACTIVITY ACTIONS**

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

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

#### *Coal Applications Issued*

**11920101. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), permit revision to modify the 57 acre surface mine permit to include the land application of sewage sludge in Chest Township, **Cambria County** and Chest Township, **Clearfield County**, receiving stream unnamed tributary to Chest Creek, Chest Creek to west branch Susquehanna River, unnamed tributary locally known as Dry Rock Run, application received January 19, 1996, permit issued July 11, 1996.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

#### *Coal Permits Issued*

**03940103. Seven Sisters Mining Co., Inc.** (200 U. S. Route 22, Delmont, PA 15626). Permit revised to add acreage to a bituminous surface mining site located in South Bend Township, **Armstrong County**, now affecting 38.5 acres. Receiving streams unnamed tributary to Fagley Run. Application received March 6, 1996. Revision issued July 3, 1996.

**65960101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 9.5 acres. Receiving streams Union Run to Loyalhanna Creek to Kiskiminetas River. Application received January 9, 1996. Permit issued July 11, 1996.

**03910106R. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal permit issued for continued operation and reclamation of a bituminous surface mine located in East Franklin Township, **Armstrong County**, affecting 94.1 acres. Receiving streams an unnamed tributary to the Allegheny River and an unnamed tributary to Limestone Run. Renewal application received March 29, 1996. Renewal issued July 11, 1996.

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

**16841602. C & K Coal Company**, (P. O. Box 69, Clarion, PA 16214), to renew the permit for the Holden Prep Plant in Limestone Township, **Clarion County**, no additional discharge. Permit issued July 9, 1996.

**03871302. Triple K Coal Company**, R. D. 1, Box 308, Rural Valley, PA 16249), to revise the permit for the Triple K No. 1 bituminous deep mine in Burrell Township, **Armstrong County** to add 15.0 permit and subsidence control plan acres and revise per Act 54, no additional discharge. Permit issued July 11, 1996.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

*Noncoal Permits Issued*

**3472SM14 (T) (RE). Davison Sand & Gravel Co.** (400 Industrial Boulevard, New Kensington, PA 15068). Renewal of NPDES Permit No. PA0615412 on an existing large noncoal surface mine located in Unity Township, **Westmoreland County**. Receiving streams an unnamed tributary to Nine Mile Run. Renewal application received June 13, 1996. Renewal issued July 11, 1996.

**26900306R. Davison Sand & Gravel Co.** (400 Industrial Boulevard, New Kensington, PA 15068). Renewal of NPDES Permit No. PA0591483 on an existing large noncoal surface mine located in Connellsville Township, **Fayette County**. Receiving streams an unnamed tributary to Connell Run. Renewal application received June 13, 1996. Renewal issued July 11, 1996.

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

*Industrial Waste Permits Issued*

**63851702. Consolidation Coal Company**, (200 Hidden Valley Drive, McMurray, PA 15317), to renew the permit for the Westland bituminous deep mine in Chartiers Township, **Washington County**, no additional discharge. Permit issued July 8, 1996.

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

*Revision to an Existing Operation*

**11940102. E. P. Bender Coal Company, Inc.** (Main and Lehmer Streets, P. O. Box 594, Carrolltown, PA 15722), revision to an existing bituminous strip operation to add auger mining in Reade Township, **Cambria County**, affecting 133.0 acres, receiving stream unnamed tributaries to Powell Run; Powell Run; and unnamed tributary to Clearfield Creek, application received July 10, 1996.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 1341(a))** (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certification*

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

**E12-097.** Water obstruction and encroachment. **Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. Remove the existing structure and to construct and maintain a 4 span thru-girder bridge with a span along the center line of 317.04 feet with an average skew of 43 degrees and average underclearance of 17 feet over the Driftwood Branch of the Sinnemahoning on SR 120 about 70 feet upstream of the confluence of Hunts Run (Cameron, PA Quadrangle N: 13.9 inches; W: 7.0 inches) in Lumber Township, **Cameron County**.

**E17-301.** Water obstruction and encroachment. **Dept. of Transportation**, Dist. 2-0, P. O. Box 342, Clearfield, PA 16830. To remove the existing structure and to construct and maintain a single span prestressed concrete I-beam bridge with a clear span normal to the channel of 69 feet and average underclearance of 11 feet at a 45 degree skew right ahead over Anderson Creek on SR 322 (Luthersburg, PA Quadrangle N: 13.3 inches; W: 2.5 inches) in Union Township, **Clearfield County**. .01 acre of low value wetland will be permanently affected by this project.

**E17-302.** Water obstruction and encroachment. **Woodward Township Supervisors**, R. R. 1, Box 621, Houtzdale, PA 16651. Remove the existing structure and to construct and maintain a 16 foot by 5 foot reinforced concrete box culvert in Whiteside Run which is located approximately 1,800 feet southeast from the intersection of SR 2007 while traveling on T-812 (Houtzdale, PA Quadrangle N: 9.75 inches; W: 13.25 inches) in Woodward Township, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E19-149.** Water obstruction and encroachment. **Richard L. and Ronald H. Knoebel**, P. O. Box 317, Elysburg, PA 17824. To place and maintain fill in 0.4 acre of palustrine emergent wetlands for the purpose of expanding an existing campground. The project is located approximately 3.5 miles east of the RT. 54 and 487 intersection at Elysburg (Shamokin, PA Quadrangle N: 22.2 inches; W: 0.4 inch) in Cleveland Township, **Columbia County**. The applicant will meet the wetland replacement requirement by constructing a 0.4 acre replacement wetland and by participating in the Pa. Wetland Replacement Project.

**E19-151.** Water obstruction and encroachment. **PP&L Co.**, 2 North 9th St., Allentown, PA 18101. To construct and maintain two 3 foot diameter power poles with 6 foot diameter concrete foundations and two 3 foot power poles with foundations in wetlands and/or the floodway of Fishing Creek to be located in a 3.82 mile corridor starting at the Benton Substation and ending at the Benton Foundry (Stillwater, PA Quadrangle N: 20.0 inches; W: 16 inches) in Sugarloaf Township, **Columbia County**.

**E19-152.** Water obstruction and encroachment. **Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge with a clear span of 40 feet, average underclearance of 6.6 feet on a 90 degree skew over Hemlock Creek on SR 4010 just off of SR 44 and to construct a temporary crossing consisting of five, 48 inch corrugated metal pipe (Millville, PA Quadrangle N: 4.1 inches; W: 0.7 inch) in Hemlock Township, **Columbia County**.

**E19-153.** Water obstruction and encroachment. **Roaring Creek Valley Camp Inc.**, R. R. 1, Box 71, Catawissa, PA 17820. Remove the existing structure and

to construct and maintain a private road bridge crossing with a span of 36 feet just under the beams, and 19 feet at streambed elevation with maximum underclearance of 5.8 feet with 24 inch beams constructed on concrete supports set back in the existing stream banks with 4 inch decking over an unnamed tributary to Roaring Creek approximately 100 yards upstream from the junction of Roaring Creek on SR 2001 (Catawissa, PA Quadrangle N: 6.0 inches; W: 3.5 inches) in Locust Township, **Columbia County**. This permit also includes 401 Water Quality Certification.

**E41-357.** Water obstruction and encroachment. **Pa. Power and Light Co.**, 2 North 9th St., Allentown, PA 18101. Construct and maintain a 138/69 KV power line across the west branch Susquehanna River, a WWF stream, about 1 mile upstream of Linden, PA and across Larrys Creek. This project is part of an upgrade to an existing line which runs from the Lycoming Substation in South Williamsport to the Jersey Shore Substation in Jersey Shore and includes pole replacement with some line relocation (Linden, PA Quadrangle N: 17.1 inches; W: 3.5 inches) in Susquehanna, Woodward and Pitatt Townships, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-363.** Water obstruction and encroachment. **Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge skew 50 degrees having a normal span of 48.3 feet and an average underclearance of 9 feet over Mill Creek on SR 2031 adjacent the intersection with SR 2039 (Montoursville North, PA Quadrangle N: 8.0 inches; W: 9.0 inches) in Loyalsock Township, **Lycoming County**.

**E59-318.** Encroachment. **Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a precast reinforced concrete slab bridge having a clear span of 15 feet on a 75 degree skew with underclearance of 3.26 feet across an unnamed tributary to Corey Creek on SR 1008 just east of the intersection with SR 549 (Mansfield, PA Quadrangle N: 11.45 inches; W: 3.6 inches) in Richmond Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-124.** Water obstruction and encroachment. **Lewisburg Borough**, 331 Market St., Lewisburg, PA 17837. Remove existing structure and to construct and maintain a steel stringer bridge with a clear span of approximately 24 feet and an average underclearance of 4 feet across Bull Run Creek located in the Lewisburg Municipal Park at the intersection of North 15th St. and St. Mary's Street (Lewisburg, PA Quadrangle N: 16.1 inches; W: 3.3 inches) in the Borough of Lewisburg, **Union County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-125.** Water obstruction and encroachment. **DCNR**, Bureau of Facility Design, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove the existing structure and to construct and maintain a 40 foot single span bridge with a minimum underclearance of 4.72 feet across White Deer Creek located on White Deer Creek Road about 1.9 miles south of its intersection with Sugar Valley Narrows Road (Williamsport SE, PA Quadrangle N: 7.2 inches; W: 11.6 inches) in West Buffalo Township, **Union County**. This

permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-126.** Water obstruction and encroachment. **Dept. of Conservation and Natural Resources**, Bureau of Forestry, c/o James A. Eppley, P.E., Harrisburg, PA 17105-8552. The applicant proposes to remove an existing structure and to construct and maintain a single span timber longitudinal glulam panel bridge to carry Hoofnagle Road across Weikert Run. The proposed bridge shall be constructed with a single span of 20.0 feet, an average underclearance of 3.0 feet and a rail to rail width of 18.0 feet. The project is located along the southern right-of-way of Longwell Draft Road approximately 50.0 feet south of the intersection of Hoofnagle Road and Longwell Draft Road (Weikert, PA Quadrangle N: 14.1 inches; W: 13.9 inches) in Hartley Township, **Union County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E09-704.** Encroachment. **Pennsylvania-American Water Company**, 800 Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888. To construct and maintain a water supply intake and water pumping facility in the 100-year floodway and floodway fringe of the Delaware River, and install a 24-inch raw water transmission main across the Pennsylvania Canal (aka the Delaware Canal), Silver Creek and two unnamed tributaries to Brock Creek and across wetlands at approximately five different locations for the purpose of providing potable water. This project begins at the south bank of the Delaware River, just upstream of Rotary Island, and extends southwesterly to a point near the intersection of Edgewood Road and Sandy Run Road, (Trenton West, NJ-PA Quadrangle N: 20.75 inches; W: 10.25 inches and N: 18 inches; W: 13.75 inches respectively) in Yardley Borough and Lower Makefield Township, **Bucks County**. Temporary cofferdam will be installed as required by site condition.

**E09-691.** Encroachment. **Toll Brothers, Inc.**, 3103 Philmont Avenue, Huntington Valley, PA 19006. To construct and maintain two roadway culverts located in and along unnamed tributaries to Jericho Creek in conjunction with the construction of a proposed land development known as the Kauffman Tract. These crossings will utilize three 24-inch diameter R.C.P. culverts, 100-foot long, that will be located along the tributary in the central part of this site and associated with construction of the proposed Woodside Lane, and a 54-inch R.C.P. twin culvert, 75-foot long, to be located in the southern portion of the site to convey flow beneath the proposed Fieldstone Way which will be used to provide future access between this project and an adjacent proposed subdivision. The proposed roadways will require placement of fill material in 0.89 acre of wetlands (PFO). The subdivision is situated along the western side of River Road (S. R. 32), near its intersection with Brownsburg Road (Lambertville, PA-NJ Quadrangle N: 12 inches; W: 8 inches) in Upper Makefield Township, **Bucks County**. The permittee is providing 1.62 acres of replacement wetlands onsite.

**E23-338.** Encroachment. **Radnor Township**, 301 Iven Avenue, Wayne, PA 19087-5297. To construct and maintain a concrete headwall adjoined to the outlet of an existing 7.0-foot by 4.67-foot arched brick culvert and to reconstruct and maintain approximately 85 linear feet of partially collapsed stone masonry retaining wall along

both banks of Ithan Creek (CWF-MF). The site is situated approximately 700 feet north from the intersection of U. S. Route 30 and Aberdeen Avenue (Valley Forge USGS Quadrangle N: 7.6 inches; W: 0.9 inch) in Radnor Township, **Delaware County**. Placement of additional backfill and regrading will also be required along the north retaining wall. 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.*

**E48-233.** Encroachment. **Kerry R. Gassler**, 62 North Broadway, Wind Gap, PA 18091. To place and maintain fill in approximately 0.75 acre of an existing C-3 dam reservoir having a surface area of 1.5 acres for the purpose of expanding the Beer Stein Restaurant parking lot. The project is located on an unnamed tributary to Little Bushkill Creek, approximately 300 feet southwest of the intersection of S. R. 0512 and S. R. 1007 (Wind Gap, PA Quadrangle N: 17.9 inches; W: 5.9 inches) in Wind Gap Borough, **Northampton County**.

**E64-167.** Encroachment. **Borough of Waymart**, P. O. Box 224, Waymart, PA 18472-0224. To remove the existing structure and to construct and maintain an 18-inch RCP stormwater outfall structure along the left bank and a 12-inch RCP stormwater outfall structure along the right bank of Van Auken Creek. The project is located along East Street, approximately 0.1 mile south of Water Street (Waymart, PA Quadrangle N: 14.9 inches; W: 4.4 inches) in the Borough of Waymart, **Wayne County**.

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

**E10-234.** Encroachment. **Seneca Valley School District**, 124 Seneca School Road, Harmony, PA 16037. To fill a total of 0.356 acre of two wetlands, place and maintain fill within the floodway/floodplain and relocate a portion of the channel of a tributary to Brush Creek associated with the expansion of the Haine Elementary School west of Haine School Road (T-302) and south of Rochester Road (S. R. 3022) (Baden, PA Quadrangle N: 12.7 inches; W: 0.5 inch) located in Cranberry Township, **Butler County**. This project includes the creation of a total of at least 9.356 acre of replacement wetlands.

**E16-093.** Encroachment. **Waterfront Boatworks**, Box 472, Broad and Second Streets, East Brady, PA 16028. To operate and maintain two commercial boat docks along the east bank of the Allegheny River in East Brady. One structure is a 900 square foot fueling dock and the other is an "E" shaped dock measuring 37.5 feet wide by 26.8 feet long. Both structures are located at river mile 69.1 and extend approximately 40 feet into the river from normal pool level (822.2 feet elevation) (East Brady, PA Quadrangle N: 20.2 inches; W: 16.4 inches) in the Borough of East Brady, **Clarion County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E24-193.** Encroachment. **Bonita M. Luchs Horchen**, R. D. 1, Johnsonburg, PA 15845. To construct and maintain a terraced 3-tier flower garden and stream bank protection extending downstream from S. R. 1004 approximately 200 feet along the right bank of Indian Run north of the Borough of Johnsonburg (Wilcox, PA Quadrangle N: 1.25 inches; W: 4.25 inches) in Ridgeway Township, **Elk County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E25-535.** Encroachment. **R. A. Orlando Real Estate**, 1545 West Grandview Boulevard, Erie, PA 16509. To fill a de minimus area of wetland for the construction of a residence on an 80-foot wide by 125-foot long lot at 5313 Cider Mill Road in Heritage Hill Estates (Erie South, PA Quadrangle N: 17.5 inches; W: 3.9 inches) in Millcreek Township, **Erie County**.

**E25-536.** Encroachment. **Erie-Western Pennsylvania Port Authority**, 17 West Dobbins Landing, Erie, PA 16507-1424. To perform the following improvement activities at Wolverine Park in the West Canal Basin of Presque Isle Bay, Lake Erie along State Street approximately 600 feet north of the Bayfront Highway (Erie North, PA Quadrangle N: 1.7 inches; W: 12.0 inches) (1) To remove the existing pile supported docks and concrete pier. (2) To excavate approximately 1,300 cubic yards of land from and approximately 240-foot long by 20-foot wide area on the east side of the basin along State Street. (3) To construct and maintain a total of 460 feet of steel sheet pile bulkhead along the south and east edges of the basin. (4) To install and maintain a total of 450 feet of 6-foot wide floating walkway along the east and south sides of the basin. (5) To install and maintain a total of 8 floating finger docks along the east side of the basin in the City of Erie, **Erie County**.

**E61-202.** Encroachment. **Cornplanter Township Supervisors**, R. D. 1, Box 98A, Oil City, PA 16301. To remove the existing bridge and to construct and maintain a steel beam bridge having a clear span of 61 feet and a minimum underclearance of about 6.5 feet on a 45 degree skew across Pithole Creek on T-614 (Plank Road) near Pithole City (Pleasantville, PA Quadrangle N: 3.5 inches; W: 11.7 inches) in Cornplanter Township, **Venango County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E62-322.** Encroachment. **Sugar Grove Township Supervisors**, R. D. 3, Box 50, Sugar Grove, PA 16350. To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge having a single clear span of 33.5 feet and an average underclearance of 8.5 feet on a 65 degree skew across Stillwater Creek on Stillwater Road (T-539) approximately 1 mile west of the S. R. 957 (Sugar Grove, PA Quadrangle N: 19.9 inches; W: 16.3 inches) in Sugar Grove Township, **Warren County**.

**E62-323.** Encroachment. **Conewango Township Supervisors**, 4 Firemans Road, Warren, PA 16365-3702. To construct and maintain two 6-inch diameter PVC pipe dry fire hydrants in Jackson Run as part of a rural fire protection improvement project. One hydrant is located along the left bank adjacent to the parking lot for Quality Markets Grocery Store approximately 75 feet downstream of the store (Warren, PA Quadrangle N: 21.25 inches; W: 4.25 inches). The other is along the left bank adjacent to S. R. 69 approximately 1,500 feet southeast of Miller Hill Road (Russell, PA-NY Quadrangle N: 4.2 inches; W: 12.95 inches) in Conewango Township, **Warren County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Environmental Assessment Approvals and Actions on 401 Certifications

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

**EA33-001NW.** Environmental assessment. **DEP Bureau of Abandoned Mine Reclamation**, P. O. Box 149,

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

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**Requests for Certification under section 401 of the Federal Water Pollution Control Act**

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The following requests have been made to the Department of Environmental Protection for certification under § 401(a) of the 1972 amendments to the Federal Water Pollution Control Act, 33 U.S.C.A § 1341(a), that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions or objections which are submitted in writing 30 days of the date of this notice. Comments should be submitted to the Department of Environmental Protection at the address indicated above each of the following requests for certification. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal 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 comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

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

*Certification Request Initiated By: Montgomery County Department of Parks, Montgomery County Courthouse, Norristown, PA 19404.*

*Project Description/Location: Project involves the hydraulic dredging of approximately 70,860 cubic yards of unconsolidated sediment from Deep Creek Lake, located in Upper Frederick Township, Montgomery County. The slurry is to be pumped to one of two dewatering basins located on park property adjacent to the lake and the return water will be discharged directly to the lake. Upon completion of the dredging and dewatering operations, the disposal areas will be restored.*

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**Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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*Southeast Regional Office: Bureau of Water Supply and Community Health, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6130.*

*Permits Issued*

**WA 09-622C.** Water allocation permit. **Lower Makefield Township, Bucks County.** The Pennsylvania-American Water Company has been granted the right to withdraw up to 6.0 mgd, based on a 30-day average, from the Delaware River to the Mill Road Water Filtration Plant.

*Type of Facility:* Water supply.

*Consulting Engineer:* Pennsylvania-American Water Company, Roger J. Dancy, P.E.

*Permit Issued:* July 9, 1996.

[Pa.B. Doc. No. 96-1215. Filed for public inspection July 26, 1996, 9:00 a.m.]

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**Pennsylvania Bituminous Mine Safety Advisory Committee; Cancellation of Meeting**

The Pennsylvania Bituminous Mining Safety Advisory Committee announces that its August 14 meeting has been canceled. The next meeting is scheduled for October 9 at 10 a.m. in Conference Room 2 of the Fayette County Health Center in Uniontown.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1216. Filed for public inspection July 26, 1996, 9:00 a.m.]

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**DEPARTMENT OF HEALTH**

**Certificate of Need Program; Meeting Notice**

The Department of Health will be conducting a meeting on August 6, 1996, to receive comments about the Certificate of Need Program. The meeting will be held in the second floor auditorium of the Rachel Carson State Office Building, 465 Market Street, Harrisburg, beginning at 9 a.m.

Any interested member of the public is invited to attend. Persons who need an accommodation due to a disability and wish to attend the meeting should contact Jack W. Means, Jr., Director, Division of Need Review, at (717) 787-5601 or by using TDD: (717) 783-6514, at least 24 hours in advance so arrangements can be made.

DANIEL F. HOFFMANN, FACHE  
*Acting Secretary*

[Pa.B. Doc. No. 96-1217. Filed for public inspection July 26, 1996, 9:00 a.m.]

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**DEPARTMENT OF REVENUE**

**Pennsylvania 5 Card Draw Instant Lottery Game**

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 5 Card Draw.

2. *Price:* The price of a Pennsylvania 5 Card Draw instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania 5 Card Draw instant lottery game ticket will contain three play areas designated as Hand 1, Hand 2, and Hand 3. The play symbols and their captions located in Hand 1, Hand 2, and Hand 3 are: A (ACE), K (KING), Q (QUN), J (JACK), 10 (TEN), 9 (NIN), 8 (EGT), 7 (SEV) and 6 (SIX).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the three play areas are: \$1<sup>00</sup> (ONE), \$2<sup>00</sup> (TWO), \$4<sup>00</sup> (FOUR), \$8<sup>00</sup> (EIGHT), \$25 (TWEN-FIV), \$50\$ (FIFTY), \$500 (FIV HUN) and \$1000 (ONE THOU).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$8, \$25, \$50, \$500 and \$1,000. The player can win up to three times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,076,400 tickets will be printed for the Pennsylvania 5 Card Draw instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$1000 (ONE THOU) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$500 (FIV HUN) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$50\$ (FIFTY) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$25\$ (TWEN-FIV) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$25.

(e) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$8<sup>00</sup> (EIGHT) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$8.

(f) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$4<sup>00</sup> (FOUR) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$4.

(g) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$2<sup>00</sup> (TWO) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$2.

(h) Holders of tickets with two matching play symbols in Hand 1, Hand 2, or Hand 3, and a prize play symbol of \$1<sup>00</sup> (ONE) in the prize area for that hand, on a single ticket, shall be entitled to a prize of \$1.

9. *Number and Description of Prizes and Approximate Odds:* the following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,076,400 Tickets</i>
\$1	\$1	1:9	1,119,600
\$1 + \$1	\$2	1:20	503,820
\$2	\$2	1:30	335,880
\$1 + \$1 + \$1	\$3	1:60	167,940
\$2 + \$2	\$4	1:120	83,970
\$4	\$4	1:200	50,382
\$2 + \$2 + \$2	\$6	1:300	33,588
\$4 + \$4	\$8	1:400	25,191
\$8	\$8	1:600	16,794
\$4 + \$4 + \$4	\$12	1:1,200	8,397
\$8 + \$8	\$16	1:1,620	6,220
\$8 + \$8 + \$8	\$24	1:600	16,794
\$25	\$25	1:1,200	8,397
\$25 + \$25	\$50	1:6,220	1,620
\$50	\$50	1:8,397	1,200
\$25 + \$25 + \$25	\$75	1:8,397	1,200
\$50 + \$50	\$100	1:8,397	1,200
\$500	\$500	1:201,528	50
\$1,000	\$1,000	1:1,007,640	10
\$1,000 + \$1,000 + \$1,000	\$3,000	1:1,007,640	10

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 5 Card Draw instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 5 Card Draw, prize money on winning Pennsylvania 5 Card Draw instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If

no claim is made within 1 year of the announced close of the Pennsylvania 5 Card Draw instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania

Code (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania 5 Card Draw or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-1218. Filed for public inspection July 26, 1996, 9:00 a.m.]

**Pennsylvania 25th Anniversary Instant Lottery Game**

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 25th Anniversary.

2. *Price:* The price of a Pennsylvania 25th Anniversary instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania 25th Anniversary instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$2<sup>00</sup> (TWO), \$5<sup>00</sup> (FIVE), \$10\$ (TEN), \$15\$ (FIFTEEN), \$25\$ (TWEN-FIV), \$50\$ (FIFTY), \$75\$ (SEVN-FIV), \$100 (ONE HUN), \$500 (FIV HUN), \$1000 (ONE THO), \$2500 (TWEFIVHUN) and \$25000 (TWEFIVTHO).

4. *Prizes:* The prizes that can be won in this game are \$2, \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$500, \$1,000, \$2,500 and \$25,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,099,800 tickets will be printed for the Pennsylvania 25th Anniversary instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$25000 (TWEFIVTHO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with three matching play symbols of \$2500 (TWEFIVHUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets with three matching play symbols of \$1000 (ONE THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three matching play symbols of \$75\$ (SEVN-FIV) in the "Play Area" on a single ticket, shall be entitled to a prize of \$75.

(g) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the "Play Area" on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets with three matching play symbols of \$25\$ (TWEN-FIV) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets with three matching play symbols of \$15\$ (FIFTEEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets with three matching play symbols of \$10\$ (TEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIVE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(m) A prize will be paid only for the highest Pennsylvania 25th Anniversary instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners Per 10,099,800 Tickets
\$2	1:5	2,019,960
\$5	1:25	403,992
\$10	1:75	134,664
\$15	1:150	67,332
\$25	1:100	100,998
\$50	1:2,000	5,050
\$75	1:3,000	3,367
\$100	1:4,000	2,525
\$500	1:22,444	450
\$1,000	1:40,725	248
\$2,500	1:201,996	50
\$25,000	1:504,990	20

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 25th Anniversary instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 25th Anniversary, prize money on winning Pennsylvania 25th Anniversary instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 25th Anniversary instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania 25th Anniversary or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 96-1219. Filed for public inspection July 26, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### **Bucks, Chester, Delaware, Montgomery and Philadelphia Counties Reference No. 08430AG2004**

The Department of Transportation will retain engineering firms for two separate open-end contracts to provide various environmental studies on various projects located in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties in Engineering District 6-0. The contracts will be for 30 months with projects assigned on an as-needed basis. The required services may encompass a wide range of environmental efforts with the possibility of several different types of projects having short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R Type), SAMI final design, Capital Improvement Projects (bridges or roadways), and minor alignment studies. The maximum amount of each open-end contract will be \$750,000.

The selected firm will be required to provide environmental services to identify and assess the following: historic and archaeological resources; regional and community growth; land use and development patterns; wildlife habitat; wetlands; floodplains; surface water and groundwater; vegetation; farmlands; geological resources; noise and air quality; parks and recreational facilities; emergency service, health and educational facilities; utility locations; residential and commercial property values; hazardous waste; aquatic resources; national natural landmarks; vibration; aesthetics and visual qualities; and construction impacts.

The environmental studies will be conducted to prepare an environmental document in accordance with accepted analysis techniques and methodologies.

The selected firm will be required to perform the following to ensure a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data; assess impacts; conduct agency and public involvement activities; and prepare reports and mitigation plans. The reports and other written graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; project need; preliminary alternatives analysis; meeting minutes; newsletters; mailing lists; public meetings and hearings; handouts and displays; NEPA environmental documents; Section 106 documents; Section 4(f) evaluations; mitigation plans and reports; hazardous waste mitigation plans; DEP permits, Corps of Engineers 404 permits; formulating and participating in

public involvement program; and coordinating the development of the study with various agencies and special interest groups.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The Department will establish an order of ranking of a minimum of six firms for the purpose of negotiating two open-end contracts 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. Specialized experience and technical competence of firm.
- b. Current workload.
- c. Available staffing for this assignment.
- d. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on open-end contracts. The specific experience of individuals who constitute the firms shall be considered.
- e. Relative size of firm to size of projects that may be completed under these contracts.

The environmental studies identified above are the general work activities that can be expected under these open-end contracts. A more specific and project-related scope of work will be outlined for each individual work order developed under these open-end contracts.

The transmittal letter for the letter of interest should be limited to four pages. Double sided copy counts as two pages. The letter of interest should include no more than four resumes of key staff members for the prime consultant and two resumes for the subconsultants.

Technical questions concerning the requirements for this project should be directed to Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526.

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. 96-1220. Filed for public inspection July 26, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Laurel Pipe Line Company, L. P. v. DEP; EHB Doc. No. 96-145-MG**

Laurel Pipe Line Company, L. P. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Delaware County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-1221. Filed for public inspection July 26, 1996, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

**Areas Unsuitable for Coal Mining; Notice of Hearing**

**Petition #56959901.** Because of the unexpected number of people attending the public hearing on the Shade Township Areas Unsuitable for Mining Petition No. 56959901 originally scheduled for July 10, 1996, the public hearing was canceled and has been rescheduled and moved to a larger facility.

The Department of Environmental Protection and the Environmental Quality Board again invite all interested persons to attend a public hearing on a proposal to designate a portion of Shade Township, Somerset County, as unsuitable for surface mining operations. The petition area includes approximately 565 acres located northeast of the village of Reels Corners.

The hearing will be held at 6:30 p.m. on Wednesday, August 14, 1996, in the Shade High School located at Box 7 McGregor Avenue, Cairnbrook, PA 15924.

The hearing concerns Petition No. 56959901, which was submitted by the Shade Township Supervisors.

The petitioners alleged that surface and underground mining could result in the degradation or loss of surface and groundwater resources, including aquifers and aquifer recharge areas.

The hearing will be legislative and fact-finding in nature where interested persons will be afforded an

opportunity to present oral or written testimony and comments on the merits of the petition. Persons wishing to present oral testimony must register with the Department before 4:30 p.m. on Friday, August 9, 1996, and must bring three copies of the testimony to the hearing. Persons can register by calling (717) 783-8846 between 8 a.m. and 4:30 p.m. Monday through Friday. Persons who previously registered to present testimony do not need to register again. It is requested that only one person from each organization present testimony. No cross-examination of witnesses will be permitted. Written comments will be accepted by the Department of Environmental Protection, Bureau of Mining and Reclamation, Room 213 Executive House, P. O. Box 8461, Harrisburg, PA 17105-8461 until 4:30 p.m., August 29, 1996 when the public record will close. Submission of comments by facsimile (fax) machine will not be accepted. Comments may also be submitted electronically to the Board at RegComments@a1.dep.state.pa.us and must be received by July 29, 1996.

Persons with a disability who require an auxiliary aid, service or other accommodation to participate in the proceedings should contact M. C. McCommons at (717) 787-4761 before 4:30 p.m. on Wednesday, August 7, 1996, to discuss how we may best accommodate their needs. If necessary, persons may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users) and request that they relay the call to M. C. McCommons at (717) 787-4761.

This notice is given under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), The Clean Streams Law (35 P. S. §§ 691.1—692.1001), and the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66) and the regulations promulgated thereunder.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 96-1222. Filed for public inspection July 26, 1996, 9:00 a.m.]

## FISH AND BOAT COMMISSION

**Closure of Public Access**

**Rock Hill Dam, Conestoga River, Lancaster County**

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code § 53.18 (relating to additional restrictions on Commission property), is taking action to close the parking area and associated facilities at Rock Hill Dam on the Conestoga River in Lancaster County, to all public access. Public access to the parking area and associated facilities at Rock Hill Dam shall be closed effective July 27, 1996.

Rock Hill Dam is owned and maintained by the Fish and Boat Commission. The Executive Director finds that this action is necessary and appropriate for the protection and safety of the public.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 96-1223. Filed for public inspection July 26, 1996, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-289	Environmental Quality Board Sewage Facilities—Planning, Permitting and Disposal Facilities	7/16/96
	JOHN R. MCGINLEY, Jr. <i>Chairperson</i>	

[Pa.B. Doc. No. 96-1224. Filed for public inspection July 26, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Physicians Insurance Company; Revised Rates for Tail Coverage and Prior Acts Coverage

On June 11, 1996, the Insurance Department received from PIC Insurance Group a filing requesting rate increases in their prior acts and tail coverages.

Unless formal administrative action is taken prior to August 10, 1996, the subject filing may be deemed approved by operation of law.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Solomon Francis, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1225. Filed for public inspection July 26, 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 Mei Ping Wu Chan; file no. 96-188-03664; General Accident Insurance Company; doc. no. P96-07-020; August 22, 1996, at 11 a.m.;

Appeal of Juanita Carra-Budzek; file no. 96-121-03787; Prudential Property & Casualty Insurance Company; doc. no. P96-07-008; August 27, 1996, at 1 p.m.;

Appeal of John Sosna; file no. 96-280-33545; Prudential Property & Casualty Insurance Company; doc. no. PH96-07-014; August 27, 1996, at 2 p.m.;

Appeal of Martha Reed; file no. 95-121-04012; State Farm Fire & Casualty Company; doc. no. P96-07-003; August 28, 1996, at 9 a.m.;

Appeal of Eui Sung Kim; file no. 96-267-33302; State Farm Insurance Company; doc. no. PH96-07-002; August 28, 1996, at 10 a.m.

Appeal of Theresa Jean Keiper; file no. 96-264-33465; State Farm Fire & Casualty Insurance Company; doc. no. PH96-07-017; August 28, 1996, at 11 a.m.;

Appeal of Carol Hartmen; file no. 96-121-03965; Nationwide Mutual Insurance Company; doc. no. P96-07-004; August 29, 1996, at 9 a.m.;

Appeal of William B. Shay; file no. 96-121-04308; State Auto Insurance Company; doc. no. P96-07-019; September 4, 1996, at 11 a.m.;

Appeal of Edward J. Deslauriers; file no. 96-308-071541; Erie Insurance Company; doc. no. P196-07-005; September 12, 1996, at 9 a.m.;

Appeal of Daniel Berger; file no. 96-265-33467; West American Insurance Company; doc. no. PH96-07-013; September 17, 1996, at 11 a.m.;

Appeal of Hazel Shadel; file no. 96-265-33721; Keystone Insurance Company; doc. no. PH96-07-007; October 17, 1996, at 9 a.m.;

Appeal of Wayne S. Thompson; file no. 96-215-33586; Keystone Insurance Company; doc. no. PH96-07-015; October 17, 1996, at 10 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 partici-

pate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1226. Filed for public inspection July 26, 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 Joanne Cruse; file no. 96-280-32712; Donegal Mutual Insurance Company; doc. no. PH96-07-006; August 14, 1996, at 9 a.m.;

Appeal of Steven A. Miller; file no. 96-264-33288; State Farm Insurance Company; doc. no. PH96-06-035; August 14, 1996, at 3 p.m.;

Appeal of Henrik and Florence Lunde; file no. 96-121-04005; State Farm Insurance Company; doc. no. P96-07-018; August 28, 1996, at 3 p.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. 96-1227. Filed for public inspection July 26, 1996, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Colombia County, Wine & Spirits Shoppe # 1901, Berwick Plaza, 1530 W. Front Street, Berwick, PA 18603-4321.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 to 6,500 net useable square feet of new or existing retail commercial space within the following communities: Berwick, East Berwick, Berwick Township, Mifflinville or Nescopeck.

*Proposals due:* August 23, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Juniata County, Wine & Spirits Shoppe # 3401, N S Rt. 333, Mifflin, PA 17058-0350.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,300 to 1,500 net useable square feet of new or existing retail commercial space within the Boroughs of Mifflintown and Mifflin.

*Proposals due:* August 23, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Lackawanna County, Wine & Spirits Shoppe # 3522, 210 Meadow Avenue, Scranton, PA 18505-2136.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 6,500 net useable square feet of new or existing retail commercial space within 1 mile of the intersection of PA Route 307 and Meadow Avenue.

*Proposals due:* August 23, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Luzerne County, Wine & Spirits Shoppe # 4003, Dallas Village S. C., 415 Memorial Highway, Dallas, PA 18612-1150.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space along PA Route 309 within the Borough of Dallas.

*Proposals due:* August 23, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Monroe County, Wine & Spirits Shoppe # 4501, Pocono Plaza, 322 E. Brown Avenue, East Stroudsburg, PA 18301-3007.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 5,500 net useable square feet of new or existing retail commercial space within the Borough of East Stroudsburg.

*Proposals due:* August 23, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1228. Filed for public inspection July 26, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**A-00112491. CSX Transportation, Inc.** An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The application requests the approval of an exemption from 52 Pa. Code § 33.42 (relating to switches marked by lamps) governing switch lamps in connection with operations on the tracks in the McKees Rocks, Newell and Riverton Yards, all in or around the City of Pittsburgh, Allegheny County.

An initial hearing upon this proceeding will be held Thursday, August 8, 1996, 10 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1229. Filed for public inspection July 26, 1996, 9:00 a.m.]

### Railroad With Hearing

**C-00967770. Township of Franklin v. CSX Transportation, Inc.** A formal complaint has been filed by Franklin Township with the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Code. The complaint requests the Commission require

CSX Transportation Inc., restore the crossing in Franklin Township where the railroad transportation line crosses Narrow Road, Township Road designated T-645 at a point near property owned by Zachary L. Sockaci, located in Beaver County, as the removal of the crossing presents a clear and present danger to the public.

An initial hearing upon this proceeding will be held Wednesday, August 28, 1996, at 10 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1230. Filed for public inspection July 26, 1996, 9:00 a.m.]

### Railroad With Hearing

**A-00112127. Unity Railways Company.** An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The application requests the approval of the abolition of six crossings, at, above and/or below grade located along the 3.9 of a mile right-of-way from Unity Junction to Renton Road, in Plum Borough, Allegheny County.

An initial hearing upon this proceeding will be held Tuesday, September 24, 1996, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1231. Filed for public inspection July 26, 1996, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

#### 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 August 12, 1996.

- |            |   |
|------------|---|
| A-00113201 | William A. Walsh, t/d/b/a Walsh Truck Lines<br>R. D. 3, Box 3087, Moscow, PA 18444                        |
| A-00113202 | Chad L. Harter<br>165 Harter Lane, Bellefonte, PA 16823   |
| A-00113203 | Evylin G. Jacoby<br>P. O. Box 1058, 530 Harold Avenue, Johnstown, PA 15907                                |
| A-00113204 | Emil Kesselring, III & Karen E. Kesselring, t/d/b/a Hillcrest Acres Farm<br>P. O. Box 996, Erie, PA 16512 |
| A-00113205 | William E. Rossi, t/d/b/a Rossi Trucking<br>87 Glen View Drive, Glen Mills, PA 19342                      |

- A-00113206 Warner Transport Company  
P. O. Box 406, Belding, MI 48809
- A-00113207 Roy Brown Trucking, Inc.  
632 Conestoga Lane, Lansdale, PA  
19446-4602
- A-00113208 Charles Nocella, t/d/b/a Nocella Property  
Maintenance  
2200 Rutgers Drive, Broomall, PA  
19008; Louis J. Carter, 7300 City Line  
Avenue, Philadelphia, PA 19151-2291
- A-00113209 Jeffrey S. Mohr  
125 West Pittsburgh Street, Delmont,  
PA 15626
- A-00113210 Morning Light Express, Inc.  
215 West Church Road, King of Prussia,  
PA 19406; William M. Barnes, Suite  
3600, 1600 Market Street, Philadelphia,  
PA 19103-4252

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1232. Filed for public inspection July 26, 1996, 9:00 a.m.]

## STATE SYSTEM OF HIGHER EDUCATION

### Request for Proposals

Indiana University of Pennsylvania, State System of Higher Education, invites interested professionals to submit proposals for design services for the installation of utilities, roads, parking, structures, drainage, stormwater management and other amenities to provide for the initial and future development of the South Campus area consistent with the University's Long Range Campus Development Plan. Interested professionals are to submit the information required under the following section entitled "Instructions for Filing Application."

#### *Instructions for Filing Application*

(a) Proposals must be received on or before the close of business August 9, 1996, addressed to the Slating Committee, Engineering and Construction Group Office, Indiana University of Pennsylvania, Robert Shaw Building, 650 S. 13th Street, Indiana, PA 15705-1087. Questions may be directed to Robert L. Marx, Director, Engineering and Construction Group at (412) 357-2289 (FAX 412-357-6480) Monday through Friday, between the hours of 8 a.m. and 4 p.m.

(b) The Professional must submit six copies of either forms (Form 150 or 150-S or SF 254 & 255). The Professional shall supply photographs showing a maximum of two different views of each of the three projects described in Question 13 Form 150-S or Question 10 of SF-255. The identifications and appropriate supportive information concerning each photograph shall include the name, project title, location and the name of the Professional of Record. The University will return photographs submitted with applications to those firms that request it, and provide a self-addressed stamped envelope in which to return the photographs. The most qualified firms will be slated for consideration by the University Selections Board.

(c) The University Selections Board may at its discretion establish interviews with any or all of the Professionals who have requested consideration for appointment. If an interview is required, the Professional will be notified by the Board as to the date, time and location.

(d) Additional information, in writing, may be requested by the Slating Committee as required. Professional agrees that he shall comply with the terms of the agreement and specifically as it relates to the Professional Liability Insurance and the General Liability Insurance Requirements.

The Slating Committee encourages responses from small firms, minority firms, women-owned firms and firms who have not previously performed System work, and will consider Joint Ventures, which will enable them to participate in this program.

Applications submitted are subject to review by the Slating Committee. The Slating Committee and Selection Boards disclaim any liability whatsoever as to their review of the applications submitted and in formulating their recommendations for selection. Recommendations for selection made by the Committee shall be final under the act of November, 1982 (P. L. 660, No. 188).

JAMES H. MCCORMICK,  
*Chancellor*

[Pa.B. Doc. No. 96-1233. Filed for public inspection July 26, 1996, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting a sealed bid for:

Waterproof/Breathable Parkas, 1070 EA.

Open Date: 8-5-96 at 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. 96-1234. Filed for public inspection July 26, 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. 94-010-RJ11-C.** Bridge rehabilitation for six structures: B-353, M. P. 218.10; B-101A, B-110A, M. P. 218.69; B-354, M. P. 221.30; B-101A, B-110A, M. P. 225.90; B-533, M. P. 224.51; B-535, M. P. 224.61 and

milling and paving of the right lanes between M. P. 215.55 and M. P. 218.00 on the PA Turnpike in Cumberland Co.

*Bid Opening:* August 22, 1996, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1235. Filed for public inspection July 26, 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. 94-004-FS85.** Structural demolition and/or removal for the Mon/Fayette Expressway in Fayette County, PA.

*Bid Opening:* August 14, 1996, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

A mandatory prebid site review of the project will be made on July 31, 1996. The inspection party will meet at Haydowntown Fire Hall, south of Fairchance, PA, just west of Route 857 at 10 a.m., and will proceed to each site under the direction of authorized Commission personnel.

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. 96-1236. Filed for public inspection July 26, 1996, 9:00 a.m.]

# FEDERAL SURPLUS PROPERTY PROGRAM

## DEPARTMENT OF GENERAL SERVICES

### INVENTORY AND INFORMATION

The Department of General Services, Bureau of Supplies and Surplus Operations oversees the Federal Surplus Property Program within the Commonwealth of Pennsylvania in accordance with the Federal Property and Administrative Services Act of June 30, 1949, 63 Stat. 377 as amended. Personal property is made available on an equitable basis to our State Agency for allocation to eligible organizations at minimal service charges. Available property can include office equipment and furniture, clothing, hand tools, hardware, light machinery, heavy equipment and much more. Some of the equipment is new, while some may require repair, but all of the property is useful, and is available to your organization at a fraction of the cost of buying retail. Most nonprofit, tax-exempt organizations, such as municipalities, schools, emergency management agencies, day care centers and other public service organizations are eligible and have saved thousands of dollars annually through the use of federal surplus property.

All federal surplus property is donated on a first-come, first-served basis to eligible nonprofit organizations within the Commonwealth. A nominal cost is incurred by the participants in the form of a service charge to cover the state's cost of administering the program. Questions about the availability of items or about your organization's ability to participate in the Federal Surplus Property Program should be directed to: The Department of General Services, Bureau of Supplies and Surplus Operations, Federal Surplus Property Program, P. O. Box 1365, 2221 Forster Street, Harrisburg, PA 17105, or call TOLL-FREE 1-800-235-1555.

### VEHICLES AND HEAVY EQUIPMENT

*Engine.* Mfg. Detroit Diesel, Model 453, complete with all engine components. Only 1 available, NEW, stock number 2815-96-0277-003, \$1,350.00 ea.

*Engine.* Mfg. Cummins, diesel, 6 cylinder, Model NHC-250, either new or rebuilt. Only 1 available, excellent condition, stock number 2815-96-0192-005, \$1,500.00 ea.

*Crane.* Mfg. Baldwin-Lima-Hamilton Corporation, 5 ton, 4 wheel, 6 cylinder, gas engine. Only 1 available, good condition, stock number 3810-96-0499-002, \$2,625.00 ea.

*Truck.* Mfg. General Motors, 1984 & 1985, Blazer, 4x4, 6.2 litre, v-8, diesel, automatic. Several available, good condition, \$2,250.00—\$3,000.00 ea.

### BUILDING MATERIALS

*Pipe.* Mfg. unknown, pvc, 3", schedule 80, 20' long. Plenty available, NEW, stock number 4710-96-0229-006, \$10.00 ea.

*Sheet.* Mfg. unknown, steel, 4' x 8' x 3/8". Limited quantities available, NEW, stock number 9515-96-0070-001, \$25.00 ea.

*Sheet.* Mfg. unknown, steel, 5' x 20' x 1/2". Limited quantities available, NEW, stock number 9515-95-0591-007, \$50.00 ea.

*Post.* Mfg. unknown, fence, steel, 8'. Plenty available, good condition, stock number 5660-96-0035-003, \$2.00 ea.

### BUSINESS AND RESIDENTIAL FURNISHINGS

*Table.* Mfg. Rishel, Division of Hon Industries, printer, wood, 36" x 30" x 30". Limited quantities available, NEW, stock number 7110-96-0351-093, \$37.50 ea.

*Cabinet.* Mfg. varies, lateral file, metal, 2, 4 & 5 drawer. Limited quantities available, good condition, \$15.00—\$75.00 ea.

*Desk.* Mfg. varies, wood & metal, double pedestal. Plenty available, good condition, \$5.00—\$30.00 ea.

*Cabinet.* Mfg. varies, filing, 4 & 5 drawer, legal & letter. Plenty available, good condition, \$40.00—\$60.00 ea.

### CLOTHING, TEXTILES AND PERSONAL ITEMS

*Parka.* Mfg. Wynn Ind., cold weather, olive drab, sizes vary. Plenty available, very good condition, stock number 8415-95-0711-003, \$3.75 ea.

*Mitten.* Mfg. Illinois Glove Co., shell, cold weather, with trigger finger, large. Plenty available, NEW, stock number 8415-95-0554-003, \$1.50 ea.

*Trousers.* Mfg. Menlo Ind., cold weather, woodland camouflage, 50% nylon/50% cotton, waist size 31-35 inches. Plenty available, NEW, stock number 8415-93-0528-024, \$5.00 ea.

*Sunglasses.* Mfg. Rochester Optical Co. Inc., spectacle type, neutral gray, plastic lens, black plastic frame. Plenty available, NEW, stock number 8465-96-0222-009, \$1.00 ea.

### ELECTRICAL AND ELECTRONICS

*Box.* Mfg. Steel City, electrical outlet, steel, 4' x 4" x 2-1/4. Plenty available, NEW, stock number 5975-95-0527-005, \$.25 ea.

*Starter.* Mfg. Furnas Electric Co., magnetic, with non fusible disconnect, 30 amp, 3 phase, 200 to 575 volts. Only 2 available, NEW, stock number 5975-95-0694-004, \$22.50 ea.

*Inverter.* Mfg. Vanner, Model SP00112, 20-30 vdc input, 120 vac output. Limited quantities available, NEW, stock number 6130-95-0648-004, \$12.50 ea.

*Wire.* Mfg. Cerrowire, 14 gauge, solid, 500'/roll. Limited quantities available, NEW, stock number 6145-96-0111-006, \$2.50 ea.

### OFFICE MACHINES AND SUPPLIES

*Typewriter.* Mfg. IBM, Selectric II & III. Plenty available, conditions vary, \$18.75-\$125.00 ea.



*Envelopes.* Mfg. Union Envelope Co., plain, 12" x 16", 1/2 mx/carton. Plenty available, good condition, stock number 7530-96-0198-001, \$3.00 ea.

*Computer.* Mfg. varies, IBM compatible, 286, 5-1/4" & 3-1/2" disk drives, hard drive, complete with keyboard, monitor & printer. Limited quantities available, good condition, \$125.00 ea.

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### OILS, PAINTS AND CHEMICALS

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*Paint.* Mfg. varies, spray, 10-12 oz can, color varies. Plenty available, NEW, stock number 8010-00-0007-001, \$.75 ea.

*Oil.* Mfg. AM Writing Ink Co., penetrating, type II, for loosening frozen metallic parts, 15 oz/can. Limited quantities available, NEW, stock number 9150-96-0520-006, \$1.50 ea.

*Coating.* Mfg. Hentzen Coatings, Inc., polyurethane, single component, chemical agent resistant, black, 5 gallon/can. Plenty available, NEW, stock number 8010-96-0078-002, \$10.00 ea.

*Grease.* Mfg. Sowesco-Olathe, auto & artillery, 5 gallon/can. Plenty available, NEW, stock number 9150-96-0391-002, \$15.00 ea.

*Oil.* Mfg. Ashland Industrial Products, preservative, tectyl 930, used as a factory fill or break in oil for all new or rebuilt engines, 55 gallons/drum. Plenty available, NEW, stock number 9150-95-0538-001, \$10.00 ea.

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### PLUMBING/HEATING/AIR CONDITIONING EQUIPMENT

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*Pipe.* Mfg. unknown, pvc, 4", schedule 40, 20' lengths. Limited quantities available, NEW, \$10.00 ea.

*Tee.* Mfg. unknown, pvc, 3", schedule 40. Limited quantities available, NEW, stock number 4730-95-0498-004, \$.50 ea.

*Bowl.* Mfg. American Standard, toilet, Cadet RF 3.5, white, uses 4029/4078 tank. Limited quantities available, stock number 4510-96-0010-004, \$7.50 ea.

*Heater.* Mfg. Valad Electrical Co., space, 240 volt, Model, FW 625-1. Only 1 available, good condition, stock number 4520-94-0258-008, \$30.00 ea.

*Air Conditioner.* Mfg. Atacs Corp., vertical, compact, 9,000 btu, 115 volt. Limited quantities available, NEW, stock number 4120-96-0077-001, \$95.00 ea.

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### SHOP AND TRADE EQUIPMENT

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*Lathe.* Mfg. Monarch Machine Co., Model 12 CK, 14.5" actual swing, 30" between centers. Only 1 available, good condition, stock number 3416-96-0287-002, \$2,500.00 ea.

*Lathe.* Mfg. LeBlond, Model 4 HC, 14" swing, 30" between centers, 1963. Only 1 available, good condition, stock number 3416-96-0287-001, \$2,500.00 ea.

*Machine.* Mfg. Racine Tool & Machine Co., cut off, hydraulic, Model unknown, 220/440 volt, 3 phase. Only 1 available, good condition, stock number 3419-96-0235-001, \$750.00 ea.

*Saw.* Mfg. Rockwell Manufacturing Co., table, 220 volt, adjustable bed to 45 degrees. Only 1 available, good condition, stock number 3220-96-0171-017, \$200.00 ea.

*Machine.* Mfg. Rockwell, Model EFI 3T, drilling machine, 230 volt, 3 phase, 30" x 24" bed, 1/2" chuck. Only 1 available, good condition, stock number 3413-95-0688-001, \$250.00 ea.

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### MISCELLANEOUS

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*Sundries.* Mfg. Pride Products, Inc., ration supplement, personal care items including shampoo, toothpaste, soap, razors, deodorant, powder, lotion, sunblock, etc., supplies 100 persons for 1 day. Plenty available, NEW, \$25.00 ea.

*Omelet.* Mfg. Vanee Foods, Inc., with sausage & potatoes or bacon & cheese, thermostabilized, 4 102 ounce trays/box, 18 portions/tray, 30-40 minute heating time. Plenty available, NEW, \$10.00 ea.

*Battery.* Mfg. Eveready, Energizer, size D, sold by the dozen. Plenty available, NEW, \$3.00 ea.

*Agitator.* Mfg. Dynamic Tech Corp., paint, DM 14601-A, 115 volt, for pints, quarts & gallons. Plenty available, NEW, \$50.00 ea.

*Lightstick.* Mfg. Chemical Device Corp., safety, 12 hour green, 15", 20 sticks/box. Plenty available, NEW, stock number 6260-96-0137-004, \$7.50 ea.

GARY R. CROWELL,  
Secretary

[Pa.B. Doc. No. 96-1237. Filed for public inspection July 26, 1996, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.
- ③ Contract Information
- ④ Department
- ⑤ Location
- ⑥ Duration
- ⑦ (For Commodities: Contact: Vendor Services Section 717-787-2199 or 717-787-4705)

### 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

**8503270** Agricultural equipment, machinery and supplies—400 each; spray tanks: 3 gallon.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA 17110  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**8503260** alarm and signal systems—500 each; Beacon, revolving light, rectangular housing.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA 17110  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1164236** Badges and insignias—45M; PA Hunter-Trapper education patches.

**Department:** Game Commission  
**Location:** Harrisburg, Dauphin County, PA 17110-9797  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1021206** Badges and insignias—65,750 each; Badges, Jr. Trooper, thick plastic, size 2 9/16" x 1 3/4" x 3/32"; blue with silver lettering.

**Department:** State Police  
**Location:** Hershey, Dauphin County, PA 17033  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1173216** Clothing and individual equipment—350 each; Parka: nominal 34" length; heavy nylon oxford outer shell.

**Department:** Youth Development Center  
**Location:** New Castle, Lawrence County, PA 16101  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1107156** Medical, dental and veterinary equipment and supplies—6 each; anesthesia machine (refurbished).

**Department:** University of Pittsburgh  
**Location:** Pittsburgh, Allegheny County, PA 15203  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

**1134116** Safety equipment and supplies—various amounts; GP-1 Access control functions electrically operated doors w/appropriate control panels and accessories.

**Department:** Corrections  
**Location:** Frackville, Schuylkill County, PA 17932  
**Duration:** Indeterminate 1996-97  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

## SERVICES

### Audio/Video—04

**PFBC-LE-01** Statewide contract for maintenance, service, alterations, modifications, repairing of radio equipment and removal and installation of radio equipment, PA/sirens, scanners and emergency lights and maintenance, service, alterations, modifications, repairing of tower equipment, including fabrication of necessary radio cabinets in connection with radio equipment and maintenance, service, alterations, modifications, repairing of radio repeaters/control stations and engineering study for completion of required forms for FCC licenses throughout Pennsylvania.

**Department:** Law Enforcement  
**Location:** Fish and Boat Commission, Statewide  
**Duration:** 9-1-96 to 6-30-01  
**Contact:** Tom Kamerzel, (717) 657-4542

### Child Care—07

**L&I-17-96** Child care services: high quality, affordable work-site child care services for up to thirty-nine (39) children between four months and five years of age. Services to be provided at the Labor and Industry Child Care Center from 7:00 a.m. to 5:30 p.m. Monday through Friday, except State holidays.

**Department:** Labor and Industry  
**Location:** Parents' Association, Inc., Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** One year with four one-year renewal options  
**Contact:** Phillip A. Talarico, (717) 787-2668

**Computer Related Services—08**

**DCNR/RFP AT1-96** DCNR's Bureau of State Parks is interested in contracting for an automated Park Reservation/Revenue System for cabins, camping and mooring. This is to be a centralized system with State-wide access to park offices, contact stations and Regional Offices. Vendors will also be required to establish a PA-based Central Call Center which will handle a large volume of information and park reservation/confirmation calls.

**Department:** Conservation and Natural Resources  
**Location:** 400 Market Street, RCSOB, 3rd Floor, Harrisburg, PA 17105-8761  
**Duration:** 1/1/97—12/30/02  
**Contact:** Margaret Morris, (717) 772-5855

**DDC-SYS** Maintenance contract for McClure Automatrix DDC System. Contractor to provide monthly preventive maintenance and two complete system checks per year to include all panels, solo controllers, sensors, relays, transducers, transmitters, fiber optic converters, sage communications panels, personal computers, etc.

**Department:** Corrections  
**Location:** State Correctional Institution Houtzdale, State Route 2007, Houtzdale, PA 16698-1000  
**Duration:** 11/01/96 through 11/30/99  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**Construction Maintenance—09**

**093180** Cambria County, S. R. 0056, Section 0021. Construction of two (2) retaining walls; one consisting of gabions and one consisting of soldier beam piles and concrete lagging.

**Department:** Transportation  
**Location:** District 9  
**Duration:** FY 1996/1997  
**Contact:** W. B. Hammond, P.E., (814) 940-5179

**Engineering Services and Consulting—14**

**08430AG2004** Two (2) Open-End Contracts for various environmental studies on various projects in Engineering District 6-0, that is, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** Thirty (30) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**Environmental Maintenance Services—15**

**OSM 37(2856)102.1** Mine Subsidence Control, Neshannock II. Involves an estimated 29,940 L. F. of drilling and casing of overburden and 6" rotary drilling of 332 boreholes and injection of 34,825 tons of flushing material consisting of cement, flyash and Type A sand. One Hundred Percent of this project is financed by the Federal Government. Federal funds available for this program total 19.04 million dollars for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Neshannock Township, Lawrence County, PA  
**Duration:** 365 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**OSM 54(4660)104.1** Backfilling Strip Pit, Seltzer East. Involves an estimated 59,800 C. Y. of grading and 7 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$19 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Norwegian Township, Schuylkill County, PA  
**Duration:** 130 days after notice to proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

**10-5** Use of a Landfill Area for cleanup of Jefferson County Highways. Use of a Landfill Area for cleanup of materials from maintenance projects and accidents.

**Department:** Transportation  
**Location:** District 10-5, SR 2037, 1 mile east of Punxsutawney, Jefferson County, PA  
**Duration:** January 1, 1997 through December 31, 1997  
**Contact:** Mario J. Cardamone, Purchasing Agent, (814) 938-6300

**Food—19**

**0-4-96** Meat and meat products. Call Purchasing for details.

**Department:** Public Welfare  
**Location:** Institution Warehouse, White Haven Center, White Haven, PA 18661-9602  
**Duration:** October, November, December, 1996  
**Contact:** Sandra A. Repak, Purchasing Agent, (717) 443-4232

**T-13** Juices—to be delivered 3 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1996 through December 31, 1996  
**Contact:** Ronda Millard, Purchasing Agent, (610) 948-2448

**3751** Bread and rolls, fresh, contract for October, November and December, 1996.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, Lackawanna County, PA 18411-9505  
**Duration:** October 1, 1996 through December 31, 1996  
**Contact:** Stanley Rygelski, Purchasing Agent, (717) 587-7291

**T-3** Bread and rolls—to be delivered 3 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1996 through December 31, 1996  
**Contact:** Ronda Millard, Purchasing Agent, (610) 948-2492

**T-2** Fresh produce—to be delivered 2 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1996 through December 31, 1996  
**Contact:** Ronda Millard, Purchasing Agent, (610) 948-2492

**T-1** Pastries—to be delivered 3 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1996 through December 31, 1996  
**Contact:** Ronda Millard, Purchasing Agent, (610) 948-2492

**Fuel Related Services—20**

**090-000209** Contractor to provide all labor and materials required to return rear three (3) cracked boiler sections to working condition. Cracked sections need replaced and boiler reassembled. Contractor is responsible for disposal of cracked boiler sections. Mandatory site visit to assess the project is required.

**Department:** Transportation  
**Location:** 9-0, Maintenance District 9-7 Office Building located on TR 601 North, Somerset, Somerset County, PA  
**Duration:** 10-1-96 to 12-31-96 (Estimated)  
**Contact:** Craig Treese, (814) 940-5159

**Project No. DGS A 251-211** Project title: New Fuel Facility. Brief description: removal and construction of underground/above ground storage tanks and dispenser island as part of a fuel facility upgrade. Installation of a storage system for waste oils. Construction of a fuel truck containment pit. UST/AST Certified Remover/Installer. Plans deposit: \$49.00 per set. Payable to: Meucci Engineering, 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: Meucci Engineering, Inc., 409 Elk Avenue, Carnegie, PA 15106, telephone (412) 276-8844. Bid date: Wednesday, August 28, 1996 at 11:00 a.m. Pre-bid conference scheduled for Wednesday, August 7, 1996 at 9:30 a.m. in the Washington County Maintenance Building on Murtland Avenue off Route 19 and 70. Contact person: Lonnie Mangué, (412) 439-7236. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Waynesburg, Greene County, PA  
**Duration:** 115 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Project No. DGS A 251-215** Project title: New Fuel Facility. Brief description: removal and construction of underground storage tanks and dispenser island as part of a fuel facility upgrade. UST/AST Certified Remover/Installer. Plans deposit: \$49.00 per set. Payable to: Meucci Engineering, 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: Meucci Engineering, Inc., 409 Elk Avenue, Carnegie, PA 15106, telephone (412) 276-8844. Bid date: Wednesday, August 28, 1996 at 11:00 a.m. Pre-bid conference scheduled for Wednesday, August 7, 1996 at 9:30 a.m. in the Washington County Maintenance Building on Murtland Avenue off Route 19 and 70. Contact person: Lonnie Mangué, (412) 439-7236. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Brownsville, Washington County, PA  
**Duration:** 115 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**Project No. DGS A 251-210** Project title: New Fuel Facility. Brief description: removal of underground/above ground storage tanks and dispenser island. Installation of above ground storage system for waste oils. Construction of a fuel truck containment pit. UST/AST Certified Remover/Installer. Plans deposit: \$40.00 per set. Payable to: Meucci Engineering, 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: Meucci Engineering, Inc., 409 Elk Avenue, Carnegie, PA 15106, telephone (412) 276-8844. Bid date: Wednesday, August 28, 1996 at 11:00 a.m. Pre-bid conference scheduled for Wednesday, August 7, 1996 at 9:30 a.m. in the Washington County Maintenance Building on Murtland Avenue off Route 19 and 70. Contact person: Lonnie Mangué, (412) 439-7236. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Washington, Washington County, PA  
**Duration:** 90 calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**Hazardous Material Services—21**

**Contract No. FDC-012-166** Removal and disposal of 2—1,000 gallon tanks, soil/water tests and contaminated soil disposal and provide and install an above ground unleaded gasoline/diesel fuel storage tank with accessories. Work is located in Forest District No. 12 at the Maintenance Building along PA Route 44 in Northwest Lycoming County.

**Department:** Conservation and Natural Resources  
**Location:** Brown Township, Lycoming County  
**Duration:** 45 days after notice to proceed  
**Contact:** Construction Management, (717) 787-5055

**Heating, Ventilation, Air Conditioning—22**

**Project No. DGS 506-22 (Rebid)** Project title: Electrical Renovation in Building Number 23. Brief description: the work consists of selective demolition of the existing electrical system and construction of new electrical system renovations within the existing Building Number 23. Electrical construction. Plans deposit: \$45.00 per set. Payable to: Paul and Nagle Associates, 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: Paul and Nagle Associates, Inc., 3738 Peters Mountain Road, Halifax, Pennsylvania 17032-9038, telephone (717) 896-8320. Bid date: Wednesday, August 21, 1996 at 2:00 p.m. Any and all bulletins issued prior to July 24, 1996, are hereby cancelled.

**Department:** General Services  
**Location:** Harrisburg State Hospital, Harrisburg, Dauphin County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**RJ 0800-01** Install Department owned gas fired radiant heaters at the Department's Maintenance Storage Area located at 10th and Ayers Streets, Lemoyne, PA. Specifications for this work available on request.

**Department:** Transportation  
**Location:** 10th and Ayers Street, Lemoyne, PA  
**Duration:** September 1, 1996 to December 1, 1996  
**Contact:** Richard B. Jefferies, (717) 787-4783

**10-5** Provide electrical service to the PA Department of Transportation buildings, stockpiles and various locations in Jefferson County.

**Department:** Transportation  
**Location:** SR 2037, District 10-5, Punxsutawney, Jefferson County, PA 15767  
**Duration:** January 1, 1997 through December 31, 1997  
**Contact:** Mario J. Cardamone, Purchasing Agent, (814) 938-6300

**Janitorial Services—23**

**SP No. 314811** Trash removal—Fort Washington State Park. Sealed bids will be received in Fort Washington State Park until 3:00 p.m. prevailing time on August 8, 1996, and then publicly opened and read. Documents containing all pertinent information must be obtained from the office of the Park Manager.

**Department:** Conservation and Natural Resources  
**Location:** Fort Washington State Park, 500 South Bethlehem Pike, Fort Washington, PA 19034  
**Duration:** 10/1/96 to 12/31/98 (Multi-Year Contract)  
**Contact:** Lori Nygard, Park Manager, (215) 646-2942

**Medical Services—29**

**IFB 95-07-23** To provide pharmaceutical services in dispensing of anti-tuberculosis medications to State Health Centers throughout Pennsylvania. Medications to include, but not limited to, pyrazinamide, ethambutol, ethionamide, cycloserine, and rifampin syrup. Pharmacy must be licensed to dispense medications within the Commonwealth of Pennsylvania.

**Department:** Health  
**Location:** Contract pharmacy to prepare medications and mail them to State Health Centers throughout Pennsylvania  
**Duration:** October 1, 1996 to September 30, 1999  
**Contact:** Donna L. Murray, (717) 787-6267

**LH-SER013** Leasing of portable oxygen units, oxygen concentrators, and medicinal oxygen for State Correctional Institution Laurel Highlands. Bid on file at Institution.

**Department:** Corrections  
**Location:** State Correctional Institution Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631  
**Duration:** 9/1/96 through 9/30/97  
**Contact:** Richard C. Claycomb, Purchasing Agent II, (814) 443-0347

**Moving Services—30**

**9534** Bid for contractor to provide transportation for children of incarcerated women from Philadelphia Area to the State Correctional Institution at Muncy, PA.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 405, Box 180, Muncy, PA 17756  
**Duration:** 9-1-96—12-31-97  
**Contact:** W. Voeckler, Purchasing Agent, (717) 546-3171

**Property Maintenance—33**

**11-30** Snow removal—3 year contract trucks w/plow and spreader, graded loader—need 40 hour minimum for the season. Equipment Vendor operated.

**Department:** Transportation  
**Location:** PennDOT 11-0, Allegheny, Beaver and Lawrence Counties  
**Duration:** 11-1-96—4-30-99  
**Contact:** Rich Fixel, (412) 429-4937

**KU 97-30** Kutztown University is seeking bids from qualified contractors able to provide a sprayed in place foam and membrane roofing system. The contractor will be responsible for, but not limited to, providing complete roof tearoff, curb replacement, raking and resealing of parapet and chimney caps, and related accessory items. Interested contractors can obtain the plans and specifications from: ENTECH Engineering, Inc., P. O. Box 32, Reading, PA 19603, (610) 373-6667 for a non-refundable cost of thirty-five dollars (\$35.00). Specifications are available July 29, 1996. There will be a pre-bid meeting on August 8, 1996 at 10:00 a.m. Bids are due August 21st and will be opened August 23, 1996 at 2:00 p.m. Late submissions will be returned unopened. Kutztown University encourages responses from small firms, minority firms, women-owned firms, and firms which have not previously performed work for the System.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** 30 days after notice to proceed  
**Contact:** Barbara Reitz, (610) 683-4132

**KU 97-05** Kutztown University is seeking bids from qualified contractors able to participate in a dormitory entrance door replacement project for 5 campus dorms. The contractor will be responsible for, but not limited to: demolition of existing doors and hardware, installing new pre-finished steel hollow metal doors, including new door hardware. Repair and preparation of existing aluminum frames and existing sills, electric automatic door operators on selected openings. Interested contractors can obtain the plans and specifications from: ENTECH Engineering, Inc., P. O. Box 32, Reading, PA 19603, (610) 683-6667 for a non-refundable cost of thirty-five dollars (\$35.00). Specifications are available July 29, 1996. There will be a pre-bid meeting on August 8, 1996 at 11:00 a.m. Bids are due August 21st and will be opened August 23, 1996 at 2:30 p.m. Late submissions will be returned unopened. Kutztown University encourages responses from small firms, minority firms, women-owned firms, and firms which have not previously performed work for the System.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** 90 days after notice to proceed  
**Contact:** Barbara Reitz, (610) 683-4132

**Project No. DGS 1579-1 Phase 2** Project title: Renovations of State Correctional Institution. Brief description: alterations/additions to four existing buildings: Washington Hall, Alliance Hall, Curie Hall, Warehouse and construction of new Vehicle Maintenance Building, including general, HVAC, plumbing and electrical construction. Site work including parking lot of new Vehicle Maintenance Building. General construction, HVAC, plumbing and electrical construction. Plans deposit: \$260.00 per set. Payable to: L. Robert Kimball. 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: L. Robert Kimball, 615 West Highland Avenue, Ebensburg, PA 15931, telephone (814) 472-7700. Bid date: Wednesday, August 14, 1996 at 11:00 a.m. Controlled walk through scheduled for Wednesday, July 31, 1996 at 11:00 a.m. Meet at Main Gate, State Correctional Institution, Cambridge Springs, PA. Contact person: Mr. Robert Allens, (814) 398-5456. All contractors who have secured contract documents are invited and urged to attend this controlled walk through.

**Department:** General Services  
**Location:** State Correctional Institution, Cambridge Springs, Crawford County, PA  
**Duration:** 410 calendar days from date of initial job conference  
**Contact:** Bidding Unit, (717) 787-6556

**MI-674** Project title: Gordinier Hall—Roof Replacement. Scope of work: remove and replace 33,100 square feet of roofing material, insulation, gutters, expansion joints, and trim. Plans cost: \$100.00.

**Department:** State System of Higher Education  
**Location:** Gordinier Hall, Millersville University, Millersville, Lancaster County, PA 17551-0302  
**Duration:** 90 days from notice to proceed  
**Contact:** Bernadette J. Wendler, Dilworth Building, (717) 872-3829

**1200-96-001** Construct Department owned roof kit on existing 70' x 100' concrete block building. Mandatory pre-bid—August 2nd, 10:00 a.m. Roof Kit Construction.

**Department:** Transportation  
**Location:** District 12-0, West Brownsville, Washington County  
**Duration:** 9-1-96 to 11-1-96  
**Contact:** Liberty Hill, (412) 439-7361

**SP 269983** Remove slate shingles and supply and replace with approximately 4,000 square feet of cedar shingles.

**Department:** Conservation and Natural Resources  
**Location:** White Clay Creek Preserve, P. O. Box 172, Landenberg, Chester County, PA 19350-0172  
**Duration:** 90 days after award  
**Contact:** Bill Morton, (610) 255-5415

**Real Estate Services—35**

**0200-A5** Independent Fee Appraisers are to be solicited to prepare Real Estate Appraisals for Right-Of-Way acquisitions in Mifflin County for S. R. 0322, Section B01. Appraisers must be on PennDOT's Pre-Qualified Fee Appraiser List. Appraisal contracts will be awarded by competitive bid.

**Department:** Transportation  
**Location:** Engineering District 2-0  
**Duration:** FY 1996/1997  
**Contact:** Gary G. Gray, (814) 765-0445

**0800-R/W 0022-002** Real Estate Appraiser to complete appraisals on various types of properties as identified on plans related to the construction or improvement of SR 0022-002 in Dauphin County. The appraisals will be subject to an extensive review process. Persons submitting bids must be on the Department's Prequalified List of Fee Appraisers and have the proper certification (Residential/General) for the various appraisals to be completed. Properties to be appraised are located in Middle Paxton Township.

**Department:** Transportation  
**Location:** R/W District 8-0, Appraisals to be delivered to District 8-0 R/W Unit, 2140 Herr Street, Harrisburg, PA 17103-1699  
**Duration:** Most appraisals to be completed and submitted within 30—60 days of notice to proceed  
**Contact:** Jerry Williams, Univ. Field Services, (717) 921-1950

**Security Services—37**

**PGC-2456** This shall be a labor contract to erect high tensile electrified fencing in compliance with the methods, configurations and specifications found in PA Game Commission manual "Electric Deer/Elk Deterrent Fence Instructions: Agricultural Fencing (permanent)." All materials are supplied. This contract would be for labor only.

**Department:** Game Commission  
**Location:** 1 region as specified in the Invitation To Bid  
**Duration:** Minimum of 1 year  
**Contact:** Thomas R. Littwin, Chief, Support Services, (717) 783-6528

**Vehicle, Heavy Equipment and Powered Machinery Services—38**

**2-0-00228** The Department of Transportation District 0200 will be renting the following snow removal and emergency equipment for the 96-97 season. Trucks, emergency loaders, emergency graders, 1—four wheel drive pickup, and 1—emergency snowblower. This equipment will be bid and used at various locations for counties within Engineering District 0200.

**Department:** Transportation  
**Location:** Various County locations within District 0200  
**Duration:** November 1, 1996 to April 30, 1999  
**Contact:** Grover C. Beightol, (814) 765-0492

**0800-96-RR-OCT1-1** The rental of one (1) road reclamation machine with minimum 96" cutting width, minimum 335 h.p. engine, qualified field operator and qualified ground person. A reference manufacturer model is Caterpillar RR-250.

**Department:** Transportation  
**Location:** Throughout District 8-0 counties: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry  
**Duration:** October 1, 1996 to September 30, 1999  
**Contact:** R. A. Wiest, (717) 783-0443

**GENRPR01** Preventive maintenance to emergency generators. Contractor shall provide all labor, equipment, materials, repair parts necessary to provide preventive maintenance and repairs to two (2) diesel generator units.

**Department:** Corrections  
**Location:** State Correctional Institution Houtzdale, State Route 2007, Houtzdale, PA 16698-1000  
**Duration:** 09/01/96 through 06/30/99  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FM-164** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveways and parking areas at the Pennsylvania State Police, Gettysburg Station, 3033 Old Harrisburg Road, Gettysburg, PA 17325. Detailed work schedule and bid must be obtained from the Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Gettysburg Station, 3033 Old Harrisburg Road, Gettysburg, PA 17325  
**Duration:** 11/01/96 to 06/30/98  
**Contact:** Deshawn Lewis or Joan Berkoski, Facility Management Division, (717) 783-5484

**96-08** Double bucket truck and driver to be provided to the State Correctional Institution at Waymart. Truck to have a minimum reach of fifty-five (55) feet.

**Department:** Corrections  
**Location:** State Correctional Institution Waymart, Route 6, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472  
**Duration:** January 1, 1997 to December 31, 1999  
**Contact:** Jerome M. Lewis, Business Manager, (717) 488-2504

**Miscellaneous—39**

**SO-109** The contractor shall provide supplemental Protestant chaplaincy services for the inmate population at the State Correctional Institution at Somerset. The contract will cover a three year period and will be approximately twenty hours a week.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 09/01/96 through 06/30/99  
**Contact:** Theresa Solarczyk, Purchasing Agent, (814) 443-8100, ext. 311

**SO-108** The contractor shall provide Muslim chaplaincy services for the Muslim inmate populations at the State Correctional Institution at Somerset and the State Correctional Institution at Laurel Highlands. The contract will cover a three year period and will be approximately twenty hours a week at each location. Institutions are located approximately three miles apart.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 09/01/96 through 06/30/99  
**Contact:** Theresa Solarczyk, Purchasing Agent, (814) 443-8100, ext. 311

**917A** Survey of State-Owned Property Commonwealth of Pennsylvania. The Department of General Services will accept bids for the survey for the Metes and Bounds of the Eastern State School and Hospital main campus and the completion of a minor sub-division of 7.87 acres. All property is located in Bensalem Township, Bucks County, PA. Minority and Women Business Enterprises are encouraged to apply. Written requests for proposal packages must be received in this office by 3:00 p.m., August 1, 1996. Solicitation No.: 917.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1996-97  
**Contact:** Lloyd D. Colegrove, (717) 772-0538

[Pa.B. Doc. No. 96-1238. Filed for public inspection July 26, 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*



## STATE CONTRACTS INFORMATION

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
1020116-01	07/16/96	Diottavio & Sons, Inc.	67,500.00
1042156-01	07/16/96	Harris Corporation	8,842.35
1065216-01	07/16/96	Cardinal Computer Systems	17,820.00
2577155-01	07/16/96	Consolidated Equipment Supply Corp.	13,718.00
8177070-01	07/16/96	Akzo Nobel Salt, Inc.	413,885.37

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
8231160-01	07/16/96	Service Supply Corporation	132,230.00
8231440-01	07/15/96	Pacifico Ford, Inc.	105,534.00
8231480-01	07/15/96	Mack Sales and Service, Inc.	331,212.20
8231500-01	07/15/96	Cleveland Bros. Equip. Co., Inc.	223,977.40

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 96-1239. Filed for public inspection July 26, 1996, 9:00 a.m.]