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PENNSYLVANIA BULLETIN

Volume 29 Number 39
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The Governor
The Courts
Delaware River Basin Commission
Department of Banking
Department of Community and Economic
Development
Department of Environmental Protection
Department of General Services
Department of Health
Department of Public Welfare
Department of Transportation
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Milk Marketing Board
Pennsylvania Municipal Retirement System
Pennsylvania Public Utility Commission
Public School Employes' Retirement Board
State Board of Education
State Conservation Commission
Turnpike Commission

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

No. 298, September 1999

PENNSYLVANIA



BULLETIN

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VI. JUDICIAL COUNCIL OF PENNSYLVANIA [204 PA. CODE CHS. 101 AND 103]

Rules of Organization and Procedure for Judicial Council of Pennsylvania; Order No. 1 of 1999

Order

And Now, this 31st day of August, 1999, the Judicial Council of Pennsylvania, acting pursuant to Rules 302 and 311 of the Pennsylvania Rules of Judicial Administration, orders:

- (1) Chapter 101, Section 101.1, of Title 204 of the *Pennsylvania Code* is amended as follows.
- (2) Chapter 101, Section 101.2, of Title 204 of the *Pennsylvania Code* is rescinded.
- (3) Chapter 103 of Title 204 of the *Pennsylvania Code* is replaced in its entirety as follows.
- (4) This Order shall take effect immediately.

By the Judicial Council

JOHN P. FLAHERTY,
Chief Justice

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VI. JUDICIAL COUNCIL OF PENNSYLVANIA CHAPTER 101. GENERAL PROVISIONS

§ 101.1. Title and [citation] Citation of Part.

This Part shall be known and may be cited as the "Judicial Council Rules."

§ 101.2. Rescinded.

Note: See Pa.J.R.A. 102 for the definition of words used in these rules.

(Editor's Note: The Judicial Council of Pennsylvania is deleting in its entirety the text of Chapter 103 appearing at 204 Pa. Code pages 103-1—103-8, serial pages (236449)—(236456) and replacing it with the following.)

CHAPTER 103. JUDICIAL COUNCIL ORGANIZATION AND PROCEDURE

Sec.	
103.1.	Membership.
103.2.	Members Ex Officio.
103.3.	Officers.
103.4.	Meetings.
103.5.	Committees.

§ 103.1. Membership.

- (a) The membership of the Judicial Council shall be as provided by Pa.R.J.A. 301(b).
- (b) If a member who is the president judge of a court is unable to attend a meeting of the Council, the member

shall appoint another judge of that court to attend the meeting and be the member's proxy on all matters, including voting.

§ 103.2. Members Ex Officio.

(a) Each Justice of the Supreme Court who is not a member of the Judicial Council shall be an ex officio member and have the right to attend meetings of the Council and to be heard upon any question or matter under consideration. The Executive Director of the Council shall furnish each Justice who is an ex officio member with a copy of all documents distributed to the Council at the time they are distributed and notice of all meetings of the Council including the agenda and supporting papers.

(b) The Judicial Council may appoint ex officio members, including members of the General Assembly, who may attend and participate in the meetings and the work of the Council. Ex officio members shall serve in such capacity and for such time as the Council may determine, but they shall not have a vote on matters before the Council.

§ 103.3. Officers.

(a) The chair, vice-chair and secretary of the Judicial Council shall be as provided by Pa.R.J.A. 301(b).

Official Note: Section 103.3(a) is derived from Pa.R.J.A. 302(a).

(b) In the absence or disability of the chair, the vice-chair shall exercise the powers and perform the duties of the chair.

(c) The chair and vice-chair of the Judicial Council shall be ex officio members of all committees of the Council.

§ 103.4. Meetings.

(a) As provided by Pa.R.J.A. 302(c), the Judicial Council shall meet at such times as may be specified by the Chief Justice.

(b) The Executive Director shall prepare a proposed agenda for each meeting of the Council and distribute it to the members two weeks prior to the meeting for comments and additions. The Executive Director shall then prepare a final agenda, to be approved by the Chief Justice, and distribute it, together with supporting papers, to the members of the Council in advance of the meeting.

Official Note: Rule 103.2(a) requires the Executive Director to distribute the Council materials to Justices of the Supreme Court who are ex officio members.

§ 103.5. Committees.

(a) The Judicial Council may appoint from its membership one or more committees as the Council deems necessary to assist in its functions.

(b) Each committee shall meet on the day of the meeting of the Judicial Council and at such other times as the committee's chair may require.

(c)(1) Each committee may appoint one or more ex officio members, including members of the General Assembly, who may attend and participate in the meetings and the work of the committee. Ex officio members shall serve in such capacity and for such time as the particular

committee may determine, but ex officio members shall not have a vote on matters before the committee.

(2) Each committee may appoint an advisory committee to assist the committee in its assigned function. An advisory committee shall serve in such capacity and for such time as the particular committee may determine. Members of an advisory committee shall not by virtue of membership on an advisory committee be deemed members of the Council or of the appointing committee.

[Pa.B. Doc. No. 99-1613. Filed for public inspection September 24, 1999, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Amendments to Local Orphan's Court Rules; Rule L.15.1.C—As Amended, Rule L.15.1D and Rule L.15.1G

Order

Now, this 7th day of September, 1999, the Court hereby adopts the following Beaver County Local Orphan's Court Rules, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is further Ordered that the District Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of the Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedure Rules Committee and one (1) copy to the *Beaver County Law Journal* for publication in the next issue of the *Beaver County Law Journal*.

It is further ordered that this local rule shall be kept continuously available for public inspection and copying in the Beaver County Prothonotary's Office and the Register of Wills Office.

By the Court

ROBERT C. REED,
President Judge

Amendments to Local Orphan's Court Rules

Rule L.15.1.C—As Amended

The present rule L.15.1C is hereby revoked and the following rule substituted.

The procedure set forth below shall be followed in involuntary termination cases.

Procedure to Notify Birth Parent of Hearing

A. If address of parent is known, send certified restricted letter to parent. When green card is returned by parent, prepare a Proof of Notice and have this notarized.

B. If location of parent is known, parent can be personally notified by giving a copy of the notice to parent, noting time and place. On return to office, prepare Proof of Notice, sign and have notarized.

C. If parent's whereabouts are unknown:

1. Search record for all documented addresses of parents.

2. Contact as many of the following places as possible in an attempt to locate missing parent: Known relatives and friends, state and local prisons, clerk of courts, domestic relations non-support office, CHRI (state police), local phone book, local post office, and any agency which might be involved with the parent. Document these attempts on contact sheets.

3. Send certified, restricted letter with notice to last known address of parent.

4. Publish notice in newspaper, the general circulation of which covers area where parent last lived.

5. Publish notice of hearing in *Beaver County Law Journal*.

If whereabouts of parent or parents are unknown, an Affidavit of Search must be filed by petitioner. See Exhibit A.

Notice of the hearing shall be given as set forth in Exhibit B.

The Petition for Involuntary Termination shall be as set forth in Exhibit C.

The Decree Nisi shall be as set forth in Exhibit D.

The Final Decree shall be as set forth in Exhibit E.

The Notice of Right of Appeal shall be as set forth in Exhibit F.

D. Time of notice shall be as provided for in Supreme Court Orphan's Court Rules.

E. The following forms shall be used.

1. Exhibit A—Affidavit of Search—for use if whereabouts of parent are unknown.

2. Exhibit B—Notice of Hearing

3. Exhibit C—Petition for Involuntary Termination

4. Exhibit D—Decree Nisi

5. Exhibit E—Final Decree

6. Exhibit F—Notice of Right of Appeal

Rule L.15.1D

(c) In any case where a parent is incarcerated or undergoing a civil commitment and a request has been made for the appointment of counsel, counsel will be appointed and arrangements made for the parent to be present at the hearing.

Rule L.15.1G

A copy of the Decree Nisi, the adjudication, the Final Decree and Notice of Right of Appeal shall be mailed, by the Clerk of the Orphan's Court, to counsel of record within one (1) business day after filing.

If there is no counsel of record, a copy of the Decree Nisi, the adjudication, the Final Decree and Notice of Right of Appeal shall be mailed, by the Clerk of the Orphan's Court, to the parent within one (1) business day after filing. If the parent has no known address, notice shall not be required.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY PENNSYLVANIA
ORPHAN'S COURT DIVISION

IMPORTANT NOTICE

IN RE: : No. _____ of _____
To: _____, parents of _____

The Court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom No. 1 in the Beaver County Courthouse on _____, 1999 at _____ o'clock _____.m.

RIGHTS TO YOUR CHILD(REN)—You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child(ren) may be ended by the Court without your being present, which means that you will lose all rights to custody, visitation, communication with your child(ren). If termination is granted you will receive no notice of future legal proceedings concerning your child(ren).

LEGAL REPRESENTATION—You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below to find out where you can get legal help.

LAWYER REFERRAL SERVICE
788 Turnpike Street, Beaver, PA 15009 (724) 728-4888

If you have contacted Lawyer Referral Service and still have not been able to obtain a lawyer, you can still appear at the hearing to request the appointment of a lawyer. If you are indigent, the Court will appoint a lawyer to represent you.

RIGHTS IF INCARCERATED—If you cannot attend the hearing because you are or will be in jail, and want a lawyer, or to appear at the hearing, you must write within ten (10) days of the receipt of this notice to:

ORPHAN'S COURT JUDGE, BEAVER COUNTY COURTHOUSE, BEAVER, PA 15009

A Petition has been filed asking the Court to put an end to all rights you have to your child, _____. A copy of said Petition is attached hereto.

Name of Attorney _____ Address _____

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY PENNSYLVANIA
ORPHAN'S COURT DIVISION

IN RE: ADOPTION OF : No. _____ of _____

PETITION FOR INVOLUNTARY TERMINATION OF PARENTAL RIGHTS
(Section 2512—Adoption Act)

AND NOW, this _____ day of _____, 19____, comes the Petitioner(s), and sets forth the following facts:

- 1. Names of Petitioner(s) _____
2. Describe the relationship of the Petitioner(s) to the child _____

3. Regarding the child(ren), provide the following information:

Table with 7 columns: Name, Age, DOB, Race, Sex, Religious Affiliation

4. Regarding the parent(s) who are the subject of the Petition, provide the following:

Table with 7 columns: Name, Age, DOB, Race, Sex, Religious Affiliation

5. Was the mother married at any time during one year prior to the birth of the child(ren)?

Yes _____ No _____

If yes, provide the name of each husband and mother's maiden name:

6. The Petitioner(s) is authorized to seek termination pursuant to Section 2512 of the Adoption Act on the basis that the petitioner(s) is/are (check the applicable status):

- _____ a parent who seeks termination with respect to other parent;
- _____ an agency;
- _____ an individual having custody or standing in loco parentis to the child, who has filed a report of intention to adopt as per Section 2531 of the Adoption Act;
- _____ an attorney representing a child or a guardian ad litem representing a child who has been adjudicated dependent under 42 Pa.C.S. § 6431(c) (relating to adjudication).

7. The grounds for termination of parental rights upon which the petitioner(s) rely are: (check applicable grounds)

- ___ the parent by conduct continuing for a period of at least (6) months immediately preceding the filing of the petition either has evidenced a settled purpose of relinquishing parental claim to a child or has refused or failed to perform parental duties;
- ___ the repeated and continued incapacity, abuse, neglect or refusal of the parent has caused the child to be without essential parental care, control or subsistence necessary for his physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by the parent;
- ___ the parent is the presumptive but not the natural father of the child;
- ___ the child is in the custody of an agency, having been found under such circumstances that the identity or whereabouts of the parent is unknown and cannot be ascertained by diligent search and the parent does not claim the child within three months after the child is found;
- ___ the child has been removed from the care of the parent by the Court or under a voluntary agreement with an agency for a period of at least six months, the conditions which led to the removal or placement of the child continue to exist, the parent cannot or will not remedy those conditions within a reasonable period of time, the services or assistance reasonably available to the parent are not likely to remedy the conditions which led to the removal or placement of the child within a reasonable period of time and termination of the parental rights would best serve the needs and welfare of the child;
- ___ in the case of a newborn child, the parent knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, has failed for a period of four months immediately preceding the filing of the petition to make reasonable efforts to maintain substantial and continuing contact with the child and has failed during the same four month period to provide substantial financial support for the child;
- ___ the parent is the father of a child who was conceived as a result of a rape;
- ___ the child has been removed from the care of the parent by the Court or under a voluntary agreement with an agency, twelve (12) months or more have elapsed from the date of removal or placement, the conditions which led to the removal or placement of the child continue to exist and termination of parental rights would best serve the needs and welfare of the child.

8. The facts which support each of the grounds checked above, and which establish that termination of parental rights would be in the best interests of the child, are set forth as follows (provide a statement of the facts underlying your petition, or a report from Children and Youth Services.)

9. If the petitioner(s) is not an agency, has a Petition for Adoption been filed or is adoption presently contemplated?

Yes _____ No _____

Is the child(ren) placed in the care of the petitioners?

Yes _____ No _____

If yes, give the date of placement _____

- 10. The petitioner(s) will assume custody of the child(ren) if this petition is granted.
- 11. If the father of the child(ren) has not been identified, has a claim of paternity been filed?
 Yes _____ No _____
- 12. Is either parent entitled to benefits under the Soldiers' and Sailors' Civil Relief Act (50 U.S.C.A. § 501, et seq).
- 13. The following exhibits are attached:
 _____ birth certificate of child(ren);
 _____ consent of parent for petitioner under age eighteen (18).
 _____ statement of facts or report from Children and Youth Services

14. VERIFICATION:

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

WHEREFORE, the Petitioner(s) request that a hearing be scheduled and a citation issued to the respondent(s) directing them to appear before the Court at a day and time scheduled.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA

ORPHAN'S COURT DIVISION

AFFIDAVIT OF SEARCH
(To be filed if parents' whereabouts are unknown)

IN RE: _____ : No. _____ of _____

I hereby certify that I have made the following efforts to locate the parent(s):

- 1. Searched file for addresses (Children and Youth Services)
- 2. Contacted or searched (place a checkmark beside those that are applicable).

- _____ Known relatives and friends
- _____ Phone Book
- _____ Post Office
- _____ Prisons, State and Local
- _____ Clerk of Courts
- _____ CHRI

3. Publication

I verify that the statements herein are true and correct and subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

IN RE: Adoption of _____ : No. _____
 _____ : Docket _____ Page _____
 _____ : Filing Fee _____
 (ADOPTEE's name as on birth certificate) : Attorney _____

DECREE NISI

(Involuntary Termination of Parental Rights)

AND NOW, this _____ day of _____, 19____, after review of the record and after an evidentiary hearing following due notice, the Court makes the following findings and judicial determinations:

- 1. Petitioner(s) has/have established a legal basis for terminating the parental rights of _____
 hereinafter referred to as Respondent(s):
- 2. The following subsection(s) of 23 Pa.C.S.A. Section 2511 establish the basis for terminating the parental rights of Respondent(s).

Check the applicable subsections

- ___ a. The parent(s) by conduct continuing for a period of at least six months immediately preceding the filing of the Petition either has evidenced a settled purpose of relinquishing parental claim to a child or has refused or failed to perform parental duties.
- ___ b. The repeated and continued incapacity, abuse, neglect or refusal of the parent(s) has caused the child to be without essential parental care, control or subsistence necessary for his physical or mental well-being, and the conditions and causes of the incapability, abuse, neglect or refusal cannot or will not be remedied by the parent(s).
- ___ c. The parent is the presumptive but not the natural father of the child.
- ___ d. The child is in the custody of an agency, having been found under such circumstances that the identity or whereabouts of the parent(s) is/are unknown and cannot be ascertained by diligent search, and the parent(s) does/do not claim the child within three months after the child is found.
- ___ e. The child has been removed from the care of the parent(s) by the Court or under a voluntary agreement with an agency for a period of at least six (6) months, the conditions which led to the removal or placement of the child continue to exist, the parent(s) cannot or will not remedy those conditions within a reasonable period of time, the service or assistance reasonably available to the parent(s) are not likely to remedy the condition which led to the removal or placement of the child within a reasonable period of time and termination of the parental rights would best serve the needs and welfare of the child.
- ___ f. In the case of a newborn child, the parent knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, has failed for a period of four months immediately preceding the filing of the Petition to make reasonable efforts to maintain substantial and continuing contact with the child and has failed during the same four-month period to provide substantial financial support for the child.
- ___ g. The parent is the father of a child who was conceived as a result of a rape.

3. The decision of the Court is based on the following findings of fact.

4. It is hereby Ordered, Adjudged and Decreed that the parental rights of the above-mentioned Respondent(s) to adoptee are forever terminated.

5. The adoption of ADOPTEE may continue without further notice to or consent of the above-mentioned Respondent(s).

6. The custody of ADOPTEE is hereby transferred to

a. the adopting parent(s) _____

b. an approved Agency and such Agency is hereby authorized to give consent to the adoption of ADOPTEE.

7. Unless exceptions are filed with the Clerk of the Orphans' Court within ten (10) days after the entry of this decree, the decree will be made final.

BY THE COURT,

P.J.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA
ORPHAN'S COURT DIVISION**

IN RE:

No. ____ of 19__

FINAL DECREE

AND NOW, this ____ day of 19__, whereas a Decree Nisi was entered in the within matter, and exceptions having been filed, the exceptions are hereby dismissed and it is therefore ORDERED, ADJUDGED and DECREED that a final decree be entered and that all parental rights and duties of _____ are terminated forever. The adoption of the said child may be decreed without further consent of or notice to the aforesaid parent.

In accordance with 23 Pa.C.S.A. § 2905(d), said parent is advised of the continuing right to place and update personal and medical history information, whether or not the medical condition is in existence or discoverable at this time, on file with the Court and with the Department of Welfare.

BY THE COURT:

_____, P.J.

**IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
PENNSYLVANIA
ORPHAN'S COURT DIVISION**

IN RE:

No. _____ of ____

NOTICE OF RIGHT OF APPEAL

A Final Decree has been entered in the above-captioned matter, permanently terminating your parental rights and obligations with regard to the following child or children: _____. The adoption of said child or children may proceed without your further consent or notice.

You are hereby advised of your right to take an appeal from the Final Decree. Pursuant to Pa.R.A.P. 903, notice of appeal must be filed within thirty (30) days after the entry of the Final Decree.

[Pa.B. Doc. No. 99-1614. Filed for public inspection September 24, 1999, 9:00 a.m.]

**BEDFORD COUNTY
Local Rule under Rule 400.1 of the Pennsylvania
Rules of Civil Procedure**

Order of Court

And Now, this 30 day of August, 1999, the Court upon Petition of Jim Wright, the Sheriff of Bedford County, hereby establishes a Local Rule of Court pursuant to Rule 400.1 of the Pennsylvania Rules of Civil Procedure providing that:

With respect to all actions filed in Bedford County, Pennsylvania, original process be served within the Commonwealth:

- (i) by the Sheriff or a competent adult in the actions in equity, partition, prevent waste and declaratory judgment when declaratory relief is the only relief sought; and
- (ii) by the Sheriff in all other actions.

This local rule shall be filed in the manner set forth in Pa.R.C.P. Rule 239 and shall be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

DANIEL HOWSARE,
President Judge

**Petition of Jim Wright, Sheriff of Bedford County,
for Adoption of a Local Rule "Opting-Out"
Pursuant to Pa.R.C.P. 400.1 et seq.**

And Now, comes Jim Wright, the Sheriff of Bedford County, who petitions this Court as follows:

1. That by Order dated June 14, 1999, the Supreme Court of Pennsylvania did adopt amendments to the Procedural Rules of Civil Procedure effective September 1, 1999.

2. That pursuant to Section 400.1 of said Rules, each county has the authority to "opt-out" of the provisions

permitting service of original process and certain other legal papers by persons other than the Sheriff.

3. That your Petitioner avers that the adoption of the local rule aforesaid will maintain the integrity of the service of original process and other legal papers within the confines of this County and is in the best interests of the citizens and residents of this County.

Wherefore, your Petitioner moves this Honorable Court pursuant to Rule 400.1 to adopt a Local Rule of Court pursuant to Pa.R.C.P. Rule 400.1

[Pa.B. Doc. No. 99-1615. Filed for public inspection September 24, 1999, 9:00 a.m.]

**BUCKS COUNTY
Order Promulgating Rule of Civil Procedure
400.1*(c) Regarding Service of Process; No. 99-
30,000**

Order of Court

And Now, this 27th day of August, 1999, Bucks County Rule of Civil Procedure 400.1*(c) is hereby promulgated as follows:

Rule 400.1*(c) Original process shall be served within the Commonwealth:

- (1) by the sheriff or a competent adult in the actions in equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought, and
- (2) by the sheriff in all other actions.

By the Court

R. BARRY MCANDREWS,
President Judge

[Pa.B. Doc. No. 99-1616. Filed for public inspection September 24, 1999, 9:00 a.m.]

COLUMBIA COUNTY

Order Establishing Uniform Costs for Driving Under the Influence Prosecutions; Criminal Division, No. 1 of 1999

Order

And Now, this 16th day of July, 1999, *It Is Ordered* that the Administrative Order establishing costs for Driving Under the Influence prosecutions, be, and the same is, promulgated herewith, to become effective thirty (30) days after the publication of the Administrative Order in the *Pennsylvania Bulletin*; that seven (7) certified copies shall be filed with the Administrative Office of the Pennsylvania Courts: that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedural Rules Committee; and that one (1) copy shall be filed with the Clerk of Courts of the Court of Common Pleas of Columbia County.

By the Court

GAILEY C. KELLER,
President Judge

Order

And Now, this 16th day of July, 1999, the District Attorney of Columbia County having informed the Court: (A) that the county of Columbia has obtained a Pennsylvania Department of Transportation grant enabling it to establish a centralized location ("DUI Center") for the testing and initial processing of Driving Under the Influence cases,¹ (B) that after said center becomes operational, all police agencies in said County have agreed to use above said DUI Center in such cases initiated by the officers of the departments, and (C) that a specific condition of said grant is that the Court enter an Administrative Order establishing a uniform cost to be assessed against each defendant convicted of, or admitted to the Accelerated Rehabilitative Disposition ("ARD") Program for Driving Under the Influence, which will insure that after the first six (6) months of operation under the grant, the DUI Center will be self-supporting.

It Further Appearing That the District Attorney has estimated that in order to meet self-supporting requirement, an appropriate cost for each defendant convicted of, or admitted to the ARD Program for Driving Under the Influence, would be One Hundred and Seventy-Five (\$175.00) Dollars.

It Is Therefore Ordered and Decreed That:

1. The District Attorney shall file a certification to the above File Number, in the Office of the Clerk of Court-Criminal, immediately upon the opening of said DUI Center, indicating the date when it became operational.

2. Effective as to all cases where the charges of Driving Under the Influence were initiated on or after the date so certified by the District Attorney, the sum of One Hundred and Seventy-Five (\$175.00) Dollars shall be assessed as costs in each such case against every Defendant convicted of Driving Under the Influence² or admitted to the ARD Program.³ This charge shall be in addition to all

¹Driving under the influence of alcohol or controlled substance in violation of 75 Pa.C.S. § 3731.

²The Act of August 9, 1955, P. L. 323, § 1403, 16 P. S. § 1403, authorizes such costs.

³Pa.R.C.P. 182, authorizes costs in ARD dispositions, and 75 Pa.C.S. § 3731(e)(6) authorizes certain additional costs in DUI/ARD cases.

other authorized costs and supervision fees not duplications⁴ of the processing, booking and testing costs herein authorized.⁵

3. The funds so collected as costs for the DUI Center shall be paid into the General Fund of the County of Columbia, but separately identified in the County's records and accounts so that the amounts collected during any period can be readily determined. The Police Department of the Town of Bloomsburg shall maintain appropriate records of all processed through the DUI Center, including the dates of processing and the final disposition and dates thereof, as well. These records shall reflect the number of defendants whose cases are processed by the DUI Center, including the number of defendants released without filings, the numbers charged, convicted, admitted to ARD, discharged and acquitted of such charges initiated through the DUI Center, and the dates of all such processings, filings and dispositions. The Police Department of the Town of Bloomsburg shall also keep complete and accurate records of the actual costs of personnel, equipment and materials expended in the operation of the DUI Center, and complete such expenses to the cases processed and disposed of. The Police Department of the Town of Bloomsburg shall account to the Court on an interim quarterly basis with these figures, and shall annually submit to the Court a complete calculation based upon actual experience so that the costs assessed for said DUI Center can be reviewed and adjusted, if necessary, to reflect, as accurately as possible, the actual costs of its operation distributed equally among the defendants convicted and admitted to the ARD Program.

4. The Court directs, in accordance with the District Attorney's agreement, that qualified officers from the police departments in Columbia County selected by the Supervisor of the DUI Center and approved by the District Attorney for said County shall remain and be paid as employees of their respective municipalities for services performed when operating the DUI Center and the Township/Town/Borough will thereafter be reimbursed. The District Attorney shall make an annual general evaluation of the operation of the DUI Center and review with the various police agencies using the DUI Center its efficiency and effectiveness in providing services to the public.

By the Court

GAILEY C. KELLER,
President Judge

[Pa.B. Doc. No. 99-1617. Filed for public inspection September 24, 1999, 9:00 a.m.]

COLUMBIA AND MONTOUR COUNTIES

Amendment to Local Court Rules, 26th Judicial District, No. 1-99

Order of Court

And Now, this 13th day of September, 1999, the Court hereby adopts the following Local Rule of Civil Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*:

⁴Where blood samples are analyzed by the Pennsylvania State Police Regional Crime Laboratory rather than the Laboratory attached to the DUI Center, and costs for such analysis are assessed pursuant to 42 Pa.C.S. § 1725.3, the laboratory component of the DUI Center costs shall be deducted from the costs taxed under the Order, and the authorized user fee taxed pursuant to Section 1725.3.

⁵See 75 Pa.C.S. § 1548.

Rule 400.1(b)(1):

Original process shall be served within the Commonwealth

- (i) by the sheriff or a competent adult in all actions in equity, partition, prevent waste, and for declaratory judgment when declaratory relief is the only relief sought, and
- (ii) by the sheriff in all other actions.

It is further ordered that the District Court Administrator shall file seven (7) copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedural Rules Committee.

By the Court

GAILEY C. KELLER,
President Judge

[Pa.B. Doc. No. 99-1618. Filed for public inspection September 24, 1999, 9:00 a.m.]

ERIE COUNTY

Local Rule under Rule 400.1 of the Pennsylvania Rules of Civil Procedure; No. 90551-1999

Order

And Now, to-wit, this 30th day of August, 1999, the Court having received the Petition of Robert Merski, the Sheriff of Erie County, hereby establishes a Local Rule of Court pursuant to Rule 400.1(b)(1) of the Pennsylvania Rules of Civil Procedure providing that:

With respect to all actions filed in Erie County, Pennsylvania, original process shall be served within the Commonwealth:

- (i) by the sheriff or a competent adult in the actions in equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought, and
- (ii) by the sheriff in all other actions.

By the Court

MICHAEL M. PALMISANO,
Judge

[Pa.B. Doc. No. 99-1619. Filed for public inspection September 24, 1999, 9:00 a.m.]

FAYETTE COUNTY

Local Rule 1107, Juror Information Questionnaires; No. 186 of 1999, Criminal Division

Order

And Now, this 2nd day of September, 1999, pursuant to Rule 6 of the Pennsylvania Rules of Criminal Procedure, it is hereby ordered that the above-stated Local Rule be adopted as follows.

The Clerk of Courts is directed as follows:

- (1) Seven certified copies of the Local Rule shall be filed with the Administrative Office of Pennsylvania Courts.
- (2) Two certified copies of the Local Rule shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy of the Local Rule shall be sent to the State Criminal Procedural Rules Committee.

(4) One certified copy shall be sent to the Fayette County Law Library.

(5) One certified copy shall be sent to the Editor of the *Fayette Legal Journal*.

This Local Rule shall be continuously available for public inspection and copying in the Office of the Clerk of Courts. Upon request and payment of reasonable costs of reproduction and mailing, the Clerk shall furnish to any person a copy of any local rule.

This Local Rule shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

WILLIAM J. FRANKS,
President Judge

**Rule 1107
Juror Information Questionnaires**

**Rule 1107.1
General**

Confidential Juror Information Questionnaires ("questionnaires") will be maintained securely in the office of the Jury Commissioners. The juror questionnaires shall not constitute a public record.

**Rule 1107.2
Copies**

Complete and accurate copies of the original questionnaires ("copies") shall be collated into numbered binders which shall be available only to judges, attorneys for the Commonwealth and defendants' attorneys. Attorneys and judges may examine copies prior to jury selection by making arrangements with the designated custodian. The Court Administrator shall be the official custodian. Copies shall be made available from and returned to the office of the Court Administrator. Copies shall not constitute public records.

**Rule 1107.3
Restrictions**

Copies shall not be removed from the designated area except upon prior court order for good cause shown. The designated area shall be any courtroom. Copies shall not be duplicated, distributed or published. Defendants shall not be furnished copies of the questionnaires unless they are unrepresented by counsel at trial.

**Rule 1107.4
Dispositions of Questionnaires and Copies**

(A) **Impaneled jurors; original questionnaires.** All original questionnaires of all impaneled jurors shall be retained by the Jury Commissioners in a sealed file and shall be destroyed (1) year after the trial session in which they were selected, unless otherwise ordered by the Court.

(B) **Impaneled jurors; copies.** At the completion of selection of all juries for each trial session, all copies shall be returned to the Jury Commissioners and destroyed, unless otherwise ordered by the trial judge upon timely request of any unrepresented defendant, any defendant's attorney, or the attorney for the Commonwealth.

(C) **Jurors not impaneled.** All original and all copies of questionnaires of all jurors not impaneled and not

selected for any trial shall be destroyed upon completion of the jurors' service.

**Rule 1107.5
Supplemental Questionnaires**

The Jury Commissioners are hereby authorized to require the completion of a supplemental confidential juror information questionnaire mandated by Pa.R.Crim.P. 1107.

**Rule 1107.6
Completion of Questionnaires and Supplemental Questionnaires**

The Jury Commissioners shall develop appropriate procedures for distributing or mailing, collecting, collating, copying, binding, maintaining, securing and destroying questionnaires, supplemental questionnaires and all copies, as provided and required by law. The Jury Commissioner shall, in writing, inform jurors of the procedures for maintaining confidentiality of the questionnaires.

[Pa.B. Doc. No. 99-1620. Filed for public inspection September 24, 1999, 9:00 a.m.]

JEFFERSON COUNTY

**Adoption of Local Rule L400.1(b)(1); No. 644 of
1999 C.D., Miscellaneous Docket**

Order

And Now, this 23rd day of August, 1999, upon Petition from the Sheriff of Jefferson County, it is hereby ordered:

1. The following Rule is hereby adopted as Rule L400.1(b)(1) of the Local Rules of Civil Procedure of the 54th Judicial District of Pennsylvania. This Rule shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

2. The Prothonotary of Jefferson County shall:

a. file ten (10) certified copies of this Order and the following Rule with the Administrative Office of the Pennsylvania Courts;

b. distribute two (2) certified copies of this Order and the following Rule to the Legislative Reference Bureau for Publication in the *Pennsylvania Bulletin*;

c. file one (1) certified copy of this Order and the following Rule with the Pennsylvania Civil Procedural Rules Committee;

d. file one (1) certified copy with the *Jefferson County Legal Journal* for publication in the next issue.

e. maintain a copy of this local rule continuously available for public inspection and copying; and

f. file proof of compliance with this Order in the docket for this Rule which shall include a copy of each transmittal letter.

By the Court

WILLIAM L. HENRY,
President Judge

Rule L400.1(b)(1). Person to Make Service.

Original process shall be served within the Commonwealth:

(i) by the Sheriff or a competent adult who is not a party in the following actions: equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought, and

(ii) by the Sheriff in all other actions.

[Pa.B. Doc. No. 99-1621. Filed for public inspection September 24, 1999, 9:00 a.m.]

MCKEAN COUNTY

**Adoption of Local Rules; No. 158 December Term,
1904**

**McKean County Local Rules of Court
Person to Make Service**

Rule L400.1

With respect to all actions filed in McKean County, Pennsylvania, original process shall be served within the Commonwealth.

(i) by the sheriff or a competent adult in the actions in equity, partition, prevent waste, and declaratory judgment when declaratory relief is the only relief sought, and

(ii) by the sheriff in all other actions.

Note: This Rule is promulgated pursuant to the provisions of Pa. R.C.P. 400.1, as adopted by Order of the Supreme Court of Pennsylvania of June 14, 1999, at No. 316 Civil Procedural Rules Docket No. 5.

By the Court

JOHN M. CLELAND,
President Judge

[Pa.B. Doc. No. 99-1622. Filed for public inspection September 24, 1999, 9:00 a.m.]

**COURT OF JUDICIAL
DISCIPLINE**

Court Sessions; Doc. No. 1 JD 94

Order

Per Curiam:

And Now, this 10th day of September, 1999, it is hereby *Ordered* that the sessions of the Court of Judicial Discipline shall be held in the year 2000 commencing as follows:

January 18—21

March 21—24

May 16—19

September 19—22

November 14—17

[Pa.B. Doc. No. 99-1623. Filed for public inspection September 24, 1999, 9:00 a.m.]

SUPREME COURT

Accreditation of the American Board of Certification as a Certifying Organization; No. 5 Disciplinary Rules Docket

Bar Association Review and Certifying Board, the American Board of Certification is hereby accredited as a certifying organization in the area of creditors' rights law for a period of five calendar years.

[Pa.B. Doc. No. 99-1624. Filed for public inspection September 24, 1999, 9:00 a.m.]

Order

Per Curiam:

And Now, this 10th day of September, 1999, upon consideration of the recommendation of the Pennsylvania

RULES AND REGULATIONS

Title 7—AGRICULTURE

MILK MARKETING BOARD

[7 PA. CODE CHS. 143 and 149]

Transactions Between Dealers and Producers; Uniform System of Accounts

The Milk Marketing Board amends §§ 143.12, 143.14 and 149.24 (relating to terms of payment; monthly statement to producers; and separating expenditures for raw product into controlled and noncontrolled amounts) to read as set forth in Annex A.

On April 2, 1999, the Agricultural Marketing Service, United States Department of Agriculture (USDA) published in the *Federal Register* its final decision on Federal milk marketing order reform (referred to hereinafter as final decision). See 64 F.R. 16026 et seq. This document was accompanied by substantial revisions to USDA regulations found in 7 CFR Parts 1000—1199, which govern milk orders. Upon approval of the new orders by the required number of producers in each Federal marketing area, the USDA will publish in the *Federal Register* a final order implementing the orders. Congress has directed that implementation occur by October 1, 1999.

On June 2 and July 7, 1999, the Board conducted a hearing to receive evidence concerning the impact of Federal order reform on the Board's official general orders governing producer and resale pricing in this Commonwealth. The Board order based on the hearing, Official General Order (OGO) A-903, was issued on August 3, 1999; the effective date of the order is September 1, 1999, inasmuch as prices for producer milk regulated under the new Federal orders are expected to be announced on September 23. (Should Congress delay implementation of the final decision beyond October 1, OGO A-903 provides for an alternative effective date of 30 days before the new implementation date.)

The June 2 and July 7, 1999, hearings also addressed the need to harmonize certain regulatory provisions with Federal practice under the final decision. The amendments to §§ 143.12, 143.14 and 149.24 achieve harmony with Federal requirements governing payments to producers and classification of milk (see 64 F.R. 16173—74 and 16229). Existing § 143.12 requires that advance payments to producers, whether made monthly or weekly, be at least the applicable Class II price for the previous month. The final decision mandates that these payments be at least the lowest announced class price. The final decision also changes the timing for advance and final payments from, respectively, the last day of the month to the 26th day and the 18th day of the month to the 17th day. The amendments to §§ 143.12 and 143.14 reflect these changes. The list in § 149.24 of categories of milk not price-controlled by the Board is amended to include the new Federal Class IV classification.

An additional amendment, unrelated to Federal order reform, is being made to § 143.12(b). Because no milk dealers pay on a weekly basis, the Board does not annually promulgate a weekly payment schedule. Reference to that schedule has therefore been deleted.

Public notice of intention to amend the regulations under the procedures in sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and

1202) (CDL) has been omitted under section 204(3) of the CDL (45 P. S. § 1204) because the Board finds that these procedures are impracticable and unnecessary under the circumstances. Because the new Federal orders are due to be implemented on October 1, it would be impracticable to submit the amendments to the procedures associated with proposed rulemaking. Amended § 143.12 requires that producers receive interim payments by the 26th day of each month. That requirement would govern October producer payments. Accordingly the amendment must be effective before October 26, 1999. Although Federal regulations do not govern all milk produced in this Commonwealth, maintenance of uniform timing and minimum payment provisions will ensure that Pennsylvania producers continue to receive payment for both Federally regulated and State-regulated milk on a stable and predictable basis.

Proposed rulemaking is also unnecessary under the circumstances. Milk dealer and producer organizations received notice of and participated in the amendatory process. As noted, testimony at the June 2 and July 7, 1999, hearings addressed the need to amend the regulations. Thereafter, the Board provided for comment by the milk industry during its sunshine meeting on August 3, 1999, and also solicited written comments (none were received). No objections to the amendments have been raised.

Statutory Authority

Section 608 of the Milk Marketing Law (31 P. S. § 700j-608), authorizes the Board to establish the basis on which payment for milk is to be made, the timing of payment, and the contents of the written statement that must accompany payment. Section 5 of the Milk Producers' Security Act (31 P. S. § 626.5), empowers the Board to establish the time period in which milk dealers must make final payments to producers. Section 704 of the Milk Marketing Law (31 P. S. § 700j-704), requires the Board to establish a uniform system of accounts.

Fiscal Impact and Paperwork Requirements

These amendments will have no fiscal impact on the Commonwealth or its political subdivisions, nor will they create new paperwork requirements for these entities. The addition of a Class IV category in § 149.24 will create a modest change in reporting requirements for milk dealers.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on August 9, 1999, a copy of these amendments was submitted to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Committees on Agriculture and Rural Affairs. At the same time, the amendments were submitted to the Office of Attorney General for review and comment under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(d) and (e) of the Regulatory Review Act, these final-omitted regulations were deemed approved by the Senate and House Committees on Agriculture and Rural Affairs on August 30, 1999, and were approved by IRRC on September 9, 1999.

Additional Information

Persons may submit inquiries about these amendments to Chief Counsel, Pennsylvania Milk Marketing Board, 2301 N. Cameron Street, Harrisburg, PA 17110, (717) 787-4194.

Findings

The Board finds that:

(1) Public notice of intention to amend the final-omitted regulations as adopted by this order under the procedures specified in sections 201 and 202 of the CDL has been omitted under section 204(3) of the CDL because the Board has, for good cause, found that the procedures in sections 201 and 202 are impracticable and unnecessary under the circumstances inasmuch as the amendments harmonize certain State practices with Federal practices due to be implemented on October 1, 1999, and inasmuch as affected persons had the opportunity to participate in the amendatory process and had no objections to the amendments set out in Annex A.

(2) Amending the Board's regulations in the manner provided in this order is necessary and appropriate for the administration of the Board's authorizing statutes.

Order

The Board, acting under its authorizing statutes, orders that:

(a) The Board's regulations, 7 Pa. Code Chapters 143 and 149, are amended by amending §§ 143.12, 143.14 and 149.24 to read as set forth in Annex A.

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

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

(d) This order shall be effective on October 1, 1999.

BEVERLY R. MINOR,
Chairperson

(Editor's Note: For the text of the Order of the Independent Regulatory Review Commission relating to this document, see 29 Pa.B. 5033 (September 25, 1999).)

Fiscal Note: 47-6. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART VI. MILK MARKETING BOARD

CHAPTER 143. TRANSACTIONS BETWEEN DEALERS AND PRODUCERS

PAYMENT

§ 143.12. Terms of payment.

(a) Producers shall be paid not later than the 26th day of each month and the 17th day of the following month, as follows:

(1) Payment that covers the approximate value of milk or cream purchased from the first to the 15th of each month shall be made not later than the 26th day of each month. This payment need not be accompanied by an itemized statement. This payment shall be at least the lowest announced class price for the previous month for the number of pounds purchased or received during the first 15 days of the month.

(2) Final settlement for all milk and cream purchased during any month shall be made not later than the 17th day of the following month. The final settlement shall include any balances due for the first 15-day period and shall be accompanied by a statement to each producer setting forth the information required under § 143.14 (relating to monthly statement to producers).

(b) This section may not be interpreted as prohibiting a dealer from paying its producers on a weekly basis; however, when a dealer pays on this basis, it shall also provide its producers with a monthly statement as prescribed by § 143.14. All advance payments on the weekly basis shall be at least at the lowest announced class price for the previous month for the number of pounds purchased or received during the week in question. The final settlement shall include any balances due for the initial weeks during the month and shall be accompanied by a statement to each producer setting forth the information required under § 143.14.

§ 143.14. Monthly statement to producers.

Dealers purchasing milk or cream from producers shall furnish producers with statements containing each of the following items, by not later than the 17th day of each month:

- (1) The name and address of dealer issuing statement.
- (2) The date of statement.
- (3) The period for which statement is rendered.
- (4) The name of producer for whom statement is intended.
- (5) The butterfat test for the first half of the month, or the average of fresh samples, with a minimum of two taken, evenly spaced, the first half of the month.
- (6) The butterfat test for the last half of the month, or the average of fresh samples, with a minimum of two taken, evenly spaced, in the last half of the month.
- (7) The average butterfat test for the month.
- (8) The percentage of milk utilized in each classification.
- (9) The rate paid per hundredweight for 3.5% milk for each classification as established by applicable Official General Order, which may be obtained from the Milk Marketing Board, 2301 N. Cameron Street, Harrisburg, Pennsylvania 17120.
- (10) Three and one-half percent blend rate per hundredweight and butterfat differential per 0.1%.
- (11) The blend rate paid at the producer's average test.
- (12) The total pounds of milk purchased from producer.
- (13) The gross amount paid for milk.
- (14) Additional amounts paid as premiums, bonuses or similar payments.
- (15) The gross amount due after addition of premiums, bonuses or similar payment.
- (16) Itemization of advance payments and authorized deductions.
- (17) The total deductions.
- (18) The net amount due and paid.

**CHAPTER 149. UNIFORM SYSTEM OF ACCOUNTS
SPECIFIC INSTRUCTIONS**

§ 149.24. Separating expenditures for raw product into controlled and noncontrolled amounts.

(a) From the milk dealer's monthly report, the product and butterfat pounds sold or utilized shall be determined for each producer payment category, as follows:

- (1) Controlled, Class I
- (2) Controlled, Class II
- (3) Noncontrolled, Class I
- (4) Noncontrolled, Class II
- (5) Noncontrolled, Class III
- (6) Noncontrolled, Class IV

(b) The value of each category, using the applicable Federal or State prices adjusted for zone and butterfat differentials, shall be determined.

(c) The pounds and dollar values for controlled and noncontrolled shall be totalled.

(d) The difference between the total dollars accounted for in subsection (c) and the total paid for the milk, including payments to settlement and assessment funds shall be determined. This difference shall consist of market administration fees, shrinkage, plant loss and premiums.

(e) The dollar difference specified in subsection (d) shall be divided between controlled and noncontrolled, in the same proportion as the controlled and noncontrolled pounds totalled in subsection (c).

(f) Add or subtract the differences separated in subsection (e) to the two dollar figures computed in subsection (c). The total of the controlled and noncontrolled dollar figures shall then equal the total payment for milk for the month.

(g) If bulk product is purchased from other sources in addition to producers, the payments to both shall be totalled and divided between controlled and noncontrolled, using the steps set forth in subsections (a)—(f). The amounts of the total controlled and total noncontrolled shall then be divided between purchases and purchases from others, in the same proportion as the totals paid to producers and to others. The resultant four figures shall next be charged to the four accounts specified in § 149.42(c)(2)—(4) (relating to income and cost of sales accounts), with a credit to "Total Purchases of Milk," specified in § 149.42(c)(1).

(h) At the end of an accounting period, either calendar or as specified by the Board for cross-section purposes, the summarization of the monthly total figures may not equal the figure from the adjusted trial balance because of period beginning and ending inventory or other adjustments. This difference, plus or minus, shall be divided between controlled and noncontrolled in the same proportion as the total controlled and noncontrolled pounds sold in the entire period.

(i) A dealer operating a partially Federally regulated plant paying marketing administration fees and payments to settlement funds for fluid milk products delivered to a Federal order area should assign all such payments to controlled cost of sales except for deliveries to locations on which the Board does not establish prices, such as out-of-State locations and Federally owned land.

(j) If a dealer that produces both fluid and manufactured products purchases items, such as cream and powder that can be readily identified as raw product for the manufactured items, the cost of these items may be excluded from the computations specified in subsections (a)—(h) and assigned directly to noncontrolled cost of sales accounts.

[Pa.B. Doc. No. 99-1625. Filed for public inspection September 24, 1999, 9:00 a.m.]

Title 22—EDUCATION

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 49]

Certification of Professional Personnel

The State Board of Education (Board) amends Chapter 49 (relating to certification of professional personnel) which relates to certification of professional personnel, to read as set forth at Annex A, under authority of Article XII and sections 1109, 1141, 2603-B and 2604-B of the Public School Code of 1949 (24 P. S. §§ 12-1201—12-1268, 11-1109, 11-1141, 26-2603-B and 26-2604-B).

Notice of proposed rulemaking was published at 27 Pa.B. 2011 (April 19, 1997) with an invitation to submit written comments within 30 days.

Purpose

Chapter 49 sets forth the basic rules for teacher preparation, certification and continuing professional development in this Commonwealth. These final-form regulations are designed to strengthen teacher education programs and provide support to novice teachers; to expand the assessment program to include performance and to provide for additional assessments; and, to provide a structure of professional education and certification which supports the Commonwealth's academic standards. These changes to Chapter 49 are the result of the Board's decennial review of the chapter as required by § 49.51 (relating to review of certification).

Response to Public Comment

Alternate Entry.

Considerable public comment was received on the proposal to permit equivalent education and experience to take the place of formal teacher preparation and recommendation for certification. A new section, § 49.13(b)(12) (relating to policies), was proposed which would have delegated to the Secretary of Education the responsibility to establish equivalencies of education and experience for all certificate areas. Language permitting equivalencies was found in the section establishing requirements for each of the broad areas of certification on proposed rulemaking. Most public comment was in opposition to equivalencies being established because it: (a) undermines the profession of teaching; (b) is contradictory to other areas of revision seeking to strengthen criteria for entry to the profession; and (c) is not justified by need due to a current and projected surplus of fully certified teachers. In addition, public commentators, legislators and the Independent Regulatory Review Commission (IRRC) staff questioned whether equivalencies were supportable under current statute. As a result, § 49.13(b)(12) has been removed on final-form along with all references to equivalencies under each major category of certificate. Several commentators, legislators and IRRC staff also suggested

that language on experimental programs (§ 49.15 (relating to approval of experimental programs)), initially proposed for deletion be restored to enable teacher preparing institutions to design programs targeted to individuals not initially preparing for education professions. Thus, in conjunction with the removal of proposed § 49.13(b)(12), the Board has restored § 49.15 on final-form.

Temporary Waivers:

Proposed § 49.13(b)(13) would have permitted the Secretary, upon petition by a local board of school directors, to waive requirements of certification temporarily. This provision was designed to allow schools a greater degree of flexibility in staffing when making curricula changes. Public comment on this provision was generally negative. Commentators: (a) warned that this provision would enable local boards to unnecessarily circumvent certification statute and regulation; (b) expressed the opinion that this provision is unwarranted because current provisions of regulation providing flexibility are rarely used; and (c) believed that waivers would undermine the profession. School administrators and school board members commented in favor of flexibility. Commentators, legislators and IIRC staff questioned the legal basis for waivers. As a result of comment, § 49.13(b)(13) has been removed on final-form.

Professional Development:

As proposed, requirements for professional development applied to all professional educators regardless of the date of receipt of certificate. A number of comments received were supportive of this provision while others questioned the authority of the Board to establish this requirement. Legislators questioned the advisability of the Board establishing a professional development requirement when legislative proposals to do the same were under active consideration in the General Assembly. As such, proposed revisions have been eliminated and existing language restored in § 49.17 (relating to continuing professional development) on final-form. Related proposed revisions in §§ 49.83, 49.103, 49.111, 49.143 and 49.163 have been eliminated.

Supervisory Certificates:

Revision to language on supervisory certificates was proposed to enable more generic supervisory certificates. Specifically, under § 49.111(a)(2) language which restricted supervisory certificates to single, specified areas was deleted in order to permit the Department to issue certificates in more general program areas. This proposed revision was based on the understanding of the Board that: (1) many of the skills of supervision were generic; (2) only larger school districts could afford subject specific supervisors, leaving smaller districts to rely instead on generally-trained principals to supervise teachers and curricula; and (3) supervisory certificates for program clusters would be within the reach of a greater number of school districts and improve instructional leadership. A majority of public commentators and the Professional Standards and Practices Commission supported specific single program supervisory certificates. Administrators favored more generic supervisory certificates. The Board continues to believe that supervisory certificates designed for clusters of subject areas are more feasible. As proposed, the language would continue to permit the Department to offer supervisory certificates in such areas as Reading, Special Education, Curriculum and Instruction and the like, but would also permit the Department to design supervisory certificates for clusters such as math-

ematics and science or English and language arts. As a result, the Board affirms its proposed revisions.

Additional and compelling public comment was received on the unique nature of vocational education and specific skills necessary for an individual to succeed supervising teachers and curricula in a vocational setting. As a result, the Board restored the provisions under § 49.161 (relating to Supervisor of Vocational Education) for Vocational Education Supervisor.

Assuring Parallel Requirements for Certificates:

Public comment was received that it was not clear that certificates issued to all educators provided similar requirements for continuing professional development, for successful completion of assessments, and for helping students to achieve the requirements of Chapter 4 (relating to academic standards and assessment). The Board has added language on final-form in several certificate areas to ensure that these requirements are clearly parallel.

Public commentators and legislators questioned proposed language requiring that all professional development activities for an educator be in the area of certification and assignment was too restrictive. As a result, the restriction has been removed permitting greater flexibility for professional development for the educator and the employing entity.

Program and Certificate Standards:

Public commentators, legislators and IIRC staff questioned whether the Board has the authority to delegate the development of general program standards and specific standards for certificates to the Department (for example, §§ 49.14(4); 49.81(b); 49.101; 49.111(a)(5)). To date, the Department has developed standards in consultation with the Board, where they have been presented and discussed in regular public meetings, and formally approved by the Board. While not meeting the current requirements of the regulatory review process, substantial opportunities were provided for public and legislative involvement. Revisions to final-form regulations seek to clarify the Board's responsibility to approve standards for certificates while maintaining the Department's ability to develop procedures and to issue interpretive policies and directives necessary to administer the regulation. The Board does not believe that it is practical and efficient for the Board to determine specific standards for each certificate and so continues to delegate that responsibility to the Department and will continue to consult with the Department in their development. Doing so does not lessen the Department's responsibility to develop and promulgate general and specific standards within the requirements of the Regulatory Review Act (71 P. S. §§ 745.1—745.15).

Other Revisions on Final-Form

Other changes, not based upon public comments, were made by the Board to clarify provisions in the document. These changes are included in the final-form. The original scope of proposed revisions was not expanded.

Affected Parties

All local education agencies, teacher preparing institutions, and perspective and current teachers and administrators are affected by these regulations.

Cost and Paperwork Estimates

Assessments:

With the expansion of assessment to include a measure of professional performance and to measure performance

and knowledge at more points, additional costs will be incurred. It is difficult to accurately estimate these costs, but it is anticipated that the current cost of \$230 for an applicant is likely to double at each of the initial and advanced certificate points. In development of the assessment program, the Department is directed to use, where appropriate available instructions to eliminate development costs. Costs for assessment may be shared among the applicant for certification, the preparing institution and the employing entity.

Candidates for initial certification (Instructional I, Intern, and Education Specialist I Certificates) are required to complete a range of tests under the National Teachers Exam (NTE). The cost for these tests are borne by the applicant for certification.

Teacher Preparation Program Revisions:

With new principles/standards for preparation programs, revisions will need to be made in these programs. It is difficult to measure the costs since the 91 institutions which offer at least one teacher preparation program vary in curricular design and delivery costs. However, it is assumed that the costs for revisions in programs will be similar to those costs engaged in program redesign regularly undertaken by institutions as required by changes in licensure or accreditation standards.

The requirement for approved programs to provide support to novice teachers in their first year of teaching will likely lead to some additional costs. It is envisioned that institutions, in cooperation with one another and employing appropriate technologies, will be able to accomplish this requirement while minimizing any additional cost.

Effective Date

These final-form regulations will become effective upon final publication in the *Pennsylvania Bulletin*.

Sunset Date

The effectiveness of Chapter 49 will be reviewed by the Board every 10 years, under § 49.51. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 9, 1997, the Board submitted a copy of the notice of proposed rulemaking published at 27 Pa.B. 2011 to IRRC and to the Chairpersons of the House and Senate Committees on Education for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Board also provided IRRC and the Committees with copies of the comments received as well as other documentation.

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

Final-form regulations were approved by the Committees on June 7, 1999, but were disapproved by IRRC on June 17, 1999, in accordance with section 5(c) of the Regulatory Review Act. Under section 7(a) of the Regulatory Review Act (71 P. S. § 745.7(a)), the Board notified the Governor, IRRC and the Standing Committees of its intent to revise final-form regulations and to proceed with its promulgation as revised, under section 7(c) of the Regulatory Review Act.

Two reasons were cited by IRRC for disapproval. First, IRRC questioned the authority of the Board to delegate to the Department responsibility for developing standards

for certificates. Specifically, IRRC questioned the authority of the Board requiring candidates for certification to meet Department prescribed standards based on principles established in the revisions to the chapter. Variations on this delegation are found in §§ 49.42, 49.81 (b), 49.101, 49.111(a), 49.121(d) and 49.163. To address this concern, the Board revised the final-form regulations to adopt the principles as the standards for the major certificate categories. It is the Board's understanding that the authority delegated to the Department in § 49.13 (b)(3) and (10) continues to provide the Department with the authority and responsibility to establish procedures, administrative agency interpretative policies and directives relating to certification and staffing. This authority is consistent with the authority granted the Department generally by the Public School Code of 1949 (24 §§ 1-101—27-2702) and section 1302 of The Administrative Code of 1929 (71 P. S. § 352), as well as section 2 of the act of May 29, 1931 (P. L. 210, No. 126)(24 P. S. § 1225).

Second, for reasons of clarity, IRRC questioned a provision in § 49.103 which would require applicants for an Educational Specialist II Certificate to complete 3 years of satisfactory teaching on an Educational Specialist I Certificate. This provision was questioned on proposed rulemaking by public commentators and IRRC. The Board has revised the final-form to correct the provision to require satisfactory service on the Educational Specialist I Certificate.

The report and revisions to the final form were submitted to the Standing Committees and IRRC on July 27, 1999, and were deemed approved by the Committees on August 6, 1999, and approved by IRRC on August 19, 1999, in accordance with section 5(c) of the Regulatory Review Act.

Contact Person

The official responsible for information on the Board's process of promulgating these final-form regulations is Peter H. Garland, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787.

Findings

The Board finds that:

(1) Public notice of the intention to adopt these amendments was 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 promulgated thereunder in 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) The amendments are necessary and appropriate for the administration of the Public School Code of 1949.

Order

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

(a) The regulations of the Board, 22 Pa. Code Chapter 49, are amended by amending §§ 49.1, 49.2, 49.11—49.18, 49.31—49.34, 49.41, 49.42, 49.51, 49.62, 49.62a, 49.63, 49.64a, 49.65, 49.68, 49.72, 49.81—49.83, 49.85, 49.91, 49.101—49.103, 49.105, 49.111, 49.121, 49.131, 49.133, 49.141—49.143, 49.151, 49.153, 49.161, 49.163, 49.171, 49.172 and 49.182; deleting 49.64b, 49.64c, 49.64d, 49.67, 49.112, 49.122, 49.162, 49.164, 49.183 and 49.184; and adding § 49.191 to read as set forth in Annex A.

(*Editor's Note:* Section 49.15 was proposed to be amended but the proposed amendments have been withdrawn and the text appears in its current version in Annex A.)

(b) The Executive Director will submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

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

(d) This order is effective upon final publication in the *Pennsylvania Bulletin*.

PETER H. GARLAND,
Executive Director

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 29 Pa.B. 4749 (September 4, 1999).)

Fiscal Note: Fiscal Note 6-258 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subchapter C. HIGHER EDUCATION

CHAPTER 49. CERTIFICATION OF PROFESSIONAL PERSONNEL

Subchapter A. GENERAL PROVISIONS

THE PROGRAM

§ 49.1. Definitions.

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

Act—The Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

Approved teacher certification program—A sequence of courses and experiences offered by a preparing institution which is reviewed and approved by the Department.

Assessment of basic skills—A measurement of a candidate's ability to communicate orally and in writing and to demonstrate proficiency in fundamental computational skills.

Assessment of general knowledge—A measurement of a candidate's knowledge in the fields of literature, fine arts, mathematics, the sciences and social studies.

Assessment of professional knowledge and practice—A measurement of a candidate's knowledge of educational theory, principles of human growth and development, educational psychology and other subjects directly related to educational practice and their application/demonstration in school settings.

Assessment of subject matter—A measurement of a candidate's knowledge of an academic field or discipline to be taught in the public schools of this Commonwealth.

Candidate—A person seeking certification in any of the areas outlined in this chapter.

Certificate—A document prepared and issued by the Department indicating that the holder has completed a professional preparation program and is qualified to perform specific professional duties.

Chief school administrator—The superintendent, intermediate unit executive director, or equivalent private school administrator.

Collegiate studies—Studies pursued at institutions which are entitled to apply to themselves the designation of college or university as defined by 24 Pa.C.S. Chapter 65 (relating to private colleges, universities and seminaries).

Commissioned officer—District superintendents and assistant district superintendents under section 1078 of the act (24 P. S. § 10-1078) (relating to Commissions; objections to election).

Continuing professional development—The formal acquisition of collegiate or in-service credits designed to improve and expand the expertise of professional personnel who receive their initial certificate in a given certificate category after June 1, 1987.

Degree-granting institution—A public college or technical institute which provides a 2 year, postsecondary college-parallel, terminal-general, terminal-technical, out-of-school youth or adult education program or a combination of these and which is established and operated under the act.

Induction—A process by which a variety of professional support services are provided to newly employed teachers and educational specialists under the guidance of professional personnel to facilitate entry into the education profession.

Induction plan—A description of the induction process developed and submitted by the school entity to the Department for approval which describes how a teacher or educational specialist will be introduced to the teaching profession under this chapter.

Invalid certificate—A certificate which no longer enables its holder to perform specific professional duties.

Occupational competency credential—A document issued by the Occupational Competency Testing Examiners which signifies that the holder possesses knowledge and skill in a technical field at a journeyman level. When the document is presented to a preparing institution or to the Department, it may be registered by the Department on the holder's vocational intern, vocational instructional or instructional certificate, and it enables the holder to teach that occupational specialty.

Permit—A document prepared and issued by the Department indicating that the holder is allowed to serve in lieu of a certificated professional for a specified period of time.

Preparing institution—A college or university that offers a program approved by the Department to prepare professional personnel for employment in the public schools.

Professional duties—A duty the performance of which is restricted to professional personnel by the scope of their certificate.

Professional personnel—Professional employes, excluding school secretaries, as defined in section 1101 of the act (24 P. S. § 11-1101) (relating to definitions).

Professional Standards and Practices Commission (PSPC)—A body composed of educators from the fields of basic and higher education, members of the general public, and an ex officio member of the Board established by the Teacher Certification Law.

Satisfactory achievement—An acceptable level of performance as determined by the Secretary in consultation with the Board on the Department prescribed assessments required in this chapter.

School entity—Public schools, school districts, intermediate units and area vocational-technical schools.

Teacher Certification Law—The act of December 12, 1973 (P. L. 397, No. 141) (24 P. S. §§ 2070.1—2070.18).

Term of validity—A period of time as specified in §§ 49.82, 49.92, 49.142 and 49.152 in which the holder of a certificate is entitled to perform the professional duties for which the certificate was issued.

§ 49.2. Inactivity and invalidity.

(a) *Inactivity*. A certificate or commission shall be inactive if the holder fails to meet § 49.17 (relating to continuing professional development).

(b) *Invalidity*. A certificate shall be invalid if the holder fails to meet, or if circumstances arise as specified in § 49.33, § 49.34(b), § 49.82, § 49.92, § 49.102, § 49.142 or § 49.152.

§ 49.11. General.

(a) Certificates and letters of eligibility in force in this Commonwealth on September 25, 1999, shall continue in force, subject to all the terms and conditions under which they were issued until they expire by virtue of their own limitations.

(b) State certificates and permits shall be issued as provided in this chapter, and teachers, and other professional personnel may not perform professional duties or services in the schools of this Commonwealth in any area for which they have not been properly certificated or permitted.

(c) This chapter establishes the specific requirements for the certification and permitting of persons serving in the public school entities of this Commonwealth as professional employes, temporary professional employes, substitutes, and commissioned school administrators of the Commonwealth.

§ 49.12. Eligibility.

In accordance with sections 1109, 1202 and 1209 of the act (24 P. S. §§ 11-1109, 12-1202 and 12-1209), every professional employe certificated or permitted to serve in the schools of this Commonwealth shall:

- (1) Be of good moral character.
- (2) Provide a physician's certificate stating that the applicant, with or without reasonable accommodation, is able to perform successfully the essential functions and duties of an educator. A qualified applicant who has tuberculosis or another communicable disease or a mental disability, will not be deemed to pose a direct threat to the health or safety of others unless a threat to health or safety cannot be eliminated by a reasonable accommodation.
- (3) Be at least 18 years of age.
- (4) Except in the case of the Temporary Permit, Vocational Instructional Intern Certificate, and Vocational Instructional Certificate, have earned minimally a baccalaureate degree as a general education requirement.

§ 49.13. Policies.

(a) The Board, through the Secretary, will provide standards for the guidance of the preparing institutions in educating professional personnel for the schools of this Commonwealth.

(b) The Department will have the following responsibilities with respect to certification and permitting of professional personnel in the schools of this Commonwealth:

- (1) Provision of advisory services to college and school personnel in matters pertaining to teacher education and certification.
- (2) Designation of professional titles for personnel.
- (3) Prescription of procedures for issuance of certificates and permits.
- (4) Evaluation and approval of teacher education programs leading to the certification and permitting of professional personnel. Program approval teams shall consist of professional educators from basic and higher education.
- (5) Registration of certificated and permitted persons.
- (6) Maintenance of records of all certificates and permits.
- (7) Assurance that each professional person is properly certificated or permitted for the specific position in which the professional person is employed.

(8) Review and investigation of alleged violations of this chapter.

(9) Prescription of procedures approved by the Board for the appraisal and evaluation of education and experience of applicants for any type of professional certification issued by the Department when the applicant has been denied certification and is prepared by institutions outside this Commonwealth or has appealed in accordance with guidelines approved by the Board in § 49.66 (relating to appeal procedure), a decision pertaining to eligibility for certification rendered by a Commonwealth institution having an approved program. The appellant initially shall have appealed to the institution.

(10) The issuance of administrative agency interpretative policies and directives relating to professional certification and staffing in the schools of this Commonwealth as may be necessary to carry out the intent of this chapter.

(11) Identification and approval of assessment tools, instruments, and procedures to measure basic skills and general knowledge; professional knowledge and practice; and subject matter knowledge.

(c) Except for applicants whose certification status is subject to subsection (b)(9) and § 49.171 (relating to general requirements), the Department will require that an applicant for a certificate shall have completed an approved program and shall be recommended by the preparing institution.

(d) The Department will have the right to review approved programs at any time. Major evaluations shall be conducted at 5-year intervals by teams of professional educators appointed by the Department in accordance with subsection (b)(4) and shall review process and content.

(e) The Department will accept the request of an institution to withdraw from an approved program. The Department will have the right to withdraw the approval of a program from an institution. New students may not be accepted in a program which has lost its approved status after the date of the action.

§ 49.14. Approval of institutions.

To be authorized to conduct programs that lead to certificates for professional positions, institutions and any

of their off-campus centers engaged in the preparation of teachers shall meet the following requirements:

(1) Be approved as a baccalaureate or graduate degree granting institution by the Department.

(2) Be evaluated and approved as a teacher-preparing institution to offer specific programs leading to certification in accordance with procedures established by the Department.

(3) Report to the Department, for approval, all planned changes in previously approved programs. This report shall be made 90 days prior to the implementation of the planned changes.

(4) Follow Department prescribed standards developed from the following principles:

(i) Institutions develop clear goals and purposes for each program, including attention to professional ethics and responsibilities.

(ii) Institutions are able to demonstrate how instructional and clinical activities provide educator candidates with the capacity to enable the achievement of all students.

(iii) Institutions are able to demonstrate that educator candidates have participated in instructional activities that enable the candidates to provide instruction to students to meet the provisions of Chapter 4 (relating to academic standards and assessment), including environment and ecology.

(iv) Institutions are able to demonstrate that educator candidates successfully participate in early and frequent clinical experiences fully integrated within the instructional program.

(v) Institutions have clearly expressed standards for admission to, retention in and graduation from approved programs and actively encourage the participation of students from historically underrepresented groups.

(vi) Institutions provide ongoing assessment of educator candidates' knowledge, skills, dispositions and performance with which to identify needs for further study or clinical experience or dismissal from the program.

(vii) Institutions can demonstrate how information from systematic evaluations of their programs, including students and educator evaluators, and achievement levels of candidates for certification in the Department-designed assessment program are used for continual program improvement.

(viii) Institutions, in partnership with local education agencies, provide a school-based experience integrating the teacher candidates' knowledge, skills and dispositions in professional practice. This experience shall be fully supported by institutional faculty, including frequent observation, consultation with supervising teachers, and opportunities for formative and summative evaluation.

(ix) Institutions provide ongoing support for novice educators in partnership with local education agencies during their induction period, including observation, consultation and assessment.

(x) Institutions provide evidence that an acceptable percentage of candidates applying for certification as determined by the Secretary and Board achieve at a satisfactory level all assessments appropriate to initial certification in each program for which they are approved.

§ 49.15. Approval of experimental programs.

The Department may enter into a written agreement with a preparing institution wishing to conduct an experi-

mental program. The institution shall meet the requirements described in § 49.14 (relating to approval of institutions). Certification shall be given to graduates of an experimental program upon recommendation by the institution if the institution has met all of the following requirements:

(1) Submitted a detailed explanation of the experimental program to the Department for approval.

(2) Planned a thorough procedure conforming to accepted canons of educational research for evaluating results of the experimental program. These results shall be reported to the Department in accordance with a schedule approved at the time of the agreement.

(3) Agreed to terminate the experimental program upon request by the Department when it is judged by a program approval team to be inadequate for preparation of professional personnel.

§ 49.16. Approval of induction plans.

(a) Each school entity shall submit to the Department for approval a plan for the induction experience for first-year teachers and educational specialists as part of their strategic plan every 6 years as required by Chapter 4 (relating to academic standards and assessments). The induction plan shall be prepared by teacher or educational specialist representatives, or both, chosen by teachers and educational specialists and administrative representatives chosen by the administrative personnel of the school entity. Newly employed professional personnel with prior school teaching experience may be required by the school entity to participate in an induction program.

(b) The Department will review for approval induction plans submitted by school entities.

(c) The induction plan shall reflect a mentor relationship between the first-year teacher or educational specialist, teacher educator and the induction team.

(d) Criteria for approval of the induction plans will be established by the Secretary in consultation with the Board.

§ 49.17. Continuing professional development.

(a) A school entity shall submit to the Secretary for approval a continuing professional development plan in accordance with section 1205.1 of the act (24 P. S. § 12-1205.1).

(1) A school entity shall develop a continuing professional development plan which shall include options for professional development including, but not limited to, activities such as the following:

- (i) Graduate level coursework.
- (ii) Obtaining a professionally related master's degree.
- (iii) Department-approved in-service courses.
- (iv) Curriculum development work.
- (v) Attendance at professional conferences.
- (vi) Supervised classroom observations of other professional employees.

(2) The continuing professional plan shall define terms used including, but not limited to, the following:

- (i) Professionally related graduate level coursework.
- (ii) Professionally related master's degree.
- (iii) Curriculum development work.
- (iv) Professional conferences.

(v) Supervised classroom observations of other professional employees.

(3) The continuing professional development plan shall be developed by teacher representatives chosen by the teachers and administrative representatives chosen by the administrative personnel of the school entity. The plan shall describe the persons who developed the plan and how the persons were selected.

(4) The continuing professional development plan submitted to the Secretary shall be approved by both the development committee and the board of the school entity.

(5) The Secretary will promulgate guidelines which include a process for amending approved continuing professional development plans in accordance with the requirements for initial preparation of the plans.

(6) The continuing professional development plan shall include a section which describes how the professional development needs of the school entity and its professional employees are to be met through implementation of the plan.

(7) Initial continuing professional development plans shall be implemented by a school entity no later than the beginning of the 1988-89 school year.

(b) A commissioned officer who obtains a Letter of Eligibility for Superintendent after June 1, 1987, shall, thereafter, present to the Secretary evidence of satisfactory completion of 6 credit hours of continuing professional development courses every 5 years. This subsection will be satisfied by taking collegiate studies or Department-approved in-service courses or a combination thereof.

(c) Professional personnel who fail to comply with the continuing professional development plan under subsection (a) or commissioned officers who fail to complete the required 6 credit hours under subsection (b) will have their certificates or commissions rendered inactive until the requirement is met.

(d) School districts that employ professional personnel or commissioned officers with inactive certificates or commissions are subject to penalties provided for under section 2518 of the act (24 P. S. § 25-2518).

§ 49.18. Assessment.

(a) The Secretary will institute an assessment program for candidates for certification designed to assess their basic skills and general knowledge; professional knowledge and practice; and subject matter knowledge. The following principles shall guide the Secretary in the development of an assessment program:

(1) The assessment program will be based in the standards developed for each certificate.

(2) The assessment program will measure the candidate's abilities across the domains of basic skills knowledge, professional knowledge and practice, and subject matter knowledge employing a variety of measures at a minimum of three points:

(i) During the candidate's preparation program.

(ii) Upon application for initial certification.

(iii) Upon application for Level II, supervisory or administrative certification.

(3) The assessment program will be developed in consultation with teachers, administrators, teacher educators, and educational specialists with relevant certification.

(4) The assessment program will employ, when appropriate, available assessment tools, instruments and procedures.

(b) The Secretary, in consultation with the Board, will establish a satisfactory achievement level for the assessments in subsection (a).

(c) The assessments in basic skills and general knowledge; professional knowledge and practice; and subject matter knowledge will be given, and satisfactory achievement levels shall be reached, prior to the issuance of a certificate.

(d) A periodic review of the assessment program will be made by the Board every 3 years.

EMERGENCY PERMITS

§ 49.31. Criteria for eligibility.

The Department may issue an emergency permit for service in the public schools, at the request of the employing public school entity, to an applicant who is a graduate of a 4-year college or university to fill a professional vacancy when a fully qualified and properly certificated applicant is not available. The emergency permit is issued on the basis of terms and conditions agreed upon between the requesting public school entity and the Department. Each July, the Department will report to the Board the number and nature of emergency permits issued during that year.

§ 49.32. Emergency cases.

The Department may approve the issuance of an emergency permit to a person at the request of a public school entity upon receiving appropriate evidence of exceptional conditions requiring Department resolution of the staffing problem.

§ 49.33. Expiration.

Emergency permits shall expire with the termination of any summer school conducted which follows the date of issuance. Persons holding an emergency permit shall be used in staffing summer school positions only when regular employees holding the appropriate provisional or permanent certificate are not available.

§ 49.34. Issuance by chief school administrator.

(a) The chief school administrator of a public school entity is authorized to issue an emergency permit for day-to-day service as a substitute when the following conditions are met:

(1) The person for whom the permit is sought holds a valid Pennsylvania certificate or its equivalent from another state.

(2) No appropriately certificated individual is available to fill the substitute position.

(3) The person for whom the permit is sought consents to an assignment outside the area of the person's certification.

(b) This permit shall be valid for 15 cumulative school days of service as a day-to-day substitute in each certificate endorsement area. If renewal is necessary, the chief school administrator may request, within 30 days of the person's last day of service, issuance of an emergency permit by the Department under §§ 49.31 and 49.32 (relating to criteria for eligibility; and emergency cases).

(c) This permit will not qualify the holder to serve in a vacant position which must be filled by a temporary professional employe or professional employe or to serve as a substitute for a regularly appointed professional

employe or temporary professional employe on an approved leave of absence. Issuance by the Department is used to qualify persons for this service.

(d) Under no conditions may a permit be issued or used during a work stoppage.

ADMINISTRATIVE COMMISSION

§ 49.41. Description.

(a) Administrative commissions will be issued by the Department, in the form of a certificate of appointment.

(b) A commission will be issued for a specific term in accordance with Article X of the Public School Code of 1949 (24 P. S. §§ 10-1001—10-1089).

§ 49.42. Letter of eligibility.

A letter of eligibility of an administrative commission shall be issued in lieu of a certificate by the Department to a candidate who has completed an approved program of preparation in administration and who has been recommended by the preparing institution. Candidates for letters of eligibility shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment). Letters of eligibility will be issued to candidates who present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment) and who meet the following standards:

- (1) The administrator demonstrates educational leadership which provides purpose and direction for the achievement of all students.
- (2) The administrator effectively organizes and manages the total educational program of a local education agency with particular attention to the statutory and regulatory environment of education.
- (3) The administrator understands and effectively manages financial and human resources to foster student achievement.
- (4) The administrator effectively communicates with students, faculty, staff, parents and members of the community.
- (5) The administrator, in collaboration with faculty, staff, students and parents, fosters a climate conducive to student achievement.
- (6) The administrator thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship, and actively seeks opportunities to grow professionally.

CHANGES IN CERTIFICATION

§ 49.51. Review of certification.

(a) The Department will report annually to the Board on the status of certification in this Commonwealth.

(b) The Board will conduct a major review of certification regulations at 10-year intervals.

MISCELLANEOUS PROVISIONS

§ 49.62. Temporary permits.

The Department may issue permits at the request of an employing public school entity. The permit may be issued in lieu of a certificate to a competent specialist in any area of knowledge to enable the schools of this Commonwealth to use the services of noncertified personnel for supplemental instruction under the supervision of a certificated teacher. The service shall be part-time and may not exceed 300 clock-hours during a school year. These persons will not be considered professional staff.

§ 49.62a. Program specialist certificate.

(a) The Department may issue a program specialist certificate, at the request of the employing public school entity, to an applicant who meets the qualifications and competencies needed to perform the duties and functions of a locally established professional position approved by the local board of directors.

(b) Program specialist certificates may be issued only for an area of service in which a certificate does not exist. They may be issued only to persons who hold a valid Pennsylvania certificate or its equivalent from another state. Annually, the Department will report to the Board the number and nature of these certificates issued during the year.

(c) Program specialist certificates are valid only for the position described in the approved position description and are not transferable to other school entities.

§ 49.63. Applicants educated in foreign countries.

(a) The Department will issue certificates to applicants who have been educated in a foreign country who meet the established Commonwealth standards for the certificates sought. Applicants shall be required to provide official transcripts of studies completed abroad.

(b) The Department may substitute competency examinations for transcript review in a case involving the loss of credentialing documents in a foreign country providing the applicant submits acceptable evidence that the applicant did, in fact, complete a teacher education program.

(c) The Department and its recommending institutions will insure that applicants educated in foreign countries or who are foreign nationals or resident aliens are proficient in speaking, reading and writing in the English language.

§ 49.64a. Authority to annul and reinstate certificates and discipline professional educators.

(a) A professional certificate or letter of eligibility obtained by fraud or mistake shall be considered void "ab initio" and shall be annulled by the Secretary. An annulment will not be effected without prior notice and hearing in accordance with reasonable procedures as the Secretary will prescribe, after review of and comment on the procedures by the Board.

(b) In accordance with the authority vested with the Professional Standards and Practices Commission by the Teacher Certification Law, the Commission may discipline professional educators.

(c) In accordance with the authority vested with the Professional Standards and Practices Commission by section 16 of the Teacher Certification Law (24 P. S. § 2070.16), the Commission may reinstate a professional educator's certificate.

§ 49.64b. (Reserved).

§ 49.64c. (Reserved).

§ 49.64d. (Reserved).

§ 49.64e. Mandatory reports from schools.

The board of school directors of the employing school district or the board of directors of each employing intermediate unit or area vocational technical school, or the appropriate governing body of the employing public charter or nonpublic school shall report to the Secretary within 10 days of dismissal the name of any person who

has been dismissed and the cause for the dismissal and the name of any individual who is charged or convicted of a crime of moral turpitude.

§ 49.65. Out-of-State and Nationally-certified applicants.

(a) The Department will issue the appropriate Commonwealth certificate to applicants who have:

(1) Graduated from a State approved out-of-State college or university whose teacher education requirements are comparable to those of this Commonwealth.

(2) Completed the preparing institution's teacher education program of the preparing institution.

(3) Received the recommendation of the preparing institution for the subject or area to be taught.

(4) Presented evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(b) The Department may enter into a reciprocal certification agreement with the appropriate authority of another state to recognize comparable certificates.

(c) Candidates certified by the National Board for Professional Teaching Standards will be granted the highest level certificate applicable.

§ 49.67. (Reserved).

§ 49.68. Evaluation of prescribed requirements and standards.

Institutions of higher education within this Commonwealth with approved teacher education programs are authorized to evaluate, equate, and accredit educational experience and background of candidates for meeting the specific requirements for certification. A candidate may not be recommended for certification until providing evidence of satisfactory achievement in the assessments under § 49.18 (relating to assessment).

Subchapter B. CERTIFICATION OF GRADUATES FROM COMMONWEALTH INSTITUTIONS

GENERAL PROVISIONS

§ 49.72. Categories of certificates and letters of eligibility.

(a) The following basic categories of certificates and letters of eligibility will be issued by the Department:

- (1) Temporary Permit.
- (2) Emergency Permit.
- (3) Intern Certificates.
- (4) Instructional Certificates.
- (5) Educational Specialist Certificates.
- (6) Supervisory Certificate.
- (7) Administrative Certificate.
- (8) Program Specialist Certificate.
- (9) Letters of Eligibility.
- (10) Vocational Education Certificates.

(b) The Secretary annually will disseminate an approved list of official titles of all certificates and letters of eligibility which the Department has issued during the past fiscal year or proposes to issue in the ensuing year.

INSTRUCTIONAL CERTIFICATES

§ 49.81. General.

(a) The Department will issue instructional certificates to persons whose primary responsibility is teaching. Candidates for instructional certificates shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment).

(b) Instructional certificates will be issued to candidates who meet the following standards:

(1) The teacher understands the central concepts, tools of inquiry, and structures of the discipline the teacher teaches and can create learning experiences that make these aspects of subject matter meaningful for all students.

(2) The teacher understands how all children learn and develop, and can provide learning opportunities that support their intellectual, social, career and personal development.

(3) The teacher understands how students differ in their ability and approaches to learning and creates opportunities that foster achievement of diverse learners in the inclusive classroom.

(4) The teacher understands and uses a variety of instructional strategies, including interdisciplinary learning experiences, to encourage students' development of critical thinking, problem solving and performance skills.

(5) The teacher uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning and self-motivation.

(6) The teacher uses knowledge of effective verbal, nonverbal and media communication techniques supported by appropriate technology to foster active inquiry, collaboration and supportive interaction in the classroom.

(7) The teacher plans instruction based upon knowledge of subject matter, students, the community and curriculum goals.

(8) The teacher understands and uses formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social and physical development of the learner.

(9) The teacher thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and actively seeks out opportunities to grow professionally.

(10) The teacher contributes to school effectiveness by collaborating with other professionals and parents, by using community resources, and by working as an advocate to improve opportunities for student learning.

§ 49.82. Instructional I.

(a) The Instructional I Certificate shall be valid for 6 years of teaching in the area for which it applies. It may be converted to an Instructional II Certificate as provided by § 49.83 (relating to Instructional II).

(b) The Instructional I Certificate will be issued to applicants who:

- (1) Possess a baccalaureate degree.
- (2) Present evidence of successful completion of a Department-approved teacher preparation program.
- (3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(4) Receive recommendation for certification from a college or university.

§ 49.83. Instructional II.

The Instructional II Certificate shall be a permanent certificate issued to an applicant who has completed:

- (1) A Department-approved induction program.
- (2) Three years of satisfactory teaching on an Instructional I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service of the applicant was performed.
- (3) Twenty-four credit hours of collegiate study or its equivalent in in-service courses approved by the Department, or both.

(4) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

§ 49.85. Limitations.

- (a) The grade level limitations of instructional certificates shall be the following:
 - (1) Early childhood (nursery, kindergarten, grades one to three or ages 3 to 8).
 - (2) Elementary (kindergarten, grades one to six or ages 3 to 11).
 - (3) Middle level (grades six to nine or ages 11 to 14).
 - (4) Secondary (grades seven to 12 or ages 11 to 21).
 - (5) Specialized areas (kindergarten to grade 12 or up to age 21).
- (b) The decision about staffing based on age or grade level rests with the school entity.

INTERN CERTIFICATES

§ 49.91. Criteria for eligibility.

- (a) The Department may make a one-time issuance of an Intern Certificate for service in approved elementary, middle and secondary schools to applicants who, in addition to meeting the requirements of § 49.12 (relating to eligibility), present evidence of satisfactory achievement on Department-prescribed assessments of basic skills, general knowledge and subject matter tests; are enrolled in and have completed appropriate professional education courses in an approved intern program, which may include an induction; and are recommended for certificates by the institution holding approval.
- (b) The applicant will be issued an Instructional I Certificate upon completion of the approved intern program and satisfactory achievement on the assessment of and practice.

EDUCATIONAL SPECIALIST CERTIFICATES

§ 49.101. General.

The Department will issue educational specialist certificates to persons whose primary responsibility shall be to render professional service other than classroom teaching. The service shall be directly related to the personal welfare of the learner and may include service for the needs of other professional personnel working with learners. Candidates for educational specialist certificates shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment). Educational specialist certificates will be issued to candidates who meet the following standards:

(1) The educational specialist understands the central concepts, structures and delivery styles of the professional area in which the educational specialist practices and can foster learning experiences for all students.

(2) The educational specialist understands how all children learn and develop, and can contribute to the provision of learning opportunities that support their intellectual, social, career and personal development.

(3) The educational specialist understands how students differ in their ability and approaches to learning and creates opportunities that are adapted to diverse learners.

(4) The educational specialist understands and uses a variety of professional strategies to encourage students' development of critical thinking, problem solving and performance skills.

(5) The educational specialist uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning and self-motivation.

(6) The educational specialist uses knowledge of effective verbal, nonverbal, and media communication techniques supported by appropriate technology to foster active inquiry, collaboration, and supportive interaction in and out of the classroom.

(7) The educational specialist plans professional services based upon knowledge of professional field, students, the community and curriculum goals.

(8) The educational specialist understands and uses formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social and physical development of the learner.

(9) The educational specialist thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and actively seeks out opportunities to grow professionally.

(10) The educational specialist contributes to school effectiveness by collaborating with other educators and parents, by using community resources, and by working as an advocate for change to improve opportunities for student learning.

§ 49.102. Educational Specialist I.

- (a) The Educational Specialist I Certificate shall be valid for 6 years of service in each area for which it is endorsed. It may be converted to an Educational Specialist II Certificate in any endorsement area as provided in § 49.103 (relating to Educational Specialist II).
- (b) The Educational Specialist I Certificate will be issued to applicants who:
 - (1) Present evidence of successful completion of a Department-approved educational specialist preparation program or its equivalent.
 - (2) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).
 - (3) Receive recommendation for certification from a college or university if completing a Department-approved educational specialist preparation program.

§ 49.103. Educational Specialist II.

The Educational Specialist II Certificate shall be a permanent certificate subject to the requirements of § 49.17(c) (relating to professional development) issued to applicants who:

(1) Have completed a Department-approved induction program.

(2) Have completed 3 years of satisfactory service on an Educational Specialist I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service of the applicant was performed.

(3) Have completed 24 credit hours of collegiate study or its equivalent in in-service courses approved by the Department, or a combination thereof.

(4) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

§ 49.105. Limitations.

The grade level limitations of educational specialist certificates shall be specified in the standards stated for the respective preparation programs of certification.

SUPERVISORY CERTIFICATE

§ 49.111. Supervisory Certificate.

(a) The Department will issue Supervisory Certificates for positions in the schools of this Commonwealth to persons who:

(1) Have completed 5 years of satisfactory professional experience in the area in which the supervisory certificate is sought.

(2) Have completed an approved graduate program preparing the applicant for the responsibilities of supervising in the program area and of directing the activities of certificated professional employees.

(3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(4) Are able to help students achieve under Chapter 4 (relating to academic standards and assessment).

(5) Meet the following standards:

(i) The supervisor understands the central concepts of organizational leadership, tools of research and inquiry and principles of teaching and learning that make supervision effective and efficient.

(ii) The supervisor understands how all children learn and develop and configures resources to support the intellectual, social and personal growth of students.

(iii) The supervisor knows and understands effective instructional strategies and encourages and facilitates employment of them by teachers.

(iv) The supervisor uses an understanding of individual and group motivation to create a professional development environment that engages teachers to develop and apply effective instructional techniques for all students.

(v) The supervisor is an effective communicator with various school communities.

(vi) The supervisor organizes resources and manages programs effectively.

(vii) The supervisor understands and uses formative and summative assessment strategies to gauge effectiveness of people and programs on student learning.

(viii) The supervisor understands the process of curriculum development, implementation and evaluation and uses this understanding to develop high quality curricula for student learning in collaboration with teachers, administrators, parents and community members.

(ix) The supervisor possesses knowledge and skills in observation of instruction and conducting conferences with professional staff which are intended to improve their performance and enhance the quality of learning experiences for students.

(x) The supervisor thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship and actively seeks out opportunities to grow professionally.

(xi) The supervisor contributes to school effectiveness by collaborating with other professionals and parents, by using community resources, and by working as an advocate to improve opportunities for student learning.

(b) A Supervisory Certificate for either Curriculum and Instruction or Pupil Personnel Services shall be issued to persons who:

(1) Have 5 years of satisfactory service in the school program area for which the comprehensive certificate is sought.

(2) Have completed an approved graduate program preparing the applicant for the broad area, districtwide supervisory functions specified by the endorsement area of the certificate.

(3) Present evidence of satisfactory achievement in assessments prescribed by the Department under § 49.18(a).

§ 49.112. (Reserved).

ADMINISTRATIVE CERTIFICATE

§ 49.121. Administrative Certificate.

(a) The Department will issue Administrative Certificates to persons who have had a minimum of 5 years of professional school experience and have completed an approved program of graduate study preparing the applicant to direct, operate, supervise, and administer the organizational and general educational activities of a school. Applicants shall be recommended by the preparing institution in which the graduate program was completed. Candidates for administrative certificates must be able to help students achieve under Chapter 4 (relating to academic standards and assessment).

(b) Certificates may be issued for any administrative area for which program approval has been granted by the Department.

(c) The Department will issue Administrative Certificates to persons who present evidence of satisfactory achievement on assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(d) The Department will issue Administrative Certificates to persons who meet the following standards:

(1) The administrator demonstrates instructional leadership which provides purpose and direction for the achievement of all students.

(2) The administrator demonstrates the organizational skills to implement plans of action efficiently and effectively for student achievement.

(3) The administrator, in collaboration with students, faculty, staff and parents, creates a school climate that fosters student achievement.

(4) The administrator gathers information from, and communicates effectively to students, faculty, parents, staff and the community to facilitate student achievement.

(5) The administrator understands the importance of a clear, detailed vision and an explicitly stated philosophy in shaping a coherent curriculum and in fostering an effective school.

(6) The administrator makes systematic use of data to assess the needs and accomplishments of students, faculty and staff.

(7) The administrator thinks systematically about practice, learns from experience, seeks the advice of others, draws upon educational research and scholarship, and actively seeks out opportunities to grow professionally.

§ 49.122. (Reserved).

**Subchapter C. VOCATIONAL EDUCATION
CERTIFICATION**

GENERAL PROVISIONS

§ 49.131. Basic requirements for baccalaureate and nonbaccalaureate programs.

(a) Applicants for a certificate shall have completed, in addition to all legal requirements, a program of teacher education approved by the Department and shall have received the recommendation of the preparing institutions.

(b) Preparation in general education, professional education and specialized studies shall be in accordance with standards established by the Department.

(c) Applicants shall present evidence of satisfactory achievement on assessments required in § 49.18 (relating to assessment).

(d) Professional personnel shall present evidence of compliance with § 49.17 (relating to continuing professional development).

§ 49.133. Levels of certification.

Vocational Instructional Certificates shall be issued for the following levels of qualifications:

- (1) Level I (Provisional).
- (2) Level II (Permanent).

VOCATIONAL INSTRUCTIONAL CERTIFICATES

§ 49.141. General.

(a) The Department will issue Vocational Instructional Certificates to persons whose primary responsibility is teaching occupational skills in State approved vocational education programs in the public schools of this Commonwealth. The certificates will be valid for teaching in any vocational or technical area for which the holder has registered his occupational competency credential with the Department in the manner prescribed by the Department.

(b) The holder of a vocational teaching certificate may also teach the technical skills and knowledge of the holder's occupation in courses of comparable content provided in secondary school programs which have not been accorded State approval as vocational education programs under conditions in the policies and standards of the Department. Candidates for vocational instructional certificates shall be able to help students achieve under Chapter 4 (relating to academic standards and assessment).

§ 49.142. Vocational Instructional I.

(a) A single certificate will be issued and titled, "Vocational Instructional Certificate." Individuals qualifying for this certificate shall be authorized to teach in the areas for which they also hold an occupational competency

credential. The occupational competency credential will be issued by the Department or an institution of higher education approved by the Secretary. The applicant shall have:

(1) A minimum of 2 years wage-earning experience in addition to the learning period required to establish competency in the occupation to be taught.

(2) Successfully completed the occupational competency examination or evaluation of credentials for occupations where examinations do not exist or present evidence of satisfactory achievement on an assessment of subject matter under § 49.18 (relating to assessment).

(3) Completed 18 credit hours in an approved program of vocational teacher education.

(4) Presented evidence of satisfactory achievement on the assessment of basic skills under § 49.18.

(b) The Vocational Instructional I Certificate shall be valid for 6 years during which time the applicant shall complete the approved preparation program leading to the Vocational Instructional II Certificate.

§ 49.143. Vocational Instructional II.

The Vocational Instructional II Certificate shall be a permanent certificate issued to an applicant who has:

(1) Completed 3 years of satisfactory teaching on a Vocational Instructional I Certificate attested to by the chief school administrator of the approved public or nonpublic school entity in which the most recent service of the applicant was performed.

(2) Completed 60 credit hours in an approved program in the appropriate field of vocational education.

(3) Presented evidence of satisfactory achievement in assessments of general knowledge and of professional knowledge and practice under § 49.18 (relating to assessment).

(4) Completed a Department-approved induction program.

VOCATIONAL INTERN CERTIFICATES

§ 49.151. Eligibility and criteria.

(a) The Department will issue Vocational Intern Certificates for teaching in State approved programs of vocational education in the public schools of this Commonwealth to applicants who have:

(1) Met all eligibility requirements stipulated in § 49.12 (relating to eligibility) except for the baccalaureate degree requirement in § 49.12(4).

(2) Provided evidence of satisfactory achievement in assessments of subject matter under § 49.18 (relating to assessment) or satisfactory occupational competency by one of the following:

(i) Successfully completing the occupational competency examination of the Department.

(ii) Securing recognition of occupational competency upon the basis of credentials review and adequate work experience beyond the learning period as established by the Department in those competency areas where occupational competency examinations do not exist.

(iii) Receiving State licensure or occupational accreditation by a Board of Examiners recognized by the Commonwealth.

(iv) Receiving certification from another state whose certification criteria are similar to those of this Commonwealth.

(3) Been accepted for enrollment in a State approved vocational teacher preparation program at a Commonwealth college or university.

(4) Been recommended for the certificate by the institution at which they are enrolled or accepted.

(b) The applicant shall be issued a Vocational Instructional I Certificate upon presenting evidence of 2 years wage-earning experience, completion of an approved intern program, and satisfactory achievement on the assessment of basic skills.

§ 49.153. Vocational emergency permit.

(a) The chief school administrator having jurisdiction over any approved Vocational Education program shall be authorized to issue a special emergency permit on a day-to-day basis to an occupational practitioner when no properly certificated teachers are available. The teacher shall function under the supervision of a properly certificated supervisor or administrator. Assignments as described in this section shall be made only in case of an extreme emergency and may not exceed 15-consecutive school days. This permit shall be valid for 15 days of substitute service and may be renewed for an additional 15 school days upon the approval of the Secretary.

(b) This permit does not qualify the holder to serve as a regularly elected teacher to fill a vacant position or as a long-term substitute. These positions shall be filled by a person holding a valid Vocational Instructional or a State issued Emergency Permit. Reference should be made to § 49.32 (relating to emergency cases).

SUPERVISOR OF VOCATIONAL EDUCATION CERTIFICATE

§ 49.161. Supervisor of Vocational Education.

(a) The Department will issue a Supervisor of Vocational Education Certificate to a person who shall have a minimum of 3 years satisfactory certificated vocational teaching experience and whose primary assignment will be either or both of the following:

(1) Instructional supervision in the fields of vocational education—vocational agriculture, vocational business, distributive education, health occupations, vocational home economics, and vocational industrial, or trade and industrial—in area vocational technical schools and corresponding vocational courses in the public secondary schools of this Commonwealth.

(2) Directing the activities of professional staff teaching in the program areas specified in paragraph (1).

(b) The Department will issue a Supervisor of Vocational Education Certificate to a person who shall meet the requirements of § 49.111(a)(3)—(5) (relating to Supervisory Certificates).

§ 49.162. (Reserved).

VOCATIONAL ADMINISTRATIVE DIRECTOR CERTIFICATE

§ 49.163. Vocational Administrative Director.

The Department will issue the Vocational Administrative Director Certificate to persons who:

(1) Have a minimum of 5 years successful teaching in vocational education.

(2) Have completed an approved program of graduate study following standards listed in § 49.121(d) (relating to Administrative Certificate) preparing them to direct, operate, supervise, and administer the organizational and educational activities of a vocational technical school or

department; applicants shall be recommended by the preparing institution in which the graduate program was completed.

(3) Present evidence of satisfactory achievement on assessments prescribed by the Department under § 49.18(a) (relating to assessment).

§ 49.164. (Reserved).

Subchapter D. OUT-OF-STATE APPLICANTS

§ 49.171. General requirements.

(a) Applicants recommended by out-of-State institutions shall submit to the Department official transcripts for all professional preparation and related studies and satisfactory evidence of educational and work experience. These records will be evaluated by the Department using the established standards applicable to the comparable approved programs at Commonwealth institutions.

(b) The Department will issue the appropriate certificates to persons whose preparation and experience equate to the established standards. If an evaluation by the Department reveals minor deficiencies, the Department will prescribe the additional educational requirements.

(c) The Department may issue the comparable Pennsylvania Certificate to an applicant who, lacking institutional recommendation:

(1) Has been legally certificated by another state at a level comparable to the Pennsylvania certificate sought.

(2) Provides evidence of preparation and experience equating to the established standards for the area of certification sought.

§ 49.172. Letter of eligibility.

(a) The Department will issue the appropriate letter of eligibility for consideration for appointment as a district superintendent or an assistant district superintendent to an applicant who shall:

(1) Have done one of the following:

(i) Completed a Pennsylvania approved graduate level program of educational administrative study for the preparation of chief school administrators.

(ii) Been prepared through an out-of-State graduate level program equivalent to those approved in this Commonwealth.

(2) Have received the recommendation of the preparing institution for certification as a chief school, district level, administrator.

(3) Have provided evidence of 6 years of teaching or other professionally certificated service in the basic schools 3 years of which shall have been in supervisory or administrative positions.

(b) Department evaluation will comply with the following:

(1) The adequacy of preparation will be determined by the Department.

(2) The qualifying educational service to meet experience requirements out-of-State will be determined for all applicants by the Department.

(3) Institutional endorsement of the candidate may be waived by the Department for exceptional reasons such as, but not limited to, nonrecency of graduation, multi-institutional preparation, and institution no longer offering a preparation program for the superintendent.

(c) A commission shall be issued to a person holding a letter of eligibility upon election as a district superintendent or assistant district superintendent by the respective local board of school directors.

Subchapter E. COMMISSIONS AND CERTIFICATES FOR INTERMEDIATE UNITS

§ 49.182. Letter of eligibility.

(a) A letter of eligibility to serve as an intermediate unit executive director or assistant executive director will be issued in lieu of a certificate by the Department to a candidate who has obtained or achieved:

(1) An earned doctorate or a master's degree plus 40 hours of graduate study successfully completed at a State approved college or university.

(2) Six years of experience in education work at the elementary, secondary, county office, intermediate unit, the Department, or State approved college or university level. In 3 of these 6 years, the applicant shall have served successfully in a management or supervisory capacity.

(3) Satisfactory achievement in assessments prescribed by the Department under § 49.18(a) (relating to assessment).

(b) The appropriateness of this experience and the candidate's academic preparation will be determined by the Department.

(c) A commission will be issued to a person holding an appropriate letter of eligibility upon the candidate's election as the executive director or assistant executive director of an intermediate unit by its respective board of directors.

§ 49.183. (Reserved).

§ 49.184. (Reserved).

Subchapter F. LETTERS OF EQUIVALENCY FOR PAY PURPOSES

§ 49.191. Letters of Equivalency.

A Letter of Equivalency shall be issued for salary purposes only, subject to the following terms and conditions:

(1) The Letter of Equivalency for Master's Degree is issued to persons holding a valid Instructional I, Instructional II, Educational Specialist I, Educational Specialist II certificate or their equivalents, upon the accumulation of 36 hours of graduate level credit. A minimum of 18 academic graduate credits shall be earned in the content area of the applicant's primary teaching assignment at a college or university approved to offer graduate work. A maximum of 18 of the credit requirement may be satisfied through in-service programs approved by the Secretary of Education for meeting master's equivalency requirements.

(2) The Letter of Equivalency for Baccalaureate Degree is issued to holders of Vocational Instructional I, Vocational Instructional II or their equivalents upon the accumulation of 90 college credits. A minimum of 18 credit hours of the final 30 shall be earned at a State-approved baccalaureate degree granting institution. The remaining 12 may be satisfied, in full or in part, through in-service programs approved by the Secretary for meeting baccalaureate equivalency requirements.

(3) A grade of "C" or better is required in college and university courses in which grades are given and a letter of satisfactory completion is required for all in-service courses used toward the attainment of the certificate.

[Pa.B. Doc. No. 99-1626. Filed for public inspection September 24, 1999, 9:00 a.m.]

PROPOSED RULEMAKING

TURNPIKE COMMISSION

[67 PA. CODE CH. 601]
Traffic Regulations

The Turnpike Commission (Commission) proposes to amend §§ 601.1, 601.4—601.6, 601.9, 601.15 and 601.101 and add § 601.18 to read as set forth in Annex A. The Commission is publishing the amendments and addition as a notice of proposed rulemaking under the authority of section 1 of the act of May 21, 1937 (P. L. 774, No. 211) (36 P. S. § 652d); section 7 of the act of September 30, 1985 (P. L. 240, No. 61) (36 P. S. § 651.7); and 75 Pa.C.S. § 6110 (relating to regulation of traffic on Pennsylvania).

A. Purpose

The proposed amendments are intended to promote the health, safety and welfare of the Commission's customers and are designed to update, clarify and improve the Commission's traffic regulations.

B. Summary of Proposal

The Commission adopted the proposed amendments to the traffic regulations at its April 6, 1999, Commission meeting after a review of the existing regulations.

§ 601.1. Definitions.

The definition of "Class 9 vehicle" was amended in conjunction with § 601.101 to increase the length limit for tandems from 76 feet to 85 feet. The definition of "Commission" was amended for purpose of clarification.

§ 601.4. Speed limits.

This section has been amended to allow for a maximum speed limit of 65 miles per hour in conjunction with 75 Pa.C.S. § 6110 to reflect the current speed limits on the Turnpike. The minimum speed limit has been amended from 40 miles per hour to 15 miles per hour below the posted speed limit to account for different speed zones on the Turnpike, to facilitate a free flow of traffic and improve safety.

§ 601.5. Hazardous materials.

The Department of Transportation (Department) terminated its hazardous materials permitting process and the Commission, following the Department's lead, has done the same. The Commission will no longer issue hazardous materials permits. Both entities terminated their programs due to anticipated Federal legislation that was to take effect this year. The Federal legislation has not matured as of this date, but the amendment provides for Federal permits should they become a reality.

Several tunnels exist on the Turnpike and the transportation of hazardous materials through them is limited by regulation. The amendment to this section permits the transportation through the tunnels of several hazardous materials that were previously prohibited. These materials are permitted in nonbulk packaging only. A consulting firm determined that the Commission's tunnel restrictions concerning hazardous materials are more restrictive than surrounding states and may be increasing hazardous materials traffic in areas that are less equipped to deal with accidents, and closer to residences than the closed system of the Turnpike. The amendment is designed to place some of this traffic on the Turnpike in the interest of safety without sacrificing the safety concerns of the customers.

This section now includes a fee that is intended to deter violations of § 601.5(f) and recoup costs of policing this regulation.

§ 601.6. Parking, stopping, loading or unloading.

The amendment to this section is editorial.

§ 601.9. U-turns.

The amendment to this section is editorial.

§ 601.15. Vehicles excluded from the Turnpike.

This section has been amended to prohibit vehicles that cannot maintain the minimum speed required in § 601.4 and to prohibit nonmotorized vehicles. Slow moving vehicles and nonmotorized vehicles have strong potential for causing accidents.

§ 601.101. Length limit for tandems.

The overall length limit for tandem trailer combinations has been amended from 76 feet to 85 feet. Vehicles over 85 feet now require a Class 9 permit to enter the Turnpike. This section was amended due to difficulties with commercial carriers in meeting the 76 foot requirement which thereby placed these vehicles on other State and local roads which are less well equipped to accommodate the size of these vehicles.

§ 601.18. Accident prevention investigations.

This addition will allow the Commission to perform in-depth investigations and studies of accidents and the causes thereof in an attempt to eliminate these causes. This information must be privileged and confidential so as to cause no ill effect to the Commission. The amendment is designed to protect this information.

C. Effective Date

The proposal, if approved on final rulemaking, will go into effect upon publication of final adoption in the *Pennsylvania Bulletin* and posting at the Commission interchanges and will remain in effect until modified or rescinded by the Commission.

D. Paperwork

The proposal will not increase paperwork or create new paperwork for the Commonwealth or political subdivisions.

E. Fiscal Impact

The Commission is funded primarily by bonds and tolls. These proposed amendments will result in no fiscal impact upon the Commonwealth.

F. Sunset Requirement

The Commission has not set a sunset date for this proposal because the Traffic regulations are in effect on a continual basis. The Commission continues to monitor these regulations and will propose amendments when required.

G. Public Comments

Interested parties are invited to submit written comments, objections or suggestions about the proposed regulations to Mark H. Koch, Assistant Counsel, (717) 939-9551, P. O. Box 67676, Harrisburg, PA, 17106-7676, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a), on August 13, 1999, a copy of this proposal was submitted to the Independent Regulatory Review Commission (IRRC), the Senate Transportation Committee and the House Transportation Committee. In addition to the proposed amendments, IRRC and the Committees were provided with a copy of a detailed regulatory analysis form prepared by the Commission in compliance with Executive Order 1996-1; "Regulatory Review and Promulgation." A copy of the form is available to the public from the Commission upon request. The Commission will consider comments or suggestions received from IRRC or the Committees, together with comments or suggestions received from the public, prior to adopting the proposed amendments.

If IRRC has objections to any portion of the proposed amendments, it will notify the Commission within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria that have not been met by that portion of the proposed amendments. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations, by IRRC, the General Assembly and the Governor of objections raised.

JOHN T. DURBIN,
Executive Director

Fiscal Note: The Commission is funded primarily by bonds and tolls. Because there is no direct cost to the Commonwealth as a result of these proposed amendments, the Commission has not submitted a fiscal note.

Annex A

TITLE 67. TRANSPORTATION

PART II. TURNPIKE COMMISSION

CHAPTER 601. TRAFFIC REGULATIONS

§ 601.1. Definitions.

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

* * * * *

Class 9 vehicle—A vehicle which exceeds 100,000 pounds in weight, 13 feet 6 inches in height, 10 feet in width, [or 76] 85 feet in overall length, or which has a load or part thereof extending 5 feet or more beyond the front bumper or 15 feet or more beyond the rear bumper. The front and rear overhang of stinger steered vehicles, as defined in 23 CFR 658.13 (d) (relating to length), may not be included in calculating the overall length of the stinger steered vehicle, as long as the front overhang does not exceed 3 feet and the rear overhang does not exceed 4 feet.

Commission—The Pennsylvania Turnpike Commission [of the Commonwealth].

* * * * *

§ 601.4. Speed limits.

(a) A vehicle shall be limited to a maximum speed of 55 miles per hour, except that where a sign indicates a [lesser] different speed, the vehicle may not exceed the indicated speed. The minimum speed for a vehicle on the Turnpike is [40] 15 miles per hour below the posted speed limit, except as noted otherwise. A 65-

mile-per-hour maximum speed limit for all vehicles may be established in accordance with 75 Pa.C.S. § 6110 (relating to regulation of traffic on Pennsylvania Turnpike).

* * * * *

§ 601.5. Hazardous materials.

(a) Hazardous materials may be transported, under [permit] all required Federal permits, on the Turnpike System, if the shipments are in full compliance with 10 CFR 71 (relating to packaging and transportation of radioactive material), 49 CFR Subchapter C (relating to hazardous materials regulations), the Federal motor carrier safety regulations at 49 CFR 390—397 and other Federal or State laws or regulations relating to the transportation of hazardous materials

(b) [A carrier intending to transport hazardous materials which require placarding under subsection (a) shall have a hazardous materials transportation permit issued by the Commission. Permit applications may be obtained from the Commission's Hazardous Materials Administrator at (717) 939-9551, extension 5330. For a permit to be issued, a carrier shall provide proof of automobile liability and property damage liability insurance in an amount consistent with the requirements of the Motor Carrier Act of 1980 (Pub.L. 96-296, July 1, 1980, 94 Stat. 793). The certificate of insurance shall specifically name the Commission as an additional insured and have a completed Form MCS-90 attached. These requirements are in addition to registration and permitting procedures which may be required by the Department of Transportation and the Department of Environmental Resources.

(c) [A transporter of hazardous materials shall carry [the permit] all required Federal permits while traveling on the Turnpike System and shall present the [permit] permits upon demand to [a toll collector, other] any Commission employe or the Pennsylvania State Police.

[(d) A vehicle carrying hazardous materials other than combustibles, nonflammable compressed gases, fuel oils or liquid oxygen is prohibited from traveling through a Turnpike System tunnel.

(e) (c) Explosives Divisions 1.1, 1.2, 1-3 and [Radioactive] radioactive materials [and class A and B explosives] as defined in 49 CFR 173.50 [173.53] and 173.403 (relating to [provisions for using old classifications of explosives; and] definitions) are prohibited from being transported on the Turnpike in tandem trailer combinations.

[(f) Other hazardous materials, classifications 2 through 9, as defined in 49 CFR 173.2 (relating to classification of material having more than one hazard as defined in this part), may be carried only under a Commission permit in tandem combinations.] (d) The total volume of material in a tandem combination may not exceed the total volume that could be carried in a single trailer.

(e) The following materials are prohibited, restricted or permitted in Commission tunnels as per the following chart. Restricted is defined as non-tanker loads, limited to transport in nonbulk pack-

aging of 119 gallons per container or less, as per 49 CFR 171.8 (relating to definitions and abbreviations).

<i>PLACARD NAME</i>	<i>POLICY</i>
<i>Table 1 Materials</i>	
Explosives 1.1	Prohibited
Explosives 1.2	Prohibited
Explosives 1.3	Prohibited
Poison Gas	Prohibited
Dangerous When Wet	Prohibited
Poison (Inhalation Hazard)	Prohibited
Radioactive	Prohibited
<i>Table 2 Materials</i>	
Explosives 1.4	Prohibited
Explosives 1.5	Prohibited
Explosives 1.6	Prohibited
Flammable Gas	Restricted
Nonflammable Gas	
(Refrigerated Oxygen)	Permitted
Flammable Liquids	Restricted
Combustible (Fuel Oil)	Permitted
Flammable Solid	Restricted
Spontaneously Combustible	Restricted
Oxidizer	Restricted
Organic Peroxide	Restricted
Poison	Restricted
Keep Away From Food	Permitted
Corrosive	Restricted
Miscellaneous (Class 9)	Permitted

(f) An administrative fee in the amount of \$300, payable directly to the Pennsylvania Turnpike Commission, will be assessed for violation of subsection (e).

§ 601.6. Parking, stopping, loading, or unloading.

(a) A vehicle may not be stopped, left standing, parked, loaded or unloaded on a traffic, acceleration or deceleration lane, or on the shoulder adjacent thereto. In case of emergency only, parking, stopping, standing, loading or unloading of a vehicle is permitted on the shoulder to the right of the travel lanes facing [in] with the direction of travel when the wheels of the vehicle and the projecting parts of the body or load are safely off and to the right of the travel lanes. Parking, standing, stopping, loading or unloading on the shoulders is not permitted at:

* * * * *

(b) A vehicle otherwise permitted to park off the traffic, deceleration or acceleration lanes may not remain there longer than necessary to meet the emergency. A vehicle will not be permitted to remain anywhere on the Turnpike System longer than 24 hours. A vehicle remaining on the Turnpike system for more than 24 hours will be deemed to be abandoned and [will] may immediately be removed by, or at the direction of, the State Police to the contract garage providing service for that area or to a nearby licensed salvor, at the owner's expense. The State Police [shall] may remove or direct removal of the vehicle within 24 hours of the time of the vehicle's presumption of abandonment. The State Police will then promptly notify the registered owner of the vehicle by certified mail of its action, designating the milepost from

which the vehicle was removed, the reason for its removal and the location of the contract garage to which it was removed. [In an emergency] In the interest of safety, the Commission has the right to immediately remove any vehicle from a portion of the Turnpike traffic lanes, shoulders or other part of the Turnpike system.

§ 601.9. U-turns.

The making of a U-turn on the Turnpike System is prohibited except by authorized vehicles. A driver of a motor vehicle may reverse direction of travel only by passing through an interchange and paying the fare. The Pennsylvania State Police may authorize a U-turn in an emergency and fare collection personnel may authorize a U-turn at an interchange.

§ 601.15. Vehicles excluded from the Turnpike.

* * * * *

(b) Class 9 vehicles are prohibited from using the Turnpike System except by special permit from the Commission, as indicated in §§ 601.1 and 601.14 (relating to definitions; and Class 9 vehicles).

(c) Vehicles which are not capable of maintaining a speed of at least [40] 15 miles per hour below the posted speed limit on level roadway are prohibited from using the Turnpike system.

(d) Nonmotorized vehicles are not permitted to be operated on the Turnpike System.

§ 601.18. Accident prevention investigations.

(a) The Commission, in association with the Pennsylvania State Police, may conduct in-depth accident investigations and safety studies of the human, vehicle and environmental aspects of traffic accidents for the purpose of determining the cause of traffic accidents and the improvements which may help prevent similar types of accidents or increase the overall safety of the Turnpike roadway and bridges.

(b) In-depth accident investigations and safety studies and information, records and reports used in their preparation are not discoverable nor admissible as evidence in any legal action or other proceeding. Officers or employees or the agencies charged with the development, procurement or custody of in-depth accident investigations and safety study records and reports are not required to give depositions or evidence pertaining to anything contained in in-depth accident investigations or safety study records or reports in any legal action or other proceeding.

TANDEM TRAILER COMBINATIONS

§ 601.101. Length limit for tandems.

A semitrailer, or the trailer of a tandem trailer combination, may not be longer than 28 1/2 feet. A tandem combination—including the truck tractor, semitrailer and trailer—which exceeds [76] 85 feet in length is considered a Class 9 vehicle which requires a special permit to travel on the Turnpike System.

[Pa.B. Doc. No. 99-1627. Filed for public inspection September 24, 1999, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference and public hearing on Thursday, September 30, 1999. The hearing will be part of the Commission's regular business meeting. Both the conference and business meeting are open to the public and will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 9:30 a.m. and will include a presentation on New York City's Water Conservation Program; status reports on drought conditions and the codification of the existing Comprehensive Plan; discussions of fiscal year 2001 budget and health insurance issues; summaries of the Governors' Summit and the flood preparedness meeting; and a report on the Pittsburgh Joint ICWP and River Basin Commission meeting.

In addition to the subjects summarized as follows which are scheduled for public hearing at the 1 p.m. business meeting, the Commission will also address the following: Minutes of the August 18, 1999 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; and public dialogue. The Commission will consider resolutions to: confirm the appointment of the Secretary to the Commission; make FY '99 budget adjustments; amend the cost of the barrier-free unisex bathroom facility at the headquarters building; establish a Watershed Council; and approve a cooperative agreement for the Schuylkill River Monitoring Program. The Commission will also review and possibly act on drought related emergency resolutions.

The subjects of the hearing will be as follows:

1. *Northeast Land Company D-89-10 CP Renewal.* An application for the renewal of a ground water withdrawal project to supply up to 4.96 million gallons (mg)/30 days of water to the applicant's distribution system from Well Midlake No. 1. Commission approval on April 26, 1989 was extended to 10 years. The applicant requests that the total withdrawal from the well remain limited to 4.96 mg/30 days. The project is located in Kidder Township, Carbon County, PA.

2. *Seabrook Brothers & Sons, Inc. D-98-44.* A ground water withdrawal project to supply up to 133.6 mg/30 days of water to the applicant's vegetable processing and packaging facility from existing Well Nos. 1, 2R and 4, and new Well No. 5. The project entails an increase of the existing total combined withdrawal limit from 117.5 mg/30 days to 133.6 mg/30 days. The project is located in Upper Deerfield Township, Cumberland County, NJ.

3. *Utilities, Inc. D-98-47 CP.* A project to replace the withdrawal of water from Well No. 1 which has become an unreliable source of supply, and to increase the total withdrawal from all wells from 8.25 mg/30 days to 10.65 mg/30 days. The applicant requests that the withdrawal from replacement Well No. 6 be limited to 2.4 mg/30 days. The project wells are located in Stroud Township and will continue to serve the applicant's Penn Estates residential community located in Stroud and Pocono Townships, all in Monroe County, PA.

4. *Lower Providence Township Municipal Authority D-99-21 CP.* A ground water withdrawal project to supply a combined total of up to 2.27 mg/30 days of water to the applicant's golf course irrigation system from Well Nos. 1 and 2. The project is located in Lower Providence Township, Montgomery County in the Southeastern Pennsylvania Ground Water Protected Area.

5. *Pennsylvania-American Water Company D-99-29 CP.* A project to upgrade and expand the applicant's existing 0.567 million gallons per day (mgd) secondary treatment plant to 1.256 mgd to provide advanced secondary treatment. The project will continue to serve the Pocono Country Place development in Coolbaugh Township, Monroe County, PA. Treated effluent will continue to discharge to East Branch Dresser Run, a tributary of Tobyhanna Creek in the Lehigh River watershed.

6. *Central Carbon Municipal Authority D-99-48 CP.* A project to construct a new 1.6 mgd oxidation ditch process sewage treatment plant to replace an existing failing overloaded 0.72 mgd plant. The new advanced secondary treatment plant is located approximately one-half mile downstream of the existing plant along the Lehigh River in Mahoning Township, Carbon County, PA. The new facilities will serve portions of Franklin and Mahoning Townships, and Weissport and Lehighon Boroughs, all in Carbon County. The project effluent will discharge to the Lehigh River.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500, ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Acting Secretary at (609) 883-9500, ext. 222 prior to the hearing.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who would like to attend the hearing should contact the Acting Secretary at (609) 883-9500, ext. 222 or through the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

ANNE M. ZAMONSKI,
Acting Secretary

[Pa.B. Doc. No. 99-1628. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No.

345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 14, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-13-99	Omega Financial Corporation, State College, to acquire up to 24.9% of Clearfield Bank & Trust Company, Clearfield	State College	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-9-99	Port Richmond Savings, Philadelphia, and Gorgas Savings Association, Philadelphia Surviving Institution—Port Richmond Savings, Philadelphia	Philadelphia	Approved
9-13-99	United Bank of Philadelphia Philadelphia Philadelphia County	Philadelphia	Approved
	Purchase of assets/assumption of liabilities of four branch offices of First Union National Bank, Charlotte, North Carolina, located at:	Philadelphia	Approved
	1620 Wadsworth Avenue Philadelphia Philadelphia County	3945-49 Chestnut Street Philadelphia Philadelphia County	
	2836 West Girard Avenue Philadelphia Philadelphia County	1501 North Broad Street Philadelphia Philadelphia County	

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-27-99	The Peoples State Bank East Berlin York County	509 Greenbriar Road York York County	Opened
9-7-99	First Liberty Bank & Trust Jermyn Lackawanna County	910 Commerce Avenue Dickson City Lackawanna County	Opened
9-9-99	New Century Bank Phoenixville Chester County	3557 West Chester Pike Newtown Delaware County	Approved
9-9-99	Enterprise Bank Allison Park Allegheny County	Mobile Branch to be operated at various locations throughout Allegheny County and its contiguous counties	Approved
9-9-99	Pennsylvania Business Bank Philadelphia Philadelphia County	1401 Walnut Street Philadelphia Philadelphia County	Approved
9-9-99	Southwest Bank Greensburg Westmoreland County	Southpike Square Route 356 & Monroe Rd. Sarver Butler County	Approved
9-10-99	East Penn Bank Emmaus Lehigh County	Emmaus High School 851 North Street Emmaus Lehigh County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-10-99	The Peoples Bank of Oxford Oxford Chester County	Jenners Pond Retirement Community, Allison Bldg. 2000 Greenbriar Lane Penn Township Chester County (Limited Service Facility)	Filed
9-14-99	First County Bank Doylestown Bucks County	Three Friends Lane Newtown Bucks County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-7-99	Laurel Bank Johnstown Cambria County	<i>To:</i> Route 30 East Latrobe Westmoreland County <i>From:</i> 400 Latrobe Thirty Shopping Center Latrobe Westmoreland County	Effective

SAVINGS ASSOCIATIONS**Voluntary Dissolutions**

<i>Date</i>	<i>Name of Association</i>	<i>Action</i>
9-9-99	GMINA Building & Loan Association of Pittsburgh, PA Pittsburgh Allegheny County	Certificate of Election for voluntary dissolution filed. Effective as of the close of business September 9, 1999.

CREDIT UNIONS**Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-10-99	Atlantic Employees Federal Credit Union Newtown Square Delaware County <i>To:</i> Atlantic Credit Union Newtown Square Delaware County	Newtown Square	Approved

Represents conversion from a Federally-chartered credit union to a State-chartered credit union.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1629. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Five Year Consolidated Plan for Fiscal Years 2000—2004

The Department of Community and Economic Development (DCED) proposes to adopt the Commonwealth's Five Year Consolidated Plan for Fiscal Years 2000—2004 and the Action Plan for Federal Fiscal Year (FFY) 2000 and the Program Year that starts on January 1, 2000. The new Consolidated Plan is an update of the Commonwealth's Consolidated Plan for FFY 1995-1999.

The Consolidated Plan for Federal Fiscal Years 2000—2004 (the Plan) updates the Commonwealth's Five Year Consolidated Plan for Federal Fiscal Years 1995—1999 and the subsequent Action Plans that have been previously submitted to the United States Department of Housing and Urban Development (HUD). The updated Consolidated Plan includes new goals and action steps and any changes that DCED may have implemented concerning the three programs administered by the Department. The programs administered by DCED are the Community Development Block Grant (CDBG), the Home Investment Partnerships (HOME), and the Emergency Shelter Grants (ESG) programs. The Department of Health (DOH) administers the Housing Opportunities for Persons with AIDS (HOPWA) program. The Plan also includes any changes implemented by DOH in the administration of the HOPWA Program.

This summary is designed to provide an opportunity to citizens, local governmental officials and interested organizations of the Commonwealth to comment about the Plan. Written comments should be submitted to Aldona Kartorie, Office of Community Development and Housing, Department of Community and Economic Development, Room 509 Forum Building, Harrisburg, PA 17120. Written comments must be received by 5 p.m. on October 26, 1999, to be included as testimony or by October 29, 1999, for inclusion in the Plan.

The public hearing has been scheduled as follows: October 26, 1999, Forum Building, Room 321, Walnut Street and Commonwealth Avenue, Harrisburg, PA 17120, 10 a.m. to 1 p.m.

**Note:* The public meeting may be shortened if there is minimal response.

Individuals who want to speak must call to schedule a time to give oral testimony at the hearing. The hearing will be shortened if there is no one to testify or if there is minimal response. Please contact Aldona Kartorie at (717) 720-7409 to schedule oral testimony no later than October 25, 1999.

Individuals who have a disability and wish to attend the public meeting should contact Aldona Kartorie, Room 509 Forum Building, Harrisburg, PA 17120, (717) 720-7409, to discuss how the Department of Community and Economic Development can accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's number listed above.

Purpose

The Consolidated Plan for Federal Fiscal Years 2000—2004 is an update of the Commonwealth's current Consolidated Plan for Federal Fiscal Years 1995—1999. The Plan will describe how the Commonwealth plans to administer the programs over the next 5 years. HUD must approve this Plan in order for the Commonwealth and organizations within the State to receive funding under most HUD housing and community development programs. Applicants for funding from Federal Housing programs must obtain certification that their proposed use of HUD assistance will be consistent with the applicable Plan for the area. The Consolidated Plan creates a unified strategy for housing and community development programs as well as the necessary linkages for building successful neighborhoods and communities.

The Plan will have a major impact on the types, location and number of affordable housing units generated and preserved in this Commonwealth as well as the infrastructure and public facilities, services and other economic and community development initiatives that Pennsylvania communities will undertake.

Content

There are changes in the overall strategy, goals and action steps, a new section pertaining to Public Housing Authorities, and a nonhousing economic development section. There are minor changes to the HOME and Community Development Grant Block Programs.

Public Review

The Consolidated Plan will be available for public comment from October 1, 1999 through November 1, 1999 at the following locations:

1. Web Site: www.dced.state.pa.us click on "Improving Your Community," click on "Housing and Infrastructure."

2. County Offices

3. DCED Regional Offices:

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

Northeast Regional Office, 201 Samters Building, 101 Penn Avenue, Scranton, PA 18503, (717) 963-4571.

Northcentral and Southcentral Regional Offices, 576 Forum Building, Harrisburg, PA 17120, (717) 787-7247.

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

Northwest Regional Office, 212 Lovelle Place Apts., Erie, PA 16501, (814) 871-4241.

4. Pennsylvania's 27 District Libraries:

B. F. Jones Memorial Library, Aliquippa
Allentown Public Library, Allentown
Centre County Library, Bellefonte
Bethlehem Area Public Library, Bethlehem
Conococheague District Library, Chambersburg
Clarion District Library, Clarion
Bucks County Free Library, Doylestown
Easton Area Public Library, Easton
Erie County Library, Erie
Dauphin County Library, Harrisburg
Cambria County Library, Johnstown
Lancaster County Library, Lancaster
Delaware County Library, Brookhaven
Monessen Public Library, Monessen
New Castle Public Library, New Castle
Montgomery County-Norristown Public Library, Norristown
Free Library of Philadelphia, Philadelphia
Carnegie Library of Pittsburgh, Pittsburgh
Pottsville Free Public Library, Pottsville
Reading Public Library, Reading
Scranton Public Library, Scranton
Warren Public Library, Warren
Citizen's Library, Washington
Chester County Library, Exton
Osterhout Free Library, Wilkes-Barre
James V. Brown Library, Williamsport
Martin Memorial Library, York

5. Audio Cassette copies of the Consolidated Plan can be obtained by contacting the Tri-County Branch of the Pennsylvania Association of the Blind: Patricia Summers, Coordinator, Harrisburg Area Radio Reading Services, 1800 North Second Street, Harrisburg, PA 17102, (717) 238-2531.

The Plan will be made available again at these same locations following HUD approval.

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 99-1630. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

Where indicated the EPA, Region III, 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 comment period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

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

PA 0053201. Sewage, **RoyAnn Diner**, 1318 Route 309, Sellersville, PA 18960.

This application is for renewal of an NPDES permit to discharge treated sewage from the RoyAnn Diner STP in West Rockhill Township, **Bucks County**. This is an existing discharge to Threemile Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 4,500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine (Years 1 and 2)	monitor/report	monitor/report
(Years 3, 4 and 5)	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

PA 0021636. Sewage, SIC: 4952, **Borough of Fleetwood**, 110 West Arch Street, Suite 104, Fleetwood, PA 19522.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Willow Creek, in Richmond Township, **Berks County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.61 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5	XXX	5.0
(11-1 to 4-30)	7.5	XXX	15
Total Zinc	0.159	XXX	0.318
Total Residual Chlorine			
(Interim)	monitor and report	XXX	XXX
(Final)	0.24	XXX	0.77
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms		200/100 ml as a geometric average	
(5-1 to 9-30)		4,100/100 ml as a geometric average	
(10-1 to 4-30)			

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

The EPA waiver is in effect.

PA 0085065. Industrial waste, SIC: 4953, **Process Recovery Corporation**, 2909 Windmill Road, Sinking Spring, PA 19608.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Schuylkill River, in Cumru Township, **Berks County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.048 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	XXX
pH		6.0—9.0 s.u. at all times	
Total Iron	report	report	XXX
Total Dissolved Solids	1,000	2,000	2,500
Total Suspended Solids	100	200	250
Total Mercury	0.008	0.016	XXX
Total Aluminum	report	report	XXX
Total Boron	report	report	XXX
Total Copper	report	report	XXX
BOD ₅	100	200t	XXX
Color (P.C.)	XXX	100	XXX

Stormwater sampling requirements have been included for Outfall 002.

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

The EPA waiver is in effect.

PA 0053091. Industrial waste, SIC: 2033, **Giorgio Foods, Inc.**, P. O. Box 96, Temple, PA 19560.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Willow Creek, in Maiden creek Township, **Berks County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.5 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		XXX
pH	6.0—9.0 at all times		
Total Suspended Solids	30	60	75
Total Dissolved Solids	1,000	2,000	2,500
Total Residual Chlorine	0.53	XXX	1.73
Dissolved Oxygen	minimum of 5.0 at all times		
CBOD ₅	20	40	50
NH ₃ -N			
(5-1 to 9-30)	6	12	15
(10-1 to 4-30)	18	36	40
Fecal Coliform			
(5-1 to 9-30)	200	XXX	XXX
(10-1 to 4-30)	6,300	XXX	XXX
Color (P.C.)	XXX	100	100
Temperature	as required each month		

The proposed effluent limits for Outfall 001 for a design flow of 0.5 mgd are:

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

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

The EPA waiver is in effect.

PA 0080195. Industrial waste, SIC: 3321 and 3322, **Supply Sales Company**, 1411 Lancaster Avenue, Columbia, PA 17512.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of Shawnee Run, in Columbia Borough, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for design flow of 0.15 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	31	61	
NH ₃ -N			
(5-1 to 10-31)	3	6	7.5
(11-1 to 4-30)	9	18	22.5
Temperature			
(5-1 to 10-31)		75°F daily average	
(11-1 to 4-30)		100°F daily average	
Oil and Grease	15		30
Total Cadmium	0.004	0.008	0.01
Total Copper	0.048	0.096	0.12
Total Lead	0.017	0.034	0.043
Total Nickel	0.64	1.28	1.6
Total Silver	0.019	0.038	0.048

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Zinc	0.30	0.6	0.75
pH		6.0—10.0 at all times	

The proposed effluent limits for Outfall 002 for a design flow of 0.014 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Temperature (5-1 to 10-31)		75°F daily average
(4-1 to 4-30)		100°F daily average
pH		from 6.0—9.0 at all times

The proposed effluent limits for Outfall 003, 004, 102 and 200 for stormwater.

<i>Parameter</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	monitor
Chemical Oxygen Demand	monitor
Oil and Grease	monitor
Total Suspended Solids	monitor
Phosphorus	monitor
Total Kjeldahl Nitrogen	monitor
Dissolved Iron	monitor
pH	monitor
Total Cadmium	monitor
Total Chromium	monitor
Total Copper	monitor
Total Lead	monitor
Total Nickel	monitor
Total Silver	monitor
Total Zinc	monitor
Total Cyanide	monitor

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

The EPA waiver is not in effect.

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

PA 0060623. Sewerage, **Silver Lake Township Municipal Authority**, P. O. Box 1975, Brackney, PA 18812.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to Little Rhiney Creek in Silver Lake Township, **Susquehanna County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is at the Pennsylvania-New York State border.

The proposed effluent limits for Outfall 001 based on a design flow of 0.042 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	50.0
Total Suspended Solids	30.0	60.0
NH ₃ -N (5-1 to 10-31)	3.8	7.6
(11-1 to 4-30)	11.4	22.8
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	0.3	0.7

The EPA waiver is in effect.

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

PA 0228133. Industrial waste, SIC: 7542, **PA Department of Transportation**, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830.

This proposed action is for issuance of an NPDES permit for a new discharge of treated industrial wastewater to Driftwood Branch Sinnemahoning Creek in Lumber Township, **Cameron County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.0005 mgd, are:

Parameter	Concentration (mg/l)			Mass (lbs/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
CBOD ₅	25		50		
TSS	30		60		
Oil and Grease	15		30		
Benzene		report			
Toluene		report			
Ethylbenzene		report			
Total Xylenes		report			
pH			6.0—9.0 at all times		

The EPA waiver is in effect.

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

PA 0216461. Sewage, **Consolidation Coal Company**, P. O. Box 100, Osage, WV 26543.

This application is for issuance of an NPDES permit to discharge treated sewage from the Dilworth Mine Bathhouse Sewage Treatment Plant in Rices Landing Borough, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Monongahela River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 0.02 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0216470. Sewage, **Consolidation Coal Company**, P. O. Box 100, Osage, WV 26543.

This application is for renewal of an NPDES permit to discharge treated sewage from the Consolidation Coal Company Dilworth Mine Airshaft No. 3 Bathhouse STP in Jefferson Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary to Pumpkin Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri County Joint Municipal Authority.

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

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen (5-1 to 10-31)	1.9			3.8
(11-1 to 4-30)	2.9			5.8
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.018			0.042
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0221449. Sewage. **Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16055.

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

The receiving water is classified for the following uses: trout stocked fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Clearview Water Supply Company on the Allegheny River located at river mile 24.27 and is located 7.75 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.41 mgd, are:

Parameter	Average Monthly (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅ (5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
TSS	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	8.5		17
(11-1 to 4-30)	25		50
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	1,100/100 ml as a geometric average		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0102598. Sewage. **One Land Corporation**, P. O. Box 222, Valencia, PA 16059.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary of Glade Run in Middlesex Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Zelienople Municipal Water Works on Connoquenessing Creek located at Zelienople, approximately 20 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.009 mgd, are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10	20
TSS	10	20
Ammonia-Nitrogen (5-1 to 10-31)	2	4
(11-1 to 4-30)	6	12
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0104451. Industrial waste, **Erie Forge and Steel, Inc.**, 1341 West 16th Street, Erie, PA 16502.

This application is for renewal of an NPDES permit to discharge noncontact cooling water to Cascade Creek in the City of Erie, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Lake Erie.

The proposed effluent limits, based on an average design flow of 0.056 mgd, are:

Outfall 001

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	18		45
Oil and Grease	15		30
Phosphorus as P	1.0		
Copper	0.031	0.062	0.077
pH	6.0—9.0 standard units at all times		

Outfall 003 is identified as a stormwater outfall.

The EPA waiver is in effect.

PA 0100927. Sewage, **R. B. Food, Drink and Lodging, Inc.**, 7860 West Ridge Road, Fairview, PA 16415.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from a tavern and restaurant to Trout Run in Fairview Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Lake Erie, which is approximately 3.3 miles below the point of discharge.

The proposed effluent limits for Outfall 001, based on an average design flow of 0.0015 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5	1.2
Fecal Coliform		
(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 standard units at all times	

The EPA waiver is in effect.

PA 0222941. Sewage. **Marlan A., Jr. and Sherry L. Jones**, 13385 Denny Road, Meadville, PA 16335.

This application is for a new NPDES permit to discharge treated sewage to the Watson Run in Hayfield Township, **Crawford 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the City of Franklin and French Creek located at Franklin, approximately 40 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .00111 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform	200/100 ml as a geometric average	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0222755. Industrial waste, SIC: 3691, **New Castle Battery Mfg. Co.**, 3601 Wilmington Road, New Castle, PA 16105.

This application is for a new NPDES permit, to discharge treated I.W. and Group 2 stormwater to an unnamed tributary to the Shenango River in Neshannock 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA American Water Co. on Shenango River located at New Castle, approximately 6 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.0039 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
Oil and Grease	15	15	30
TSS	30	30	60
Copper	0.08	0.16	0.2
Lead	0.05	0.1	0.13
Iron	1.0	2.0	2.5
Dissolved Iron	0.3	0.6	0.75
Ammonia-Nitrogen	XX		
pH	6.0—9.0 at all times		

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

Outfall No. 002

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This outfall shall consist of stormwater only.			

The EPA waiver is in effect.

PA 0005061. Industrial waste, SIC: 4911, **Pennsylvania Power Company—New Castle Plant**, P. O. Box 891, New Castle, PA 16103.

This application is for a renewal of an NPDES permit, to discharge treated I.W., noncontact cooling water, Group 1, Group 2 stormwater to the Beaver River and McKee Run in Taylor Township, **Lawrence County**. These are existing discharges.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority—Eastvale Plant on Beaver River located at Eastvale, approximately 16 miles below point of discharge.

The proposed discharge limits, based on a design flow of 139.3 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(MO) Flow (mgd)		monitor and report	
(BAT) Total Residual Chlorine			0.2
Interim Effluent Limitations—operate existing electric load management strategy as specified in the previous NPDES permit. This strategy is spelled out in Special Condition A in Part C. Also, refer to Special Condition I in Part C, the Schedule of Compliance for duration of interim temperature limitations.			
Final Heat Rejection Rates—refer to Special Conditions B, C, I and J in Part C.			

<i>Parameter</i>	<i>Average Monthly (mg/l)</i> <i>(MBTU/day)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
January 1—31	24,548.01		
February 1—29	23,257.92		
March 1—31	30,821.90		
April 1—15	28,160.76		
April 16—30	28,160.76		
May 1—15	28,854.30		
May 16—31	37,098.38		
June 1—15	56,445.76		
June 16—30	43,419.82		
July 1—31	47,633.36		
August 1—15	35,490.09		
August 16—31	39,039.10		
September 1—15	41,946.05		
September 16—30	45,441.55		
October 1—15	26,856.81		
October 16—31	35,809.08		
November 1—15	40,103.29		
November 16—30	32,082.64		
December 1—31	26,479.18		

pH 6.0—9.0 at all times

The proposed discharge limits, based on a design flow of 0.006 are:

Outfall No. 101

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

The proposed discharge limits, based on a design flow of 0.42, are:

Outfall No. 002

<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 consist solely of intake screen backwash

The proposed discharge limits, based on a design flow of 0.26, are:

Outfall No. 003

<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	100	
Oil and Grease	15	20	30
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.97, are:

Outfall No. 004 and 005

<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	100	
Oil and Grease	15	20	30
Iron	3.5	7.0	8.75
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.048 are:

Outfall No. 005A

<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	100	
Oil and Grease	15	20	30

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Copper	1.0	1.0	2.5
Iron	1.0	1.0	2.5
pH		6.0—9.0 at all times	

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

Outfall No. 006

<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	100	
Oil and Grease	15	20	30
Dissolved Iron	XX		7

Any untreated overflow from facilities designed, constructed and operated to treat the ash pile runoff which results from a 10 year/24 hour rainfall event shall not be subject to the above Total Suspended Solids limitations.

pH 6.0—9.0 at all times

XX—monitor and report

The proposed discharge limits, based on a design flow of 0.71 mgd, are:

Outfall No. 007

<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	100	
Oil and Grease	15	20	30
pH		6.0—9.0 at all times	

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

Outfall No. 008

<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			50
Mercury		monitor and report	

Any untreated overflow from facilities designed, constructed and operated to treat the coal pile runoff which results from a 10 year/24 hour rainfall event shall not be subject to the above Total Suspended Solids limitations.

pH 6.0—9.0 at all times

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

Outfall No. 009

<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	100	

Any untreated overflow from facilities designed, constructed and operated to treat the ash pile runoff which results from a 10 year/24 hour rainfall event shall not be subject to the above Total Suspended Solids limitations.

pH 6.0—9.0 at all times

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

Outfall No. 010, 011, 012, 013

<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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These discharges shall consist solely of stormwater runoff

Areas Contributing Stormwater Runoff:

- Outfall 010—No. 10 Building Drain
- Outfall 011—Coal Truck Parking Area
- Outfall 012—138 KV Substation Area
- Outfall 013—69 KV Substation Area

*—Refer to Stormwater Only Outfalls, Condition H in Part C.

The following Special Conditions are included in Part C.

1. Thermal Electric Load Management Strategy
2. Method to Calculate Daily Average Heat Rejection Rates
3. Other Permits Superseded Condition
4. TRC and PCB Steam Electric Discharger Related Conditions
5. Chemical Additives Condition
6. Stormwater Only Outfalls Conditions
7. Compliance Schedule for Thermal Discharge Including Interim/Final Limitations Compliance Dates
8. Option to Conduct 316(a) Thermal Variance Condition

The EPA waiver is not in effect.

PA 0002038. Industrial waste, SIC: 2819 and 2869, **OMG Americas**, Two Mile Run Road, Franklin, PA 16323.

This application is for a renewal NPDES permit, to discharge noncontact cooling water, stormwater runoff and process wastewater to Race Run, Two Mile Run and the Allegheny River in Sugarcreek Borough, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Emlenton Water Company on the Allegheny River located at Emlenton, approximately 30 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.04 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source		
Heat Rejection Rate	<i>Daily Avg. (MBTU/day)</i>		
January	142		
February	116		
March	233		
April 1—15	206		
April 16—30	103		
May	57		
June	33		
July	19		
August	15.5		
September	12.2		
October 1—15	13.3		
November 1—15	17.7		
November 16—30	35.5		
December	13.3		
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.037 mgd, are:

Outfall No. 102

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Cobalt	1.4	3.6	3.6
Total Suspended Solids	17	28	40
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.03 mgd, are:

Outfall No. 202

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Total Suspended Solids	no net poundage addition above levels in the intake water source		
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.075 mgd, are:

Outfall No. 302

<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		
Copper	0.74	2.29	2.29
Nickel	0.74	2.29	2.29
Total Suspended Solids	30	60	60
Cobalt	1.4	2.8	3.5
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.012 mgd, are:

Outfall No. 402

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source		
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.0045 mgd, are:

Outfall No. 502

<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		
TDS	monitor and report		
Total Suspended Solids	monitor and report		
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.01 mgd, are:

Outfall No. 602

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

The proposed discharge limits, based on a design flow of 0.085 mgd, are:

Outfall No. 702

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source		
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.85 mgd, are:

Outfall Nos. 102, 202, 302, 402, 502, 602 and 702

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH		6.0—9.0 at all times	

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

Outfall No. 003

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 004

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 005

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 006

<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 outfall shall consist of stormwater only.

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

Outfall No. 007

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 008

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 009

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 010

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		
Sara Title III, Section 313— Water Priority Chemicals	monitor and report		
pH		6.0—9.0 at all times	

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

Outfall No. 001

<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		
CBOD ₅	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Suspended Solids	monitor and report		
Dissolved Iron	monitor and report		
Copper	monitor and report		
Nickel	monitor and report		
Cobalt	monitor and report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Sara Title III, Section 313— Water Priority Chemicals pH	monitor and report		6.0—9.0 at all times
The EPA waiver is in effect.			

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0080837	John D. Walter Conodoguinet Mobile Estates P. O. Box 175 Newville, PA 17241	Cumberland County Lower Mifflin Township	Conodoguinet Creek	TRC
PA0087114 99-2	Manolo and Rosalie Calvo 127 Stoney Run Road Dillsburg, PA 17019	York County Carroll Township	Stoney Run Creek	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER Applications under the Pennsylvania Clean Streams Law (Part II Permits)

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the 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. Each commentator

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, 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 (800) 654-5984.

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

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

WQM Permit No. 1599416. Sewerage. **West Whiteland Township**, 222 Pottstown Pike, Exton, PA 19341. Applicant requests the approval for the construction and operation of sewage pumping station to serve the Mill Valley subdivision located in West Whiteland Township, **Chester County**.

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

WQM Permit No. 3399402. Sewage. **Albert R. Shouey, SRSTP**, R. R. 1, Box 113-B, Worthington, PA 16262. This project is for the construction of a single residence sewage treatment plant in Barnett Township, **Jefferson County**.

WQM Permit No. 3799405. Sewage. **Mark Samsa, SRSTP**, R. R. 1, Box 1028, Pulaski, PA 16143. This project is for the construction of a single residence sewage treatment plant in Pulaski Township, **Lawrence County**.

WQM Permit No. 6299413. Sewage. **Carl E. Sliter, SRSTP**, R. R. 1, Box 168, Pittsfield, PA 16340. This project is for the construction of a single residence sewage treatment plant in Pittsfield Township, **Warren County**.

WQM Permit No. 4399421. Sewage. **Robert Thomas, SRSTP**, R. R. 1, Box 217, Polk, PA 16342. This project is for the construction of a single residence sewage treatment plant in City of Hermitage, **Mercer County**.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. 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 of 40 CFR 123.24(d).

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

Following the 30-day comment period, the Water Management Program Manager will make a final determination

regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

NPDES Permit PAS10-G017-R. Stormwater. **Realen Homes**, 725 Talamore Drive, Ambler, PA 19002, has applied to discharge stormwater from a construction activity located in Charlestown Township, **Chester County**, to Pickering Creek

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

Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

NPDES Permit PAS10Q182. Stormwater. **J. G. Petrucci Co., Inc., d.b.a. Lehigh Valley Industrial Holdings, L. P.**, 171 Route 173, Suite 201, Asbury, NJ 08802, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

NPDES Permit PAS212206. Stormwater. **Pennsylvania Perlite Corp.**, 1428 Mauch Chunk Road, Bethlehem, PA 18018, has applied to discharge stormwater from an industrial site located in the City of Bethlehem, **Northampton County**, to Monocacy Creek.

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

Cumberland County Conservation District, District Manager, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

NPDES Permit PAS-10-H085. Stormwater. **Carlisle Evangelical Free Church**, 209 Petersburg Road, Carlisle, PA 17013, has applied to discharge stormwater from a construction activity located in South Middleton Township, **Cumberland County**, to Letort Spring Run. (EV-CWF)

SAFE DRINKING WATER

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

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

A. 1599512. Public water supply. **London Grove Township Municipal Authority**, 550 East Baltimore Pike, Suite 200, West Grove, PA 19390. This proposal involves the permitting of London Grove Township Municipal Authority's existing water distribution system in West Grove Township, **Chester County**.

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

0284505-A2. Sewickley Borough Water Authority, P. O. Box 190, Sewickley, PA 15143. Replacement of a cover on Reservoir No. 4 serving the Borough of Sewickley, **Allegheny County**.

3099501. The Municipal Authority of the Borough of Carmichaels, 104 North Pine Street, Carmichaels, PA 15320. Installation of a 560,000 water storage tank serving Cumberland Township, **Greene County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Easton Roundhouse Site, City of Easton, **Northampton County**. William K. Ahlert, Lawler, Matusky & Skelly Engineers LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101, has submitted a Notice of Intent to Remediate (on behalf of his client, City of Easton, One South Third Street, Easton, PA 18042) concerning the characterization of site soils and groundwater found to have been contaminated with petroleum hydrocarbons, solvents, metals, pesticides and BTEX (benzene, toluene, ethylbenzene and xylenes) compounds. The applicant proposes to remediate the site to meet the Special Industrial Area standard. A summary of the Notice of Intent to Remediate was published in *The Express Times* on August 17, 1999. A Baseline Environmental Report was also received on April 14, 1999.

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

Distribution Pole 15526S31704, Carlisle Borough, **Cumberland County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Sentinel* on August 25, 1999.

Distribution Pole 22359S32512, Shiremanstown Borough, **Cumberland County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on August 25, 1999.

Distribution Pole 22694S35285, East Pennsboro Township, **Cumberland County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on August 25, 1999.

Lillian Leiss Residence, City of Reading, **Berks County**. EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was published in the *Reading Eagle/Times* on August 14, 1999.

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

BP Amoco—Pittsburgh Terminal, Baldwin Borough/City of Pittsburgh, **Allegheny County**. Scott C. Wonsetler, Handex of Western Pennsylvania, 106 Thomson Park Drive, Cranberry Township, PA 16066 and BP Amoco, 1 West Pennsylvania Avenue, Suite 915, Towson, MD 21204, have submitted a Notice of Intent to Remediate soil, groundwater, surface water and sediment contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on August 16, 1999.

SOLID AND HAZARDOUS WASTE

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

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

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

American Waste Industries, Inc., 508 East Indian River Road, Norfolk, VA 23523; Robert L. Earl Jr., Executive Vice President; application received September 7, 1999.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request

that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

OPERATING PERMITS

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-318-083: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042), for operation of a pigment blending and milling process in Easton, **Northampton County**.

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

01-310-031A: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), for operation of coloring plant system no. 1 controlled by fabric collectors in Hamiltonban Township, **Adams County**.

01-310-039B: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214), for operation of a stone coloring facility controlled by fabric collectors in Hamiltonban Township, **Adams County**.

06-03069: Highway Materials, Inc. (P. O. Box 1667, Blue Bell, PA 19422), for operation of a nonmetallic mineral crushing plant controlled by wet suppression in Alsace Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart OOO, Standards of Performance for New Stationary Sources.

22-03024: BSC Litho, Inc. (3000 Canby Street, Harrisburg, PA 17105), for operation of two web offset presses with dryers controlled by a catalytic incinerator in Penbrook Borough, **Dauphin County**.

38-03019: Allied Veterinary Cremation Service (1587 Town Hill Road, York Springs, PA 17372), for operation of an animal crematorium in South Londonderry Township, **Lebanon County**.

67-304-018E: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368), for operation of two shotblast machines controlled by a fabric filter at the foundry in Wrightsville, **York County**.

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

47-310-002B: Royer Limestone Co. (c/o HRI, Inc., P. O. Box 155, State College, PA 16804-0155), for operation of a jaw crusher and associated air cleaning device (a water spray dust suppression system) in Limestone Township, **Montour County**.

19-320-001E: Haddon Craftsmen, Inc. (4411 Old Berwick Road, Bloomsburg, PA 17815), for operation of a heatset web offset printing press (HCM-015) and book block binding line in South Centre Township, **Columbia County**.

OP-59-0005A: CNG Transmission Corp. (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199), for operation of a 3,200 horsepower natural gas-fired internal combustion engine, a natural gas-fired boiler and a natural gas-fired salt bath heater at the Boom Station in Lawrence Township, **Tioga County**.

41-304-014B: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756-1202), for operation of casting and plate finishing operations and associated air cleaning devices (two fabric collectors) in Muncy Borough, **Lycoming County**.

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

OP-26-00406: Christopher Resources, Inc. (P. O. Box 197, Mt. Braddock, PA 15465), for operation of coal processing at Mt. Braddock Mines in Dunbar Township, **Fayette County**.

OP-56-00273: Tuf's Coatings, Inc. (P. O. Box 76, Shanksville, PA 15560), for operation of surface coating operation in Stonycreek Township, **Somerset County**.

OP-65-00131: Johnston the Florist (14179 Lincoln Way, North Huntingdon, PA 15642), for operation of greenhouse in Hempfield Township, **Westmoreland County**.

Notice of Intent to Issue Title V Operating Permits

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

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

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

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

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

46-00038: PECO Energy Co. (Evergreen and Sanatoga Roads, Wayne, PA 19087), located in Limerick Township, **Montgomery County**. The facility's major emission plants include: three auxiliary boilers, eight emergency generators, two cooling towers and one spray pond which emit major levels of sulfur dioxides and particulate matter.

23-00001: Sunoco, Inc. (R&M) (Delaware Ave. and Green Street, Marcus Hook, PA 19061), located in Marcus Hook Borough, **Delaware County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Attn: Eric Gustafson, (814) 332-6940.

37-00008: Ellwood City Forge (800 Commercial Avenue, Ellwood City, PA 16117), located in Ellwood City Borough, **Lawrence County**. The facility's major emission sources include forging presses, finishing operations and various natural gas fired furnaces. The facility is a major facility due to its potential to emit of nitrogen oxides.

20-00040: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335), located in Meadville, **Crawford County**. Advanced Cast's facility is primarily used for the production of malleable iron products. The facility's air emission sources include material handling equipment, melt and holding furnaces, pouring, cooling, shakeout, surface coating operations and miscellaneous natural gas fired furnaces. The facility is a major facility due to its potential to emit particulate matter less than 10 microns in diameter.

PLAN APPROVALS

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

39-317-026: Windy Hill Pet Food Co., Inc. (6821 Ruppssville Road, Allentown, PA 18016-9360), for construction of a biofiltration unit for two pet food manufacturing lines in Upper Macungie Township, **Lehigh County**.

48-309-084B: Hercules Cement Co. (501 Center Street, P. O. Box 69, Stockertown, PA 18083), for installation of a fabric collector which will replace the Nos. 1 and 3 cement kilns' fabric collector in Stockertown, **Northampton County**.

48-313-085: Medeva Pharmaceuticals, Inc. (P. O. Box 21170, Lehigh Valley, PA 18002-1170), for construction of an anesthetics manufacturing process at 3950 Scheldon Circle, Bethlehem, **Northampton County**.

48-320-003F: Mack Printing Co. (1991 Northampton Street, Easton, PA 18042), for modification of a binding operation in Wilson Borough, **Northampton County**.

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

06-5035B: ICI Paints North America (301 Bern Street, Reading, PA 19601-1252), for a paint manufacturing facility controlled by a fabric collector in Reading, **Berks County**.

06-5078C: FR & S, Inc. (727 Red Lane Road, Reading, PA 19508), for a municipal solid waste landfill controlled by a gas collection system, flare and gas treatment plant in Exeter Township, **Berks County**. The source is subject

to 40 CFR Part 60, Subpart WWW, Standards of Performance for New Stationary Sources.

67-320-026D: GTY, Inc. (2075 Loucks Road, York, PA 17404), for installation of two rotogravure printing presses in West Manchester Township, **York County**.

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

49-318-034: Milton Steel, Inc. (6 Canal Street, Milton, PA 17847), for Department approval of two paint dip tanks which were illegally constructed in 1985 and 1989 in Milton Borough, **Northumberland County**.

19-304-003A: S & B Foundry Co. (3825 New Berwick Highway, Bloomsburg, PA 17815), for construction of two iron induction furnaces and an iron inoculation station in South Centre Township, **Columbia County**.

14-310-017K: Glenn O. Hawbaker, Inc. (P. O. Box 135, State College, PA 16804), for construction of a stone crusher, screens, various conveyors, a railcar unloading operation and associated air cleaning devices (water spray dust suppression systems) at Central Valley Aggregates in Spring Township, **Centre County**. The crusher, screens, railcar unloading operation and some of the conveyors are subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

18-313-019E: Croda, Inc. (P. O. Box 178, Mill Hall, PA 17751-0178), for modification of a "Super Refined Oils" process facility (6.92 tons per year increase in the amount of volatile organic compound emissions allowed) as well as for the installation of an air cleaning device (an existing thermal oxidizer) on the process facility in Bald Eagle Township, **Clinton County**.

41-303-008: Glenn O. Hawbaker, Inc. (450 East College Avenue, Bellefonte, PA 16823), for the construction of a drum mix asphalt plant and associated air cleaning device (a fabric collector) in Loyalsock Township, **Lycoming County**. This plant will be subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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

PA-56-258B: PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), for installation of limestone crushing and screening at Job 200 (Paxton Strip) in Brothersvalley Township, **Somerset County**.

PA-26-492A: Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001), for installation of portable coal crusher at Gallentine Surface Mine in Saltlick Township, **Fayette County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-20-040B: Advanced Cast Products, Inc. (18700 Mill Street, P. O. Box 417, Meadville, PA 16335), for construction of a new baghouse to replace existing American Air Filter Collector in Vernon Township, **Crawford County**.

PA-42-182B: Allegheny Store Fixtures (57 Holley Avenue, Bradford, PA 16701-2290), for operation of a paint booth (wooden office cabinets and fixtures) in Bradford, **McKean County**.

Philadelphia Department of Public Health: Air Management Services, 321 University Ave., Philadelphia, PA 19104, (215) 685-7572.

99050, 99061, 99062: Metro Machine Corp. of Pennsylvania (Philadelphia Naval Business Center, Dry Dock No. 2 and No. 3, West 3rd Street, Philadelphia, PA 19112), for repairing, overhauling and painting navy ships in the City of Philadelphia, **Philadelphia County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal confer-

ence must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

Coal Applications Received

03840105R. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal application received for continued operation and reclamation of a bituminous surface mine located in West Franklin Township, **Armstrong County**, affecting 241.2 acres. Receiving streams: unnamed tributary to Buffalo Creek and Buffalo Creek to the Allegheny River. Renewal application received: September 2, 1999.

03910115R. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal application received for continued operation and reclamation of a bituminous surface auger mine located in West Franklin Township, **Armstrong County**, affecting 468.8 acres. Receiving streams: Buffalo Creek to the Allegheny River. Renewal application received: September 2, 1999.

03990107. Walter L. Houser Coal Co., Inc. (RR 9, Box 434, Kittanning, PA 16201). Application received for commencement, operation and reclamation of a bituminous surface mine located in Washington and East Franklin Townships, **Armstrong County**, proposed to affect 203.8 acres. Receiving streams: unnamed tributaries of Limestone Run to Limestone Run to the Allegheny River. Application received: September 2, 1999.

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

32840103. Permit Renewal for reclamation only, **Beth Contracting, Inc.** (R. D. 1, Box 208C, Glen Campbell, PA 15742), for continued restoration of bituminous-auger strip mine in Cherryhill Township, **Indiana County**, affecting 156.7 acres, receiving stream receiving stream unnamed tributaries to Crooked Creek and unnamed tributaries to Two Lick Creek. Application received September 7, 1999.

56990103. Action Mining, Inc. (1117 Shaw Mines Road, Meyersdale, PA 15552), commencement, operation and restoration of bituminous-auger strip mine in Brothersvalley Township, **Somerset County**, affecting 222.0 acres, receiving stream receiving stream Unnamed Tributaries to Miller's Run. Application received September 1, 1999.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

03820701. GPU Generation Inc. (1001 Broad St., Johnstown, PA 15907), to renew the permit for the Keystone Station Ash Valley in Plumcreek Township, **Armstrong County** to renew, no additional discharges. Application received July 28, 1999.

56841304. Mountain Top Mining, Inc. (198 Plank Rd., Hollsopple, PA 15935), to revise the permit for the Khristy No. 1 Mine in Shade Township, **Somerset County**, postmining land use change, no additional discharges. Application received August 25, 1999.

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

10940101. Blackridge Associates, Inc. (R. D. 6, Box 279J, Friendship Plaza, Kittanning, PA 16201). Transfer of an existing bituminous surface strip, auger and tippel

refuse disposal operation in Clay and Concord Townships, **Butler County** affecting 263.2 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek to Slippery Rock Creek to Connoquenessing Creek to the Beaver River to the Ohio River. Transfer from BMB Management, Inc. Application received August 30, 1999.

33990111. P & N Coal Co., Inc. (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous surface strip operation in McCalmont and Young Townships, **Jefferson County** affecting 171.5 acres. Receiving streams: Unnamed tributaries to Little Elk Run and unnamed tributaries to Elk Run both to Elk Run to Mahoning Creek to the Allegheny River. Application received: August 26, 1999.

33940107. Fred A. Deemer, Jr. (R. D. 1, Reynoldsville, PA 15851). Renewal of an existing bituminous surface strip operation in Washington and Winslow Townships, **Jefferson County** affecting 15.5 acres. Receiving streams: Two unnamed tributaries to Sandy Lick Creek. Renewal for active mining. Application received September 2, 1999.

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

17970111. Beth Contracting, Inc. (R. D. 1, Box 208-C, Glen Campbell, PA 15742), transfer of an existing bituminous surface mine-auger permit from Johnson Brothers Coal Co., Inc., located in Newburg Borough, **Clearfield County**, affecting 49.4 acres. Receiving streams: Chest Creek, Wilson Run. Application received September 8, 1999.

17990117. P & N Coal Co., Inc. (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous surface mine permit in Bell Township, **Clearfield County**, affecting 65.3 acres. Receiving streams: unnamed tributary of Beech Run and Beech Run to East Branch Mahoning Creek to Mahoning Creek. Application received September 7, 1999.

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

Noncoal Applications Received

65930601R. Timothy M. Hoover (R. R. 3, Box 47, Saltsburg, PA 15681). NPDES renewal application received for continued operation and reclamation of a large noncoal surface mine located in Loyalhanna Township, **Westmoreland County**, affecting 77.4 acres. Receiving streams: unnamed tributary to the Conemaugh River. NPDES renewal application received: September 10, 1999.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements.

Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

E23-283. Encroachment. **The McKee Group**, 900 W. Sproul Rd., Suite 301, Springfield, PA 19064. To reissue permit E23-283 for installation and maintenance of a 3-foot by 14-foot box culvert and emergency access road across an unnamed tributary of the West Branch of Chester Creek and adjacent wetlands at the Fox Hill Farms Residential Subdivision. The site is located approximately 2,000 feet northwest of the intersection of Smith Bridge Road and Temple Road (Wilmington North, PA Quadrangle N: 20.7 inches; W: 3.4 inches) in Concord Township, **Delaware County**.

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

E39-335. Encroachment. **Bruce J. and Tami A. Yocum**, 1101 West Tioga Street, Allentown, PA 18103. To place fill within a de minimis area of PSS wetlands, equal to 0.03 acre; to construct and maintain a single-span bridge, having a total span of 58 feet, 3 inches, with an underclearance of approximately 8 feet across Jordan Creek (CWF). The project is located on the north side of S. R. 4007, approximately 0.3 mile southwest of the intersection of S. R. 4007 and T-593 (Slatedale, PA Quadrangle N: 2.8 inches; W: 2.0 inches), Lowhill Township, **Lehigh County** (Philadelphia District, U.S. Army Corps of Engineers).

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

E06-528. Encroachment. **Ruth Osterburg**, 5171 Route 419, Womelsdorf, PA 19567. To maintain a bridge having a span of 10 feet and an underclearance of 5 feet across the channel of Mill Creek (CWF) at a point approximately 1,500 feet upstream of Host Church Road (Strausstown, PA Quadrangle N: 8.3 inches; W: 12.0 inches) in Tulpehocken Township, **Berks County**.

E22-405. Encroachment. **Consolidated Scrap Resources, Inc.**, P. O. Box 1761, Harrisburg, PA 17105. To place a shredder in the floodway of Paxton Creek (WWF) at a point approximately 1,200 feet downstream of

Maclay Street (Harrisburg, PA Quadrangle N: 5.4 inches; W: 1.0 inch) in the City of Harrisburg, **Dauphin County**.

E67-676. Encroachment. **Kinsley Construction, Inc.**, Robert Kinsley, R. D. 1, Box 131AA, Seven Valleys, PA 17360. To widen East Berlin Road over Honey Run (TSF) by 11 feet to the south and to widen Emigs Mill Road bridge over Honey Run (TSF) by 10 feet to the east to accommodate the West Manchester Corporate Center traffic. The bridges are located 0.2 mile apart in West Manchester and Dover Townships, **York County**. (West York, PA Quadrangle N: 12.9 inches; W: 11.0 inches).

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

E53-333. Encroachment. **Stanley G. Corbett**, 634 North Hollow Road, Coudersport, PA 16915. To maintain a culvert, 48 inches in diameter in North Hollow Creek located off North Hollow Road approximately 2.7 miles north of Route 6 (Sweden Valley, PA Quadrangle N: 7 inches; W: 9 inches) in Sweden Township, **Potter County**. Stream classification is CWF.

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

E02-1287. Encroachment. **McMetro Partnership**, 315 Payday Drive, Elizabeth, PA 15037. To place and maintain fill in approximately 0.25 acre of wetland (PSS/PEM) for the purpose of constructing a 55 acre retail development known as McMetro Development. The development site is located on the southwest side of S.R. 60 between the Robinson Town Centre Boulevard and S. R. 22/30 interchanges with S. R. 60 (Oakdale, PA Quadrangle N: 13.6 inches; W: 6.5 inches) in North Fayette and Robinson Townships, **Allegheny County**. The applicant proposes to meet the wetland replacement requirements by paying into the wetland replacement fund.

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

E20-483. Encroachment. **PA Department of Transportation**, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To remove the existing structure and to construct and maintain a two-span reinforced concrete adjacent box beam bridge with each span having a normal clear span of 30.6 meters and an underclearance of 8.824 meters on S. R. 1025 (Grant Street) across French Creek (WWF, Nominated 1-A Scenic). This project will also include a de minimis wetland impact (0.01 hectare) associated with bridge approach improvement. This project is located on S. R. 1025 (Grant Street) across French Creek approximately 1,800 feet west of the intersection of S. R. 0099 and S. R. 0006/0019 (Cambridge Springs, PA Quadrangle N: 10.25 inches; W: 8.34 inches) located in Cambridge Springs Borough, **Crawford County**.

E20-485. Encroachment. **PA Fish and Boat Commission**, Bureau of Engineering and Development, 450 Robinson Lane, Bellefonte, PA 16823. To construct and maintain an earth fill public fishing pier extending a maximum distance of approximately 225 feet from the edge of water at normal pool elevation with a maximum width of approximately 80 feet having a total volume of 2,320 cubic yards of fill occupying approximately 0.23 acre of the bed of Tamarack Lake at an existing public access area along Tamarack Road on the southwestern side of the lake approximately 0.75 mile northwest of

Freyermuth Road (Cochranton, PA Quadrangle N: 15.1 inches; W: 11.4 inches) located in East Mead Township, **Crawford County**.

ENVIRONMENTAL ASSESSMENT

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

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

D55-002EA. Environmental Assessment. **Daniel L. Edelman** (207 North Wausau Road, Middleburg, PA 17842). To breach and remove the Franklin Mill Dam across Middle Creek (TSF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2,000 feet upstream of the bridge carrying S. R. 522 and S. R. 104 across Middle Creek (Middleburg, PA Quadrangle N: 6.25 inches; W: 6.45 inches) in Middleburg Borough, **Snyder County**.

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

EA16-003NW. Environmental Assessment. **PA Department of Environmental Protection**, Bureau of Aban-

doned Mine Reclamation, Rachel Carson State Office Building, P. O. Box 8476, Harrisburg, PA 17105-8476. To eliminate a total of 2,300 linear feet of dangerous high wall, to relocate approximately 1,300 linear feet of stream channel, to construct a 0.6 acre replacement wetland, and to eliminate four separate bodies of water (total surface area approximately 1 acre) as part of a restoration/reclamation project of an abandoned strip mine located approximately 3,200 feet northwest of the intersection of S. R. 0068 and S. R. 3004 in the Village of New Athens (Rimersburg, PA Quadrangle N: 3.6 inches; W: 6.3 inches) located in Madison Township, **Clarion County**.

STORAGE TANKS

The following Storage Tank Site Specific Installation Permit application has been received by the Department and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Watershed Conservation, Division of Storage Tanks, P. O. Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. 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 the comment and the relevant facts upon which it is based.

<i>SSIP Application No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
99017	Dosch-King Emulsions, Inc. 16 Troy Hills Rd. Whippany, NJ 07981	Schuylkill County West Penn Township	2 ASTs storing Asphalt Emulsion 20,000 gallons each 1 AST storing Asphalt Emulsion 17,000 gallons

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, 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).

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

NPDES Permit No. PA0055948. Industrial waste. **Sunoco Inc.**, Ten Penn Center, 1801 Market Street, 3rd Floor, Philadelphia, PA 19103, is authorized to discharge from a facility located at Former Atlantic Service Station in Horsham Township, **Montgomery County** to an unnamed tributary to Pennypack Creek.

NPDES Permit No. PA 0057657. Sewage. **Kendal Corporation**, P. O. Box 100, Kennett Square, PA 19348, is authorized to discharge from a facility located at Kendall Crosslands WWTP in Kennett Township, **Chester County** to an unnamed tributary to Bennetts Run.

WQM Permit No. 4699420. Sewerage. **Perkiomen Township Municipal Authority**, 1 Trappe Road, Collegetown, PA 19426. Approval for the construction and operation of a sanitary sewer collection system to serve

Cranberry PRD Phase 8 residential development located in Perkiomen Township, **Montgomery County**.

WQM Permit No. 1599408. Sewerage. **East Goshen Township Municipal Authority**, 1580 Paoli Pike, West Chester, PA 19380. Approval for the construction and operation of a sewage pump station and force main to serve The Reserve at Spring Meadows residential community located in East Goshen Township, **Chester County**.

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

Permit No. PAG043622. Single Family Residence Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521, is authorized to discharge from a facility located in West Saint Clair Township, **Bedford County** to the receiving waters named Dunning Creek.

Permit No. PAG043623. Single Family Residence Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521, is authorized to discharge from a facility located in West Saint Clair Township, **Bedford County** to the receiving waters named Dunning Creek.

Permit No. PAG043624. Single Family Residence Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521, is authorized to discharge from a facility located in West Saint Clair Township, **Bedford County** to the receiving waters named Dunning Creek.

Permit No. PA0044628, Amendment 1. Industrial waste. **Sithe Pennsylvania Holdings LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017, is authorized to discharge from a facility located in York Haven Borough, **York County** to the receiving waters named Susquehanna River.

Permit No. PA0080845, Amendment 1. Industrial waste. **Sithe Pennsylvania Holdings LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017, is authorized to discharge from a facility located in Catherine Township, **Blair County** to the receiving waters named Frankstown Branch.

Permit No. PA0010782, Amendment 2. Industrial waste. **Sithe Pennsylvania Holdings LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017, is authorized to discharge from a facility located in Cumru Township, **Berks County** to the receiving waters named Schuylkill River.

Permit No. 0599403. Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521. This permit approves the construction of sewage treatment facilities in West Saint Clair Township, **Bedford County**.

Permit No. 0599404. Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521. This permit approves the construction of sewage treatment facilities in West Saint Clair Township, **Bedford County**.

Permit No. 0599405. Sewerage. **William Knisley**, R. D. 1 Box 307, Alum Bank, PA 15521. This permit approves the construction of sewage treatment facilities in West Saint Clair Township, **Bedford County**.

Permit No. 0782201-T1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of industrial waste treatment facilities in Catherine Township, **Blair County**.

Permit No. 0686402-T1, Amendment No. 89-1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of impoundments

and liner system, industrial waste treatment facilities, groundwater monitoring wells in Cumru Township, **Berks County**.

Permit No. 0676206-T1, Amendment No. 96-1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of impoundments and liner system, industrial waste treatment facilities, groundwater monitoring wells in Cumru Township, **Berks County**.

Permit No. 0676207-T1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of industrial waste treatment facilities in Cumru Township, **Berks County**.

Permit No. 0687201-T1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of industrial waste treatment facilities in Cumru Township, **Berks County**.

Permit No. 0678202-T1. Industrial waste. **Sithe Pennsylvania Holdings, LLC**, 450 Lexington Avenue, 37th Floor, New York, NY 10017. This permit approves the construction of industrial waste treatment facilities in Cumru Township, **Berks County**.

Permit No. PA0020508. Sewerage. **McConnellsburg Sewerage Authority**, P. O. Box 681, McConnellsburg, PA 17233, is authorized to discharge from a facility located in Ayr Township, **Fulton County** to the receiving waters named Big Cove Creek.

Permit No. PA0084964. Sewerage. **Bethel Township Sewer Authority**, P. O. Box 239, Warfordsburg, PA 17267, is authorized to discharge from a facility located in Bethel Township, **Fulton County** to the receiving waters named Little Tonoloway Creek.

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

NPDES Permit No. PA0034614. Sewage, **RAS Development Corporation**, 12 Arentzen Boulevard, Charleroi, PA 15022, is authorized to discharge from a facility located at the Mountain Pine Resort STP, Saltlick Township, **Fayette County** to receiving waters named Indian Creek.

NPDES Permit No. PA0034851. Sewage, **Sewer Authority of Parker City**, P. O. Box 350, Parker, PA 16049, is authorized to discharge from a facility located at the Parker City STP, Parker City, **Armstrong County** to receiving waters named Allegheny River.

NPDES Permit No. PA0045802. Sewage, **Franklin A and Janet E Taddeo**, Pineview Manor Park, P. O. Box 297, Elizabeth, PA 15037, is authorized to discharge from a facility located at the Pineview Manor Park STP, Hempfield Township, **Westmoreland County** to receiving waters named unnamed tributary of Sewickley Creek.

NPDES Permit No. PA0096211. Sewage. **Hempfield Township Municipal Authority**, R. D. 6, Box 501, Greensburg, PA 15601, is authorized to discharge from a facility located at the Darragh STP, Hempfield Township, **Westmoreland County** to receiving waters named Little Sewickley Creek.

NPDES Permit No. PA0216721. Sewage. **George E. and Patricia N. Meerhoff, Thomas E. and Kelly G. Meerhoff**, 106 Old Route 31, Mt. Pleasant, PA 15666, are authorized to discharge from a facility located at the

Meerhoff Small Flow STP, Mt. Pleasant Township, **Westmoreland County** to receiving waters named an Unnamed Tributary of Jacobs Creek.

NPDES Permit No. PA0218201. Sewage. **RoxCoal, Inc.**, P. O. Box 149, Friedens, PA 15541, is authorized to discharge from a facility located at Augustus Deep Mine Portal Sewage Treatment Plant, Shade Township, **Somerset County** to receiving waters named drainage ditch tributary to Coal Run.

Permit No. 5699402. Sewerage. **RoxCoal, Inc.**, P. O. Box 149, Friedens, PA 15541. Construction of a sewage treatment plant located in Shade Township, **Somerset County** to serve Augustus Deep Mine Portal Sewage Treatment Plant.

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

NPDES Permit No. PA0037991. Sewage. **Imperial Point North**, 10140 Ridge Road, Girard, PA 16417, is authorized to discharge from a facility located in Girard Township, **Erie County** to an unnamed tributary to Lake Erie.

NPDES Permit No. PA0029726. Sewage. **Jamestown Municipal Authority**, P. O. Box 188, Jamestown, PA 16134, is authorized to discharge from a facility located in the Borough of Jamestown, **Crawford County** to the Shenango River.

NPDES Permit No. PA0222879. Sewage. **Hickory Creek Wilderness Ranch**, P. O. Box 93, Tidioute, PA 16351, is authorized to discharge from a facility located in Limestone Township, **Warren County** to an unnamed tributary to Camp Run.

NPDES Permit No. PA0100978. Sewage. **Wesleyan Church of the Nazarene**, 9580 U.S. 6N, Albion, PA 16401, is authorized to discharge from a facility located in Conneaut Township, **Erie County** to an unnamed tributary to March Run.

NPDES Permit No. PA0221520. Sewage. **Highland Township Municipal Authority**, P. O. Box 148, James City, PA 16734, is authorized to discharge from a facility

located in Highland Township, **Elk County** to an unnamed tributary to Wolf Run.

WQM Permit No. 6199402. Sewage. **Seneca Acres Pump Station, Cranberry-Venango County General Authority**, P. O. Box 378, Seneca, PA 16319. This project is for plans to provide sanitary service to Seneca Acres in Cranberry Township, **Venango County**.

WQM Permit No. 2597405, Amendment No. 1. Sewage. **Edinboro Conference Campgrounds**, 12940 Fry Road, Edinboro, PA 16412. This project is for modifications to the sewage treatment plant in Washington Township, **Erie County**.

WQM Permit No. 4299401. Sewage. **Borough of Smethport Authority**, P. O. Box 152, Smethport, PA 16749. This project is for the expansion of the wastewater treatment plant in the Borough of Smethport, **McKean County**.

WQM Permit No. 4299418. Sewerage, **Mary Ann Fascetti SRSTP**, 95 Thompson Road, Mercer, PA 16137. Construction of Mary Ann Fascetti SRSTP located in Findley Township, **Mercer County**.

WQM Permit No. 2599414. Sewerage. **Mary E. McBride SRSTP**, 3217 Pacific Avenue, Erie, PA 16506. Construction of Mary E. McBride SRSTP located in Harborcreek Township, **Erie County**.

WQM Permit No. 4399419. Sewerage. **Alan Warren SRSTP**, 263 Spencer Avenue, Sharon, PA 16146. Construction of Alan Warren SRSTP located in City of Hermitage, **Mercer County**.

WQM Permit No. 4399420. Sewerage. **Mark Simons SRSTP**, 3047 Hadley Road, Hadley, PA 16130. Construction of Mark Simons SRSTP located in Otter Creek Township, **Mercer County**.

INDIVIDUAL PERMITS (PAS)

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

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>
PAS10F078	Eastern States Exploration Co. P. O. Box 178 Snow Shoe, PA 16874	Centre County Snow Shoe Township	North Fork of Beech Creek, Unt Beech Creek, Unt. Sandy Run, Beech Creek, Rock Run
PAS101913	PA Dept. of Transportation Engineering Dist. 2-0 1924-30 Daisy St. Clearfield, PA 16830	Clinton County Porter Township	Fishing Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G288	Four A Partners P. O. Box 310 Avondale, PA 19311	London Grove Township Chester County	Tributary to East Branch White Clay Creek
PAS10-G375	Eastern Shore Natural Gas 417 Bank Lane Dover, DE 19904	Penn, New London and Londonderry Townships Chester County	Big Elk Creek and West Branch White Clay Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-T098	PennDOT-06 200 Radnor-Chester Roads St. Davids, PA 19087	Upper Merion Montgomery County Tredyffrin Township Chester County	Trout Run
<i>Southwest Regional office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.</i>			
<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10B010	Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931-0149 DT Construction, Inc. R. R. 2, Box 55A Dunbar, PA 15431	Armstrong County Valley Township and Boggs Township	Pine Creek
PAS10L020	CNG Transmission Corp. 445 West Main Street Clarksburg, WV 26302-2450	Fayette County Georges Township North Union Township South Union Township Wharton Township	Laurel Run
PAS103117	Dept. of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105-8476	Indiana County Grant Township	UNT Mahoning Creek
PAS10W072	Eighty Four Development Corporation P. O. Box 177 Eighty Four, PA 15330	Washington County North Strabane Township	UNT Little Chartiers Creek
PAS10W074	Mel Blount Youth Home of Pennsylvania 6 Mel Blount Drive Claysville, PA 15323	Washington County Buffalo Township	UNT Buffalo Creek
PAS10W077	Woodruff Partners, LLP 2630 Liberty Avenue Pittsburgh, PA 15216	Washington County North Strabane Township	Little Chartiers Creek

**INDIVIDUAL PERMITS
(PAR)**

Approvals to Use NPDES and Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the

respective general permit. The Department of Environmental Protection (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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

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

The Department has acted on the following requests for coverage under the specified General Permit as follows:

*List of
General Permit Type*

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities

*List of
General Permit Type*

PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer System
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
City of Philadelphia Philadelphia County	PAR10-5328	Philadelphia Eagles 3501 South Broad Street Philadelphia, PA 19148-5298	FDR Park Lake and Delaware River	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Butler County Clinton Township	PAR10E118	Victory Road Business Park Community Development Corporation 601 Hansen Avenue Butler, PA 16001	Thorn Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Warren County, Brokenstraw, Pittsfield and Pleasant Townships	PAR107205	Brokenstraw Valley Area Authority Box 155, Rouse Avenue Youngsville, PA 16371	Allegheny River, Brokenstraw Creek and Tributaries	Warren Conservation District 609 Rouse Home Avenue Suite 203 Youngsville, PA 16371 (814) 563-3117
Centre County Spring Township	PAR10F102	Gary Wilt 921 Shady Lane Bellefonte, PA 16823	Unt. Spring Creek	Centre County Conservation 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County City of Williamsport	PAR103930	High Steel Structures Plt. 3 3501 West 4th St. Williamsport, PA 17701	Reighard Run and Daugherty Run	Lycoming County CD 2130 County Farm Rd., Suite 6 Montoursville, PA 17754 (570) 433-3003
Chambersburg Borough Franklin County	PAR-10-M182	Summit Health Center 112 North Seventh Street Chambersburg, PA 17201	Falling Spring Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Huntingdon Borough Huntingdon County	PAR-10-3015	S&A Custom Built Homes 501 Rolling Ridge Drive State College, PA 16801	Muddy Run	Huntingdon County CD RR 1 Box 7C (Rte. 26S) Huntingdon, PA 16652 (814) 627-1627
Allegheny County Bethel Park Borough Upper St. Clair Township	PAR10A361	Murphy, O'Neill & Murphy 360 Southridge Drive Pittsburgh, PA 15241	Brush Run	Allegheny County CD (412) 241-7645

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Elizabeth Township	PAR10A362	Jack S. Cargnoni P. O. Box 221 Bridgeville, PA 15017	UNT Wylie Run	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAR10A372	Forest Green Commons LP Two North Shore Center Suite 310 Pittsburgh, PA 15212	Montour Run	Allegheny County CD (412) 241-7645
Allegheny County Plum Borough	PAR10A379	Plum Borough School District 200 School Road Pittsburgh, PA 15239	Plum Creek	Allegheny County CD (412) 241-7645
Allegheny County McKees Rocks Borough	PAR10A381	Allegheny County Housing Authority Fidelity Bldg 341 Fourth Avenue Pittsburgh, PA 15222	Ohio River	Allegheny County CD (412) 241-7645
Beaver County Center Township	PAR100247-1	Michael Staenberg THF-Monaca L.P. and THF-Beaver L.P. 955 Executive Parkway Suite 210 St. Louis, MO 63141	Markey Run	Beaver County CD (724) 774-7090
Beaver County Hopewell Township	PAR100260	C. J. Betters Bet-Tech International, Inc. 1150 Brodhead Road Monaca, PA 15061	Ohio River	Beaver County CD (724) 774-7090
Washington County Cecil Township	PAR10W124	Pristinte Fields Associates 9204 Sundance Drive Bridgeville, PA 15017	Brush Run	Washington County CD (724) 228-6774
Washington County Canton Township	PAR10W138	Joseph Gulas 341 Locust Avenue Washington, PA 15301	Chartiers Creek	Washington County CD (724) 228-6774
Washington County City of Washington	PAR10W141	Washington County Redevelopment Auth Room 603 Courthouse Square Washington, PA 15301	Catfish Run	Washington County CD (724) 228-6774
Washington County Chartiers Township	PAR10W144	Chartiers Township 2 Buccaneer Drive Houston, PA 15342	Chartiers Creek	Washington County CD (724) 228-6774
Washington County North Strabane Township	PAR10W145	Waterford Villas, LLP 382 West Chestnut Place Washington, PA 15301	Chartiers Creek	Washington County CD (724) 228-6774

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lackawanna County City of Scranton	PAR602224	Morgan Highway Auto Parts 108 Squirrel Run Clarks Summit, PA 18411	Leggetts Creek	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Luzerne County Wright Township	PAR202210	Caradon Mideast Aluminum P. O. Box 98 Mountaintop, PA 18707	Highway Drainage on Oakwood Road	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Wright Township	PAR202211	Caradon Mideast Aluminum P. O. Box 98 Mountaintop, PA 18707	Unnamed tributaries to Big Wapwallopen Creek	Northeast Office 2 Public Square Wilkes-Barre, PA (570) 826-2511
Monroe County Stroud Township	PAR602222	Sibum's Auto Parts, Inc. RR 7, Box 7310 East Stroudsburg, PA 18301	Unnamed feeder to Brodhead Creek	Northeast Office 2 Public Square Wilkes-Barre, PA (570) 826-2511
Monroe County Tunkhannock Township	PAR602223	Pocono Auto Salvage P. O. Box 635 Blakeslee, PA 18610	Unnamed feeder to Tunkhannock Creek	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
York County North Hopewell Township	PAR603538	Red Lion Auto Salvage, Inc. 5433 Rippling Run Road Red Lion, PA 17356	UNT to North Branch of Muddy Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Kutztown Borough	PAR203569	East Penn Manufacturing Company, Inc. Deka Road Lyon Station, PA 19536	Sacony Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Reading City	PAR803568	Dana Corporation Parish Division P. O. Box 13459 Robeson and Weiser Streets Reading, PA 19612	Schuylkill River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Laureldale Borough	PAR113505	Yuasa, Inc. 2901 Montrose Avenue Laureldale, PA 19605	Bernhart Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County Annville Township	PAR603539	Carl W. Weber Weber Brothers Auto 795 North Mill Street Lebanon, PA 17046	UNT to Swatara Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Spring Township	PAR203566	Metropolitan Steel Industries, Inc. 601 Fritztown Road Sinking Spring, PA 19608	Cacoosing Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County South Londonderry Township	PAR603540	Martell F. Scheidler Scheidler's Auto Wrecking RD 2, Box 426A Palmyra, PA 17078	UNT to Quittapahilla Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fairview Township Erie County	PAR608325	Community Auto Recycling 2540 Manchester Road Erie, PA 16506	Walnut Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Findley Township Mercer County	PAG048613	Mary Ann Fascetti 95 Thompson Road Mercer, PA 16137	Tributary to Neshannock Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Sugar Grove Township Warren County	PAG048616	James F. Thorssen R. R. 1, Box 26 Sugar Grove, PA 16350	Unnamed Tributary to Stillwater Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Otter Creek Township Mercer County	PAG048617	Mark Simons 3047 Hadley Road Hadley, PA 16130	Unnamed Tributary to Little Shenango River	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAG048614	Alan Warren 263 Spencer Avenue Sharon, PA 16146	Tributary to Hogback Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Ayr Township Fulton County	PAG-08-3541	McConnellsburg Sewerage Authority P. O. Box 681 McConnellsburg, PA 17233	N/A	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

SAFE DRINKING WATER

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

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

Permit No. 0299506. Public water supply. **Harrison Township Municipal Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065.

Type of Facility: Liquid chemical feed system (Aqua-Mag).

Permit for Construction Issued: September 7, 1999.

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

Permit Transfer No. 1787504-T1. The Department issued an operation permit to **Sithe Pennsylvania Holdings, LLC**, 350 Lexington Avenue-37th Floor, New York, NY 10017, previously owned and operated by Pennsylvania Electric Company at the Shawville Generating Station, Bradford Township, **Clearfield County**. This permit is for use of the source, settling, filtration, finished water storage, disinfection, pumping and distribution lines.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988 Notice of Prompt Interim Response under the Hazardous Sites Cleanup Act

Pa. Textile Corp., Inc. Site Hazle Township, Luzerne County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), has initiated a prompt interim response at the Pa. Textile Corp., Inc. Site (site). This response has been undertaken under section 505(b) of HSCA. The site is located at 400 Jaycee Drive in the Valmont Industrial Park in Hazle Township, Luzerne County, PA.

The site consists of an abandoned textile manufacturing facility with drums and totes of chemicals used in the drying and finishing of textiles. The chemicals were stored inside the building and in a trailer outside the building. The Department has identified the following hazardous substances and/or contaminants at the site: ammonia hydroxide, acetic acid, hydrogen peroxide, sulfur dioxide, dibutyl phthalate, no. 6 fuel oil, propane, liquid caustic soda, sodium hypochlorite, sodium hydrosulfite, sodium nitrate and colloidal silica. Improper storage and disposal of these materials poses an ongoing threat to public health and safety and the environment.

The objective of the prompt interim response is to remove the hazardous substances and/or contaminants

from the site and to safely dispose of them at offsite facilities that have regulatory approvals for the treatment and disposal of the hazardous substances and/or contaminants.

Given the specific circumstances at the site, the Department determined that offsite removal of the hazardous substances and/or contaminants is the only viable alternative to implement at this site. This response action is needed in a prompt manner to protect public health and safety and the environment.

On July 26, 1999, the Department mobilized at the site to conduct an emergency response to address drums stored in a trailer at the rear of the property. The response included characterizing, stabilizing, removing and disposing of the drums contained inside the trailer. During the emergency response several chemical storage areas were observed inside the building.

On August 5, 1999, the Department met with its contractor to plan the removal and disposal of the drums and totes in the storage areas in the building. This work was scheduled to begin on September 13, 1999.

This notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of the response action, is available for public review and comment. The administrative record is located at the DEP Northeast Regional Office at 2 Public Square, Wilkes-Barre, Luzerne County and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from September 25, 1999, until December 24, 1999. Persons may submit written comments into the record during this time only, by sending them to Leonard Zelinka, DEP Project Officer, at the Northeast Regional Office at 2 Public Square, Wilkes-Barre in Luzerne County or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on November 12, 1999, at 10 a.m. at the Northeast Regional Office. Persons wishing to present comments must register with Leonard Zelinka before November 1, 1999, by telephone at (570) 826-5441 or in writing to Leonard Zelinka at the Northeast Regional Office.

If no person registers to present oral comments, by November 1, 1999, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should contact Leonard Zelinka.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Leonard Zelinka or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require

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

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

The Department has received the following final reports:

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

Former Olivetti Supplies, Inc., Solvents Coating Area, Susquehanna Township, Dauphin County. SAIC, 3240 Schoolhouse Road, Middletown, PA 17057, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to the Statewide health standard.

Lillian Leiss Residence, City of Reading, Berks County. EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide health standard.

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

BP Amoco—Pittsburgh Terminal, Baldwin Borough/City of Pittsburgh, Allegheny County. Scott C. Wonsetler, Handex of Western Pennsylvania, 106 Thomson Park Drive, Cranberry Township, PA 16066 and BP Amoco, 1 West Pennsylvania Avenue, Suite 915, Towson, MD 21204, have submitted a Final Report concerning remediation of site soil, groundwater, surface water and sediment contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has acted upon the following plans and reports:

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Bridgeworks Industrial Site, City of Allentown, **Lehigh County**. As part of the Department of Environmental Protection's Key Sites Initiative program, a Baseline Environmental Report was submitted on behalf of the Allentown Economic Development Corporation, 905 Harrison Street, Allentown, PA 18103, concerning the characterization of site soils and groundwater found to have been contaminated with petroleum hydrocarbons, polycyclic aromatic hydrocarbons, solvents, metals and BTEX (benzene, toluene, ethylbenzene and xylenes) compounds. The Baseline Environmental Report demonstrated attainment of the Special Industrial Area standard and was approved on September 8, 1999.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

Licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Hazardous Technologies, Inc., 2744 Pomona Boulevard, Pomona, CA 91768-3222; License No. **PA-AH 0628**; license issued September 2, 1999.

Quality Carriers, Inc., 3108 Central Drive, Plant City, FL 33567; License No. **PA-AH-0630**; license issued September 9, 1999.

Solvents & Petroleum Service, Inc., 1405 Brewerton Road, Syracuse, NY 13208; License No. **PA-AH 0629**; license issued September 2, 1999.

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Burnham Service Company, Inc., 1630 Phoenix Boulevard, Atlanta, GA 30349; License No. **PA-AH S217**; renewal license issued August 31, 1999.

Miller Environmental Group Inc., 538 Edwards Avenue, Calverton, NY 11933; License No. **PA-AH 0501**; renewal license issued September 1, 1999.

Onyx Environmental Services, L.L.C., 1 Eden Lane, Flanders, NJ 07836; License No. **PA-AH 0500**; renewal license issued September 8, 1999.

S & C Transport, Inc., 31478 Industrial Road, Suite 100, Livonia, MI 48150; License No. **PA-AH 0446**; renewal license issued August 26, 1999.

SMP, Inc., 200 Fayette Street, Phillipsburg, NJ 08865; License No. **PA-AH S221**; renewal license issued August 31, 1999.

RESIDUAL WASTE PROCESSING FACILITIES

Permit modification issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste management regulations for a general permit to process or beneficially use residual waste other than coal ash.

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

General Permit No. WMGR038. A Department initiated general permit for processing and storage of waste tires prior to beneficial use of the waste tires as fuel in boilers or other combustion units, civil engineering practices and as an ingredient in commercial products. This permit modification was issued in Central Office on August 24, 1999.

Persons interested in reviewing the permit may contact the General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

**OPERATE WASTE PROCESSING OR
DISPOSAL AREA OR SITE**

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.

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

Permit No. 400593. American Ref-Fuel of Delaware Valley, LP, 10 Highland Avenue, Chester, PA 19013. A permit was issued for the modification and 10-year renewal of the existing resource recovery facility located in the City of Chester, **Delaware County**. Modifications include changes to waste acceptance hours and volumes, additional residual and municipal-like residual waste streams, and additional storage volume. Permit was issued by the Southeast Regional Office on September 7, 1999. This action replaces the permit issued on September 23, 1998 in its entirety.

**PREVIOUSLY UNPERMITTED CLASS OF
SPECIAL HANDLING WASTE**

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.

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

Bio-Haz Solutions, Inc., P. O. Box 152, Lehighton, PA 18235; License No. **PA-HC 0191**; amended license issued September 2, 1999.

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

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

Bio-Haz Solutions, Inc., P. O. Box 308, White Hall, PA 18052; License No. **PA-HC 0191**; renewal license issued August 27, 1999.

Bridgeview, Inc., R. R. 1, Box 364, Morgantown, PA 19543; License No. **PA-HC 0084**; renewal license issued September 1, 1999.

Environmental Options Group, Inc., 18 Water Street/Tuckerton, Reading, PA 19605; License No. **PA-HC 0131**; renewal license issued September 3, 1999.

Med-Trac, Inc., 715 William Pitt Way, Pittsburgh, PA 15238; License No. **PA-HC 0086**; renewal license issued August 23, 1999.

T. J. Egan & Company Inc., 5 Lawrence Street, Bloomfield, NJ 07003; License No. **PA-HC 0079**; renewal license issued September 2, 1999.

AIR QUALITY

OPERATING PERMITS

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

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

22-03017: Hoover Funeral Homes & Crematory, Inc. (6011 Linglestown Road, Harrisburg, PA 17112), on September 7, 1999, for operation of a human crematory controlled by an afterburner in Lower Paxton Township, **Dauphin County**.

22-307-035: Chemetron Railway Products, Inc. (5600 Stillwell, Kansas City, MO 64120-1239), for construction of rail welding unit controlled by dust collector at 2115 South Front Street, Steelton Borough, **Lancaster County**.

36-317-195B: Wilbur Chocolate Co. (200 Chocolate Avenue, Mount Joy, PA 17552), on September 7, 1999, for operation of cocoa nib roasting and grinding operations in Mount Joy Borough, **Lancaster County**.

38-318-033A: Supreme Mid-Atlantic Corp. (P. O. Box 779, Jonestown, PA 17038), on September 9, 1999, for operation of a Plant 1 truck equipment manufacturing operation at Plant 1, 411 and 401 Jonestown Road in Union Township, **Lebanon County**.

67-320-022C: Fry Communications, Inc. (800 West Church Road, Mechanicsburg, PA 17055), for operation of three heatset printing presses controlled by a regenerative thermal oxidizer on Connelly Road in Manchester Township, **York County**.

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

OP-65-909: International Mill Service, Inc. (1155 Business Center Drive, Horsham, PA 19044), on August 23, 1999, for operation of stockpiling activities at Allvac-Latrobe Facility in Derry Township, **Westmoreland County**.

OP-04-044B: Zinc Corp. of America (300 Frankfort Road, Monaca, PA 15061), on August 30, 1999, for operation of bulk material storage building at Monaca Zinc Smelter in Potter Township, **Beaver County**.

Administrative Amendment of 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.

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

OP-23-0009: Boeing MACAM Sys Group—Philadelphia (Stewart Avenue and Route 291, Eddystone, PA 19013), on August 19, 1999, for Facility VOCs/NO_x RACT in Ridley Township, **Delaware County**.

OP-46-0056: Hale Products, Inc. (700 Spring Mill Avenue, Conshohocken, PA 19428), on August 19, 1999, for synthetic minor NO_x/VOC facility in Conshohocken Borough, **Montgomery County**.

OP-46-0048B: Rhone-Poulenc Rorer Pharmaceuticals, Inc. (500 Arcola Road, Collegetown, PA 19426), on August 19, 1999, for Facility VOC/NO_x RACT in Upper Providence Township, **Montgomery County**.

PLAN APPROVALS

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

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

PA-15-0060B: SECCRA Landfill (219 West Street Road, Kennett Square, PA 19348), on September 9, 1999, for operation of a landfill gas open flare in London Grove Township, **Chester County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-309-106: Keystone Cement Co. (P. O. Box A, Bath, PA 18014), on September 13, 1999, for installation of silo tunnel ventilation controlled by a fabric collector in East Allen Township, **Northampton County**.

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

22-03009A: Brubaker Tool Corp. (200 Front Street, Millersburg, PA 17061), on September 10, 1999, for installation of heat treat line no. 1 consisting of three heat treat salt baths controlled by three fabric collectors at Plant No. 1 in Millersburg Borough, **Dauphin County**.

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

PA-04-059A: Koppel Steel Corp. (P. O. Box 750, Beaver Falls, PA 15010), on September 1, 1999, for installation of melt shop no. 4 in Koppel Borough, **Beaver County**.

PA-04-468C: S. H. Bell Co. (644 Alpha Drive, P. O. Box 11495, Ohioville, PA 15059), on August 30, 1999, for installation of loadout shed at East Liverpool Terminal in Ohioville Borough, **Beaver County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-33-145B: Huntington Foam Corp. (11 Industrial Park Drive, Brockway, PA 15824) on September 14, 1999, for installation of a molding press in Brockway, **Jefferson County**.

PA-25-095F: Lord Corp., Mechanical Products Division (1635 West 12th Street, Erie, PA 16514), on August 31, 1999, for construction of a De-Smut Tank in Erie, **Erie County**.

43-308-008A: Cobra Metals, Inc. (3rd Street and Brentwood Avenue, Greenville, PA 16125), on August 31, 1999, for modifications to the no. 2 rotary furnace in Greenville, **Mercer County**.

PA-43-287A: Jones Performance Products, Inc. (No. 1 Jones Way, West Middlesex, PA 16159), on September 15, 1999, for construction of a sheet mold compound compression molding operation in West Middlesex, **Mercer County**.

10-313-028B: Indspec Chemical Corp. (133 Main Street, Petrolia, PA 16050), on August 31, 1999, for minor modification to the Resorcinol flaker, bagging and packaging system in Petrolia, **Butler County**.

PA-25-464A: Klein Plating Works, Inc. (2020 Greengarden Road, Erie, PA 16502), on September 8, 1999, for installation of scrubbers and automated plating lines in Erie, **Erie County**.

Plan Approvals extensions 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.

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

PA-23-0032A: DELCORA (3201 West Front Street, Chester, PA 19013), for operation of two 8 stage incinerator in City of Chester, **Delaware County**.

46-302-207: Occidental Chemical (Armand Hammer Boulevard, Pottstown, PA 19464), issued January 21, 1999, for operation of three 98 MMBtu/hr boilers in Lower Pottsgrove Township, **Montgomery County**.

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

38-302-057: G & H Fortyniners, Inc. (P. O. Box 37, Fredericksburg, PA 17026), issued September 7, 1999, to authorize temporary operation of a Johnston boiler 800 HP, covered under this Plan Approval until January 4, 2000, on Chestnut Hill Road in Bethel Township, **Lebanon County**. This source is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

PA-65-137A: Allegheny Ludlum Corp. (100 River Road, Brackenridge, PA 15014), on August 23, 1999, for operation of sendzimer cold rolling mill at Vandergrift Plant in Verdergrift Borough, **Westmoreland County**.

PA-65-905A: Amerikohl Mining, Inc. P. O. Box 427, Acme, PA 15610), on August 23, 1999, for operation of bituminous coal handling at Ruff Surface Mine in Mt. Pleasant Township, **Westmoreland County**.

65-307-054B: Teledyne Inc. (100 River Road, Brackenridge, PA 15014), on August 23, 1999, for installation of EAF oxygen lance and AOD vessel at Teledyne Allvac in Derry Township, **Westmoreland County**.

PA-56-263A: Penn Coal, Inc (214 College Park Plaza, Johnstown, PA 15904), on August 23, 1999, for installation of coal screening at Sarah Mine in Jenner Township, **Somerset County**.

PA-04-504A: Mitsui/ZCA Powders Company (300 Frankfort Road, Monaca, PA 15061), on August 30, 1999, for construction of high purity zinc powder plant at ZCA Monaca in Potter Township, **Beaver County**.

PA-65-817A: Pioneer Mid-Atlantic, Inc (400 Industrial Blvd., New Kensington, PA 15068), on August 30, 1999, for installation of recycled asphalt pavement system at Davison Asphalt Supply in Lower Burrell City, **Westmoreland County**.

PA-04-044: Zinc Corp. of America (300 Frankfort Road, Monaca, PA 15061), on August 30, 1999, for

installation of zinc high grade column no. 29 at Monaca Zinc Smelter in Potter Township, **Beaver County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-42-009A: Pittsburgh Corning Corp. (723 North Main Street, P. O. Box 39, Port Allegany, PA 16743), on September 30, 1999, for a mold release application in Port Allegany, **McKean County**.

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

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

17-305-042: Commonwealth Synfuel LLC (3280 North Frontage Road, Lehi, UT 84043), on August 27, 1999, to extend an agglomerated coal fines pellet drying oven stack test performance deadline to November 4, 1999, in Karthaus Township, **Clearfield County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

Coal Permits Issued

56753119. Permit Renewal, **Jenners, Inc.** (P. O. Box 171, Shelocta, PA 15774), for continued operation and restoration of a bituminous strip mine in Jenner Township, **Somerset County**, affecting 485.9 acres, receiving stream unnamed tributaries to Quemahoning Creek and unnamed tributaries to Hoffman Run. Application received July 16, 1999; issued September 7, 1999.

56793091. Permit Renewal, **Hardrock Coal Company** (275 Saddle Ridge Road, Berlin, PA 15530), for continued operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 549.6 acres, receiving stream unnamed tributaries to/and Tubs Run; and unnamed tributary to Millers Run. Application received July 14, 1999; issued September 7, 1999.

56703017. Permit Renewal, **Badger Coal Company, Inc.** (415 Hancock Street, Clymer, PA 15728), for continued operation and restoration of bituminous strip mine in Paint Township, **Somerset County**, affecting 1,192.0 acres, receiving stream unnamed tributaries to Paint

Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; and to Stony Creek. Application received July 15, 1999; issued September 7, 1999.

56703120. Permit Renewal, **Jenners, Inc.** (P. O. Box 171, Shelocta, PA 15774), for continued operation and restoration of bituminous/coal refuse disposal strip mine in Jenner Township, **Somerset County**, affecting 580.0 acres, receiving stream unnamed tributary to Hoffman Run and to Hoffman Run; and to unnamed tributary to Quemahoning Creek and to Quemahoning Creek. Application received July 16, 1999; issued September 7, 1999.

56713105. Permit Renewal for reclamation, only, **Hoffman Mining, Inc.** (P. O. Box 130, Friedens, PA 15541), for continued restoration of a bituminous-auger strip mine in Shade Township, **Somerset County**, affecting 540.5 acres, receiving stream to Oven Run. Application received September 1, 1999; issued September 7, 1999.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

32753702. **EME Homer City Generation L.P.** (18101 Von Karman Ave., Suite 1700, Irvine, CA 92612-1046), to renew the permit for the Homer City Refuse Disposal Facility in Center Township, **Indiana County**, no additional discharges. Permit issued September 2, 1999.

03950701. **Canterbury Coal Company** (R. D. 1, Box 119, Avonmore, PA 15618), to revise the permit for the Refuse Area No. 6 Ext. in Kiskiminetas Township, **Armstrong County** to add 28.7 permit acres, no additional discharges. Permit issued September 2, 1999.

63733701. **Champion Processing, Inc.** (P. O. Box 1073, Coraopolis, PA 15108), to renew the permit for the Champion Refuse Disposal Area in Robinson Township, **Washington County**, no additional discharges. Permit issued September 2, 1999.

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

101887-33980104-E-1. **Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Application for a stream encroachment to mine through and reconstruct a portion of Unnamed tributary A to McCracken Run in Perry Township, **Jefferson County**. Receiving streams: Unnamed tributary to McCracken Run. Application received: May 12, 1999. Permit issued: August 26, 1999.

33980104. **Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Revision to an existing bituminous strip operation to add 7.2 acres to the surface mining permit in Perry Township, **Jefferson County**. Total acres is now 25.6 acres. Receiving streams: Unnamed tributary to McCracken Run. Application received: May 12, 1999. Permit issued: August 26, 1999.

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

13940201R. **Rossi Excavating Company** (9 West 15th Street, Hazleton, PA 18201), renewal of an existing coal refuse reprocessing operation in Banks Township, **Carbon County** affecting 11.5 acres, receiving stream—none. Renewal issued September 8, 1999.

40840202R3. **Silverbrook Anthracite, Inc.** (1 Market Street, Laflin, PA 18702), renewal of an existing coal refuse reprocessing operation in Laflin Borough, **Luzerne County** affecting 30.3 acres, receiving stream—Gardner Creek. Renewal issued September 8, 1999.

54830209R3. **South Tamaqua Coal Pockets, Inc.** (R. R. 3 Box 14, Tamaqua, PA 18252), renewal of an existing coal refuse reprocessing operation in West Penn

Township, **Schuylkill County** affecting 37.0 acres, receiving stream—Little Schuylkill River. Renewal issued September 8, 1999.

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

17890115. Al Hamilton Contracting Company (R. D. 1, Box 87, Woodland, PA 16881), major permit modification to apply biosolids (stabilized sewage sludge) to enhance vegetation on an existing bituminous surface mine permit in Boggs Township, **Clearfield County** affecting 639 acres. Receiving streams: Camp Hope Run, Sanbourn Run, unnamed tributary to Sanbourn Run, to Clearfield Creek. Application received March 29, 1999. Permit issued September 1, 1999.

17980123. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine permits in Knox Township, **Clearfield County** affecting 60 acres. Receiving streams: unnamed stream no. 2 to Dunlap Run and Cherry Run. Application received October 8, 1998. Permit issued September 3, 1999.

Knox District Office, P. O. Box 669, Knox, PA 16232.
Noncoal permits issued:

G. L. McKnight, Inc. (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES No. PA0212041, Scott and Plain Grove Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek and unnamed tributary to Taylor Run. Application received: July 2, 1999. Permit issued: August 26, 1999.

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

5273SM1C. Pyramid Land Development, Inc. (414 West Knowlton Road, Media, PA 19063), renewal of NPDES Permit No. PA0594261 in Aston Township, **Delaware County**, receiving stream—Chester Creek. Renewal issued September 8, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The Department of Environmental Protection (Department) has taken the following actions on previously received Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (*Note:* Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

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

E15-621. Encroachment. **Vaughan and Sons, Inc.**, 347 East Conestoga Road, Wayne, PA 19037. To place fill in a de minimis 0.04 acre of wetland which is in the watershed of a tributary to Crum Creek for the purpose of enhancing a yard area for a residential dwelling. The site is located in Fitzpatrick Subdivision Lot No. 7, approximately 500 feet south of the intersection of Mill Road and Evergreen Lane (Valley Forge, PA Quadrangle N: 4.00 inches; W: 16.5 inches) in Willistown Township, **Chester County**. The amount of wetland impact is considered a de minimis impact of 0.04 acre and wetland mitigation is not required.

E46-846. Encroachment. **Springfield Township**, 1510 Paper Mill Road, Wyndmoor, PA 19038-7032. To modify and maintain the stream channel under an existing bridge over Sunnybrook Creek (TSF) by placing 6-inch concrete slab at the invert of the creek to prevent scour and to modify an existing stormwater outfall structure to Sunnybrook Creek. The site is located approximately 275 feet northeast of the intersection of Poplar Road and East Mill Road in Germantown, PA USGS Quadrangle N: 20.2 inches; W: 11.0 inches) Springfield Township, **Montgomery County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E51-164. Encroachment. **Spring Spectrum, L.P.**, 700 Business Center Drive, Horsham, PA 19044. To operate and maintain the existing Sprint PCS facility situated within a 100-year floodway fringe along the eastern bank of the Schuylkill River. This facility includes a 125-foot tall steel monopole on a 7-foot diameter concrete caisson pedestal with an associated 10-foot wide by 20-foot long concrete equipment platform. This project is located at 600 Schuylkill Avenue near the South Street Bridge approximately 500 feet southwest of the intersection of the Schuylkill Avenue and South Street (Philadelphia, PA.-N.J. Quadrangle N: 12.9 inches; W: 8.6 inches) in the City of Philadelphia, **Philadelphia County**. This permit was issued under § 105.13(e) "Small Projects."

E51-177. Encroachment. **Tosco, Inc.**, 1100 Route 1, Linden, NJ 07036. To reconstruct and maintain two dilapidated concrete foundation supports, situated one on each side of Indian Creek, a tributary of Cobbs Creek (WWF-MF) in Morris Park, for an 8-inch diameter aerial pipe line crossing. The new concrete supports will have R-5 riprap protection on all sides. The site is located about 500 feet northeast of the intersection of Lansdowne Avenue and Haverford Avenue (Lansdowne USGS Quadrangle N: 18.00 inches; W: 1.00 inch) in the City and **County of Philadelphia**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E40-523. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To modify and maintain an existing streambank retaining device along the right bank of Kitchen Creek, with work including: the removal of a failed portion of the existing gabion wall; placement of R-8 riprap at a slope of 1.5 H:1V along the existing wall; excavation within the 100 year floodway along the left bank to compensate for loss of cross-sectional flow area; and construction of a temporary road crossing, consisting of seven 600-mm (2.0-foot) CMP culverts covered with clean rock fill. The project will impact approximately 230 linear feet of channel and is located along S. R. 4013, Section 301, Segment 0050, Offset 0400, approximately 0.35 mile south of the intersection of S. R. 4013 and T-654 (Red Rock, PA. Quadrangle N: 2.0 inches; W: 1.0 inch) in Fairmount Township, **Luzerne County**.

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

E06-506. Encroachment. **Charles Cole, Jr.**, 3240 Buck Run, Bryn Athyn, PA 19009. To replace the deck, repair an eroded abutment and maintain an existing bridge across Pine Creek and to construct two driveway crossings of wetlands impacting 0.32 acre of wetlands adjacent to Pine Creek at a point along Pine Creek Road (Hamburg, PA Quadrangle N: 22.2 inches; W: 3.9 inches) in Albany Township, **Berks County**. The applicant proposes to construct 0.32 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

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

E08-348. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure, to construct and maintain a single span concrete box beam bridge with a normal span of 54 feet and an underclearance of 6.6 feet across Sugar Run on SR 2011, Section 001 and to construct and maintain stream deflectors just upstream of the bridge. This project is located approximately 0.3 mile south of SR 2010 (Colley, PA Quadrangle N: 22.5 inches; W: 8.37 inches) in Terry Township, **Bradford County**. This permit also authorizes a temporary crossing to be used to detour traffic during construction.

E17-329. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830. To modify, operate and maintain the existing single span bridge that carries S. R. 0053, Segment-Offset 0540-2076, across Big Run to place and maintain fill in 0.145 acre of wetlands associated to Moshannon Creek for the widening of S. R. 0053 to improve highway safety. The modifications to the existing bridge shall consist of extending the bridge to a maximum length of 47 feet, a span of 12 feet and an underclearance of 4.6 feet with a reinforced concrete box culvert. The box culvert shall be depressed 2 feet. The project is located along S. R. 0053 approximately 500 feet south of S. R. 0217 and S. R. 0053 intersection (Wallaceton, PA Quadrangle N: 0.50 inch; W: 0:12 inch) in Decatur Township, **Clearfield County**. This permit also authorizes the construction, operation, maintenance and removal of a

temporary stream diversion. Upon completion of the project, the stream and stream banks shall be fully restored to original elevations, contours and geometry. The project proposes to permanently impact 0.145-acre of wetland and shall be mitigated by 0.28-acre of onsite replacement wetlands.

E17-332. Encroachment. **James A. Epply**, Department of Conservation and Natural Resources, Bureau of Facilities Design and Construction, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove the existing structure and to construct and maintain a single span prestressed concrete spread box beam bridge with a reinforced concrete roadway surface having a curb to curb width of 18 feet and a normal clear span of 21.85 feet and to construct a temporary causeway. The bridge will be constructed in Jack Dent Branch located 3.5 miles southwest on Jack Dent Road from the intersection with SR 2004 (Huntley, PA Quadrangle N: 17.49 inches; W: 2.09 inches) in Goshen Township, **Clearfield County**.

E53-329. Encroachment. **Jay and Jenny Bright**, 111 Avenue A, Coudersport, PA 16915. To construct and maintain a steel I beam bridge with wood decking and concrete wingwalls 15 feet wide by 16 feet long with a minimum underclearance of 4 feet over North Hollow Run for access to private residential property located approximately 1 mile north of the intersection of North Hollow Road and Route 6 (Sweden Valley, PA Quadrangle N: 6.8 inches; W: 11.4 inches) in Eulalia Township, **Potter County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E63-469. Encroachment. **Washington Senior Care Corporation**, 155 Wilson Avenue, Washington, PA 15301-3398. To abandon the existing 18-inch diameter culvert and to construct and maintain a 36-inch diameter stream enclosure in an unnamed tributary to Chartiers Creek (WWF) for the purpose of constructing the Washington Hospital Senior Care Complex located just north from the intersection of Manifold Road and U.S. Route 19 (Washington East, PA Quadrangle N: 12.0 inches; W: 12.5 inches) in South Strabane Township, **Washington County**.

E11-273. Encroachment. **James J. and Patricia A. White**, 103 Royalwood Drive, Ebensburg, PA 15931. To place and maintain fill in a de minimis area of wetlands (PEM) equal to 0.02 acre for the purpose of residential development. The project is located within the Howells Run Watershed (CWF) off of Lovell Avenue, approximately 420 feet east from its intersection with PA Route 4031 (Ebensburg, PA Quadrangle N: 19.3; W: 15.15 inches) in the Borough of Ebensburg, **Cambria County**.

E26-258. Encroachment. **Fayette County Commissioners**, Courthouse, 61 East Main Street, Uniontown, PA 15401. To remove the existing structure (County Bridge No. 66) and to construct and maintain a 10-m long box culvert having a normal clear span of 7.00 m and an underclearance of 1.99 m (invert depressed 0.3 m) across an unnamed tributary to Dunlap Creek (WWF) located on T-509 (Lambert Footedale Road) at the intersection of T-509 and T-456 (New Salem, PA Quadrangle N: 6.7 inches; W: 12.1 inches) in German Township, **Fayette County**.

E63-470. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge

and to construct and maintain a new bridge having two spans of 44.75 feet and 49.5 feet with an underclearance of 10.0 feet across Pigeon Creek (WWF) and to conduct channel cleaning along the left bank of said stream for a distance of approximately 175.0 feet. The bridge is located on S. R. 2023, Section H00 (Monongahela, PA Quadrangle N: 8.6 inches; W: 12.0 inches) in Carroll Township, **Washington County**. This permit also authorizes the construction and maintenance of two temporary causeways and two 18-inch diameter outfall structures.

E02-1248. Encroachment. **Bear Run Apartments, L.P.**, 650 Washington Road, Pittsburgh, PA 15228. To construct and maintain a 60 inch RCP culvert depressed 1 foot, in a tributary to Bear Run for the purpose of stabilizing the left bank hillside. The project is located on the east side of Arndt Road approximately 650 feet north of its intersection with Mt. Nebo Road and Lowries Run Road (Emsworth, PA Quadrangle N: 9.3 inches; W: 11.5 inches) in Ohio Township, **Allegheny County**.

Permits Issued and Actions on 401 Certification

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

E33-197. Encroachment. **Winslow Township**, RR 1, Reynoldsville, PA 15851. To make the following improvements to T-475 across Schoolhouse Run (HQ-CWF) approximately 0.25 mile east of T-537 in State Game Lands 244 (Reynoldsville, PA Quadrangle N: 17.2 inches; W: 6.5 inches) in Winslow Township, **Jefferson County**:

1. Remove the remains of the existing bridge.
2. Install and maintain a 30-foot-long steel structural plate pipe arch culvert having a span of 10 feet, 11 inches and a rise of 7 feet, 1 inch in Schoolhouse Run.
3. Remove debris from the channel of Schoolhouse Run approximately 100 feet upstream of T-475.
4. Re-grade and stabilize approximately 100 feet of an existing overflow swale beginning at the right bank of Schoolhouse Run approximately 100 feet upstream of T-475 and extending east.
5. Install and maintain four 24-inch-diameter culverts and rock riprap in the overflow swale approximately 500 feet west of the T-475 culvert.

E43-272. Encroachment. **PA Department of Transportation**, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To remove the existing bridge and to construct and maintain a precast reinforced concrete box culvert having a 10-foot-wide by 6-foot-high waterway opening in a tributary to Mill Creek on S. R. 2014, Segment 0070, Offset 1344 approximately 1 mile west of I-79 (Mercer, PA Quadrangle N: 17.4 inches; W: 7.0 inches) in Findley Township, **Mercer County**.

DAM SAFETY

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

D02-117. Dam. **Timberglen, LTD** (1216 Southgate Drive, Pittsburgh, PA 15241). To construct, operate and maintain a stormwater detention dam, Walden Woods Dam No. 3, located across a tributary to Montour Run in North Fayette Township, **Allegheny County**.

D22-099. Dam. **Richard and Cathy Yingst** (7100 Fishing Creek Valley Road, Harrisburg, PA 17112). To construct, operate and maintain a dam located across a tributary to Fishing Creek in West Hanover Township, **Dauphin County**. The purpose of this project is the construction of a dam for recreational purposes; and also as a water source for cattle, for the irrigation of crops, and for fire protection.

ENVIRONMENTAL ASSESSMENT

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

EA46-004SE. Environmental Assessment. **Willowmere Homeowners Association Inc.**, c/o CAMCO, Summerset House, 120 Bethlehem Pike, Fort Washington, PA 19034. For restoration management plan for Willowmere Pond and a segment of the Rose Valley Creek (TSF) at the Willowmere property. This project is situated approximately 1,200 feet southeast of the intersection of Susquehanna Road and Willow Avenue (Amber, PA Quadrangle N: 7.5 inches; W: 12.5 inches) in Upper Dublin Township, **Montgomery County**.

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

EA-36-002. Environmental Assessment. **U.S. Fish & Wildlife Service**, Casey Clapsaddle. To stabilize a 3,189 lineal foot section of Hammer Creek (TSF) using applied fluvial geomorphology techniques. The work activities include the placement of structures that consist of single rock vanes, cross rock vanes, "J" hook rock vanes, vortex rock weirs and root-wad/rock bank revetments. The work is intended to restore the appropriate pattern, profile and dimension in this reach and will involve channel configuration to match stable channels in this region. The site is located approximately 4 miles downstream of the Speedwell Forge Lake Dam (Lititz, PA Quadrangle N: 9.5 inches; W: 1.3 inches) in Warwick Township, **Lancaster County**. This Environmental Assessment was issued under § 105.15(3)b. 401 Water Quality Certification is issued for this Environmental Assessment.

SPECIAL NOTICES

Availability of Brownfields Inventory Grants under the Hazardous Sites Cleanup Act (HSCA)

The Department of Environmental Protection (Department) announces the availability of Brownfields Inventory Grants under the Hazardous Sites Cleanup Act (HSCA). This is the second round of grants under the Department's Brownfields Inventory Grant program. Grant applications for this round of grants must be received by the Department on or before November 1, 1999.

Under the Department's Brownfields Inventory Grant program the Department will provide grants to municipalities and economic development agencies to inventory the brownfield properties in their areas. If these brownfield properties are available for redevelopment, the

Grantee will gather information about infrastructure, suspected or confirmed environmental contamination, and other related information. The Grantee will then list the site on the Pennsylvania Brownfields Directory.

Municipalities and economic development agencies may apply to the Department for these grants by submitting an application. A copy of the application package can be obtained by calling the Department's Land Recycling and Cleanup Program (717) 783-7816 or the application package can be downloaded from the Department's internet web site at: www.dep.state.pa.us.

If the grant is approved, the Grantee will be paid \$1,000 for each brownfield site that is identified and entered into the Department's Brownfields Directory. Grants are limited to \$50,000.

The Brownfields Inventory Grants will be issued under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305). The HSCA authorizes the Department to investigate and assess potential releases of hazardous substances. This includes collecting information concerning sites that are potentially contaminated with hazardous substances and that may need assessment or cleanup. Funds for the Brownfields Inventory Grants will be provided out of the Hazardous Sites Cleanup Fund.

The term "brownfields" shall mean properties that are underutilized and where redevelopment of property is impeded by liabilities associated with known or suspected environmental contamination from hazardous substances.

The term "municipality" shall include any County, City, Borough, or Township government in this Commonwealth.

The term "economic development agency" shall include:

(1) Any redevelopment authority created under the act of May 24, 1945 (P. L. 991, No. 385), known as the Urban Redevelopment Law.

(2) Any industrial development agency as that term is defined in the act of May 17, 1956 (1955 P. L. 1609, No. 537), known as the Pennsylvania Industrial Development Authority Act.

(3) Any industrial and commercial development authority created under the act of August 23, 1967 (P. L. 251, No. 102), known as the Economic Development Financing Law.

(4) Any area loan organization as that term is defined in the act of July 2, 1984 (P. L. 545, No. 109), known as the Capital Loan Fund Act.

(5) Any other Commonwealth or municipal authority which acquires title or an interest in property.

(6) Municipalities or municipal industrial development or community development departments organized by ordinance under a home rule charter which buy and sell land for community development purposes.

(7) Tourist promotion agencies or their local community-based nonprofit sponsor which engage in the acquisition of former industrial sites as part of an "Industrial Heritage" or similar program.

(8) Conservancies engaged in the renewal or reclamation of an industrial site.

[Pa.B. Doc. No. 99-1631. Filed for public inspection September 24, 1999, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of DEP Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Draft Guidance—Substantive Revision

DEP ID: 363-2134-008 Title: Erosion and Sedimentation Pollution Control Program Description: The guidance for this program provides procedures and guidance for those engaged in earthmoving activities, regarding guidelines to minimize erosion and resulting sediment pollution to the waters of the Commonwealth. This document established standards and specifications for Best Management Practices (BMPs) used in the preparation of Erosion and Sedimentation Control and Conservation Plans. The Manual is to be used by the Department, Conservation Districts, and members of the regulated community in meeting the requirements of Chapter 102 Rules and Regulations. Anticipated Effective Date: December 1, 1999 Comment Period Ends: October 25, 1999 Contact: John Mank, P.E. at (717) 772-5963, or email at Mank.John@dep.state.pa.us.

DEP ID: 394-0810-001 Pennsylvania's Continuous Planning Process (CPP) for Water Quality Management 1999 Update Description: Since the late 1970s, the Department has revised many of the processes described in the original CPP and its supplements, and the Pennsylvania General Assembly has enacted new and amended legislation which are now part of the water quality management program. Section 303(e)(2) of the Clean Water Act requires EPA to review a state's approved CPP from time to time to ensure its consistency with the Act. In 1997, EPA requested that DEP prepare and submit an update to the PA CPP to reflect program changes that have occurred since the previous submittals. An interim update was submitted on January 31, 1998. This expansion to the interim update has been prepared to respond to EPA comments. Anticipated Effective Date: Comment Period

Ends: October 25, 1999 Contact: Fran Koch at (717) 783-2289, or email at Koch.Fran@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1632. Filed for public inspection September 24, 1999, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board Meeting

The Cleanup Standards Scientific Advisory Board (CSSAB) meeting has been scheduled for October 14, 1999, at 9 a.m., 400 Market Street, RCSOB, 14th Floor conference room.

Questions concerning the next meeting can be directed to Marilyn Wooding at (717) 783-7509 or e-mail to Wooding.Marilyn@a1.dep.state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marilyn Wooding directly at (717) 783-7509 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1633. Filed for public inspection September 24, 1999, 9:00 a.m.]

Mining and Reclamation Advisory Board; Meeting Change

The October 28 meeting of the Mining and Reclamation Advisory Board (MRAB) has been rescheduled for October 21, 1999. The meeting will be held at 400 Market Street, Delaware Room, 16th Floor Rachel Carson State Office Building, Harrisburg, PA, from 10 a.m. to 2 p.m.

Questions concerning this meeting can be directed to Natalie Shepherd at (717) 783-5338 or e-mail to shepherd.natalie@dep.state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us/dep/subject/advoun/minrec/MRABhome.htm>

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Natalie Shepherd directly at (717) 783-5338 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1634. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Cancer Control, Prevention and Research Advisory Board

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention, and Research Act at 35 P. S. § 5633, will hold a public meeting on October 6, 1999, from 10 a.m. to 1 p.m. at the Central Pennsylvania Hematology and Medical Oncology Associates, 50 North 12th Street, Upper Level, Lemoyne, PA.

For additional information, contact Susan F. George, Program Manager, Department of Health, Cancer Control Program, 1011 Health and Welfare Building, Harrisburg, PA, at (717) 787-5251.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Susan F. George at (717) 787-5251. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1635. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payments to Nursing Facilities July 1, 1999, Final Rates

The purpose of this notice is to announce final payment rates for nursing facilities beginning July 1, 1999, in accordance with section 1902(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 1902(a)(13)(A)), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub. L. No. 105-33). A 1999-2000 Proposed Rates Notice was published at 29 Pa.B. 4119 (July 31, 1999) and provided for a 30-day comment period. The Department did not receive any comments on the proposed July 1, 1999 rate notice that was published at 29 Pa.B. 4119. The Department did, however, receive comments from one commentator on the Peer Group Notice that was published at 29 Pa.B. 4120. The Department has considered the comments with respect to the Peer Group Notice and believes the peer group prices and medians have been established in accordance with the approved State Plan and 55 Pa. Code Chapter 1187.

Rates

The final July 1, 1999, rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Methodology

The methodology that the Department used to set the final rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for establishing the final rates is that the regulations at 55 Pa. Code Chapter 1187 and the Commonwealth's approved Title XIX State Plan require that rates be set on a quarterly basis.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1999-2000 based on these final rates is \$114.051 million (\$52.814 million in State funds).

Interested persons are invited to submit written comments about the final rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5968 (Voice Users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTON,
Secretary

Fiscal Note: 14-NOT-217. (1) General Fund; (2) Implementing Year 1999-00 is \$52.814 million; (3) 1st Succeeding Year 2000-01 is \$60.496 million; 2nd Succeeding Year 2001-02 is \$63.521 million; 3rd Succeeding Year 2002-03 is \$66.697 million; 4th Succeeding Year 2003-04 is \$70.032 million; 5th Succeeding Year 2004-05 is \$73.533 million; (4) 1998-99 Program—\$721.631 million; 1997-98 Program—\$617.252 million; 1996-97 Program—\$591.910 million; (7) Medical Assistance—Long term care; (8) recommends adoption. There are funds available in the Department's budget to cover the cost of the proposed rate change.

[Pa.B. Doc. No. 99-1636. Filed for public inspection September 24, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

Addendum

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 28 Pa.B. 6355 on December 26, 1998, a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Approval

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which measures elapsed time between measured road surface points by using two sensors:

(1) Enradd EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 28 Pa.B. 6355 (December 26, 1998), 29 Pa.B. 379 (January 16, 1999), 29 Pa.B. 1561 (March 20, 1999) and 29 Pa.B. 3131 (June 19, 1999).

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1637. Filed for public inspection September 24, 1999, 9:00 a.m.]

Retention of Engineering Firms

Allegheny County

Project Reference No. 08430AG2406

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately thirteen (13) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services for S. R. 3160, Section A03, Allegheny County, Cargo Interchange. This project involves the construction of a new grade-separated intersection with an overpass and four (4) new ramps. The project also includes the construction of a new service road, the relocation of an existing two-lane road, mainline pavement replacement, mainline resurfacing, and replacing four (4) ramps at Flaugherty Run Interchange in Moon and Findlay Townships, Allegheny County.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, structures, soils, drainage, asphalt paving, guiderail work, and concrete pavement replacement. (References should be supplied for each inspector).

b. Understanding of Department's requirements, policies, and specifications.

c. Past Performance.

d. Number of NICET certified inspectors in each payroll classification.

e. Number of available inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1) T
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (3)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the

construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; one (1) inspector certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License ****
- 1 Vehicle for the Transportation of Nuclear Gauge ****
- 10 Cellular Phones (Two-way Radios also acceptable) **** At point of need when needed

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistants do not need to be identified in the letter of interest.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	4
TCI-M	2
TCI	8

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer
Engineering District 11-0
45 Thoms Run Road
Bridgeville, PA 15017
Attention: Design Liaison Unit

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian A. Krul, District 11-0, at (412) 429-3801.

Statewide

Project Reference No. 08430AG2407

The Department will retain an engineering firm for an Open-End Contract for various engineering, environmental and management services associated with the planning, design, construction and maintenance of transporta-

tion related sound barriers, alternate noise abatement, statewide noise inventories, and policy development. The Contract will be for a sixty (60) month period with projects assigned on an as needed basis. The maximum amount of the Open-End Contract will be \$5.0 million.

The Department will establish an order of ranking of a maximum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The selected firm will be required to provide all professional services through highly qualified engineering, environmental, acoustical and public involvement specialists to guide and assist the Department through the preliminary and final design phase of projects.

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 the firm or project team in the following engineering areas:

1. Performing field surveys;
2. Conducting traffic counts;
3. Obtaining detailed project mapping;
4. Plotting topography and cross sections;
5. Performing subsurface investigation of roadways and structures;
6. Performing load analysis of existing structures;
7. Performing screening analysis for potential noise abatement;
8. Preparing submission for utility, drainage, and traffic verification and relocations engineering;
9. Developing and verifying right of way plans, and materials necessary for right of way acquisition;
10. Preparing all pertinent submissions and materials necessary for the Department to prepare an application to PUC and for a PUC field conference;
11. Attending and supplying any required information for all PUC meetings and hearings during the design of a project;
12. Completing structure designs including TS&L and PS&E reports;
13. Preparing core boring layouts, foundation designs and reports;
14. Developing traffic control plans with narratives;
15. Conducting soil and geo-technical investigations and preparing soil and geo-technical reports;
16. Participating in engineering reviews;
17. Consultation during construction;
18. Assess effectiveness of various noise wall designs; and
19. Any other activities necessary to complete the preliminary and final design for noise mitigation.

b. Specialized experience and technical competence of the firm and the proposed project team in the following environmental areas:

1. Performing all tasks associated with noise abatement, including but not limited to noise monitoring, noise modeling with TNM, noise mitigation analysis, and development of appropriate reports;
 2. Policy Development;
 3. Development of ranking system to prioritize potential Type II projects, statewide;
 4. Analysis of soils and geology;
 5. Preparing analyses and appropriate environmental documentation for the following resources: cultural resources (historical and archaeological); Section 4(f) and 2002 resources; hazardous and residual waste sites; wetland and floodplain identification, delineation, evaluation, and mitigation; displacements; air quality; farmland; surface and groundwater resources; terrestrial/wildlife habitat; threatened/endangered species; park and recreational facilities; public facilities and services; community cohesion; economy and employment impacts; displacement of people, businesses and farms;
 6. Developing and conducting all coordination efforts with federal, state and local agencies, community homeowners-associations, other interested parties;
 7. Preparing meeting minutes;
 8. Experience with legislator, local public officials and general public meetings and hearing presentations;
 9. Developing visualization materials, handouts, displays, cross sections;
 10. Developing technical basis reports (TBRs) and/or technical files; mitigation plans and reports; and preliminary and final engineering plans; and
 11. Any other environmental activities (including permit acquisition) necessary to complete noise analysis and provide successful noise abatement.
- c. Available staffing for assignments and the ability to meet the Department's needs.
- d. Past record of performance with respect to: cost control, work quality, ability to meet schedules and previous experience on relevant projects. The specific experience of individuals employed by the firm or team of firms will be considered.
- e. Location of proposed project team with respect to the Commonwealth.
- f. Projected workload for the next three (3) calendar years.

The work and services required under this Contract may encompass a wide range of scopes with the possibilities of several different types of projects with concurrent completion schedules. The anticipated types of assignments include, but are not limited to:

1. Development of a statewide noise abatement policy;
2. Development of financial/funding strategies and practices;
3. Development of public relations and public education and outreach strategies and practices including but not limited to organizing and conducting noise abatement workshops, forums, conferences, training, newsletters and brochures;
4. Development and operation, in accordance with Department policies, of a noise wall information clearinghouse including a website and monitoring/updates mechanisms;

5. Prepare noise program meeting minutes, brochures, reports, publications and maps;
6. Research state-of-the-art noise abatement program development and implementation techniques;
7. Coordination of activities such as meetings, minutes, and other support functions;
8. Conduct surveys, research and analysis related to noise abatement including economic and other benefit assessments;
9. Assessment of noise abatement effectiveness;
10. Development of a "Best Practices" noise abatement guidance document;
11. Development of a database of existing noise walls;
12. Development and implementation of a statewide methodology for screening potential noise abatement areas; and
13. Development of a ranking system to prioritize potential Type II projects, statewide.

The format and content of all documents prepared under this Contract will be consistent with the applicable State and Federal regulations, policies and guidelines.

The services identified above are the general work activities that can be expected under this Open-End Contract. A specific project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract. Work activities will be coordinated with PennDOT Engineering Districts and PennDOT Central Office.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Wayne W. Kober, Director
Bureau of Environmental Quality
7th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101-1900

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Mark D. Lombard, Bureau of Environmental Quality at (717) 772-2569.

Bedford and Cambria Counties

Project Reference No. 08430AG2408

The Department will retain an engineering firm to provide preliminary engineering, final design and services during construction (shop drawing reviews and consultation during construction) for the following projects:

1. S. R. 1020, Section 001, Bedford County. The proposed multi-span bridge replacement over the Raystown Branch of the Juniata River (including roadway approach realignment) and also the replacement of a single span structure over Piper's Run. The multi-span structure is located in both Broadtop and Hopewell Townships; Bedford county while the single span structure is located

entirely within Hopewell Township. The estimated construction cost for this portion of the project is \$2.2 million.

The existing multi-span structure on S. R. 1020 is a two (2) span truss, 237' in length with two (2) 11' lanes. The single span structure is a concrete T-beam bridge, 28' span, located approximately 390' west of the multi-span structure. These structures are located in a rural area with some widely scattered homes located on the western side of the river. The roadway crossing both structures is classified as a rural minor collector.

2. S. R. 1023, Section 001, Cambria County. The proposed bridge replacement over Clearfield Creed on the Reade & White Township line in Cambria County. The estimated construction cost for this portion of the project is \$530 thousand.

The existing structure on S. R. 1023 is a single span steel girder/floor beam. The structure has an 80' span with two (2) 11' lanes. The structure is located in a rural area with a few homes in the surrounding area. The roadway crossing the structure is classified as a rural minor collector.

The selected engineering firm will be required to provide a variety of engineering services as indicated below, but not limited to:

1. Preliminary engineering including, but not limited to: type, size and location drawings, and location drawings; Step 9 submission; roadway design; E & S plans; soils and geotechnical reconnaissance; maintenance and protection of traffic; right-of-way investigation; and coordination with utility companies.

2. Preparation of final roadway and structure plans, including, but not limited to: roadway and structure borings; final design; and preparation of plans, specifications, and estimates.

3. Consultation during construction.

All engineering services for this project will be performed in accordance with the current Department Metric Design Standards. English measurements will also be included on the plans.

The following factors, listed in order of importance, will be considered by the Department during evaluation of the firms submitting acceptable Letters of Interest:

- a. Specialized expertise and technical compliance.
- b. Project team composition.
- c. Project team experience.
- d. Ability to expedite project and maintain schedule and budget.
- e. Past performance.
- f. Geographic location of the consultant office in reference to the District Office.

The District will announce the shortlisted firms at an open public meeting to be held in Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. All candidates that have submitted a Letter of Interest will be notified of the date. Specify a contact person in the Letter of Interest.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. Also include a copy of the confirmation letters from the Department stating the consultant's and proposed subconsultants current F.A.R. overhead rate. (These letters will not be considered as part of the five (5) pages maximum). (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Earl L. Neiderhiser, P.E., District Engineer
 Engineering District 9-0
 1620 North Juniata Street
 Hollidaysburg, PA 16648
 Attention: Mr. Terry L. Bouch

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Terry L. Bouch, District 9-0 at (814) 696-7171.

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties
Project Reference No. 08430AG2409

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eighteen (18) inspectors, under the Department's District Material Engineer for construction materials testing and sampling services for various projects being constructed in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties. This Agreement will be for a period of sixty (60) months.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Understanding of Department's requirements, policies, and specifications.
- e. Past Performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the

following number of inspectors who meet the requirements for the following inspection classification:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	18 (16)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for various projects. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	21

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer
 Engineering District 8-0
 2149 Herr Street
 Harrisburg, PA 17103-1699
 Attention: Construction Unit

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Richard K. Waddell, District 8-0, at (717) 787-5054.

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties

Project Reference No. 08430AG2410

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twenty-five (25) inspectors, under the Department's District Permit Engineer for construction Inspection and documentation services for various Highway Occupancy Permit Projects in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties. This Agreement will be for a period of sixty (60) months.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Understanding of Department's requirements, policies, and specifications.
- e. Past Performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classification:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) NICET Highway Construction Level 2 or equivalent)	25 (20)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for various projects. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 25 Camera (type 35mm)
- 25 Pagers

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	30

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer
 Engineering District 8-0
 2149 Herr Street
 Harrisburg, PA 17103-1699
 Attention: Construction Unit

*No. of
 Inspectors*

Classification
 Transportation Construction Inspector (TCI)
 (NICET Highway Construction Level 2 or
 equivalent)

8 (5)

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

Any technical questions concerning the requirements for this project should be directed to: Mr. Richard K. Waddell, District 8-0, at (717) 787-5054.

Fayette County

Project Reference No. 08430AG2411

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eight (8) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following four (4) projects:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

1. S.R. 0201, Section 07R, Fayette County. This project involves the re-construction of the existing roadway.

2. S.R. 4003, Section 01R, Fayette County. This project involves the re-construction of the existing roadway.

3. S. R. 4004, Section C01, Fayette County. This project involves the replacement of the existing bridge.

4. S. R. 0021, Section 01M, Fayette County. This project involves the re-construction of the existing bridge.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

The estimated construction cost is \$2.0 million for S. R. 0201, Section 07R; \$680 thousand for S. R. 4003, Section 01R; \$550 thousand for S. R. 4004, Section C01; and \$3,139,000 for S. R. 0021, Section 01M.

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
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(TCI)	\$35.47
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The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

a. Number of available inspectors in each payroll classification.

b. Number of NICET certified inspectors in each payroll classification.

c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of traffic, soils, structures, concrete, asphalt paving, and drainage.

d. Past Performance.

e. Understanding of Department's requirements, policies, and specifications.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

The maximum number of resumes to be included in the letter of interest shall be as follows:

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	10

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
 Engineering District 12-0
 N. Gallatin Avenue, Ext.
 Uniontown, PA 15401
 Attention: Mr. Nick Hutnick

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles Thompson, P.E., District 12-0 at (724) 439-7137 or Mr. Nick Hutnick, District 12-0 at (724) 439-7385.

**Westmoreland and Greene Counties
 Project Reference No. 08430AG2412**

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eight (8) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following four (4) projects:

1. S. R. 3077, Section E10, Westmoreland County. This project involves the rehabilitation of the existing bridge.
2. S. R. 0030, Section 16R, Westmoreland County. This project involves the rehabilitation of the existing bridge.
3. S. R. 0136, Section L01, Westmoreland County. This project involves the rehabilitation of the existing bridge.
4. S. R. 0088, Section 06R, Greene County. This project involves the rehabilitation of the existing bridge.

The estimated construction cost is \$1.0 million for S.R. 3077, Section E10; \$3.6 million for S.R. 0030, Section 16R; \$400 thousand for S.R. 0136, Section L01; and \$2.6 million for S.R. 0088, Section 06R.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable 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 acceptable letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Past Performance.

- e. Understanding of Department's requirements, policies, and specifications.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	8 (5)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	10

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
 Engineering District 12-0
 N. Gallatin Avenue, Ext.
 Uniontown, PA 15401
 Attention: Mr. Nick Hutnick

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles Thompson, P.E., District 12-0 at (724) 439-7137 or Mr. Nick Hutnick, District 12-0 at (724) 439-7385.

Fayette, Washington and Westmoreland Counties
Project Reference No. 08430AG2413

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twelve (12) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following six (6) projects:

1. S. R. 1031, Section F00, Fayette County. This project involves the rehabilitation of the existing bridge.
2. S. R. 1077, Section 01M, Washington County. This project involves the rehabilitation of the existing bridge.
3. S. R. 0981, Section C01, Westmoreland County. This project involves the rehabilitation of the existing bridge.
4. S. R. 0136, Section 137, Westmoreland County. This project involves the rehabilitation of the existing bridge.
5. S. R. 0982, Section P01, Westmoreland County. This project involves the rehabilitation of the existing bridge.
6. S. R. 1026, Section H01, Westmoreland County. This project involves the rehabilitation of the existing bridge.

The estimated construction cost is \$600 thousand for S. R. 1031, Section F00 in Fayette County; \$1,850,000 for S. R. 1077, Section 01M in Washington County; and \$400 thousand for S. R. 0981, Section C01; \$260 thousand for S. R. 0136, Section 137; \$350 thousand for S. R. 0982, Section P01; and \$1.4 million for S. R. 1206, Section H01 in Westmoreland County.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in

response to this solicitation. The ranking will be established directly from the acceptable 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 acceptable letters of interest:

- a. Experience of inspectors in each classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Past Performance.
- e. Understanding of Department's requirements, policies, and specifications.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	12 (7)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	14

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
Engineering District 12-0
N. Gallatin Avenue, Ext.
Uniontown, PA 15401
Attention: Mr. Nick Hutnick

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles Thompson, P.E., District 12-0 at (724) 439-7137 or Mr. Nick Hutnick, District 12-0 at (724) 439-7385.

McKean County

Project Reference No. 08430AG2414

The Department will retain an engineering firm to provide preliminary engineering, environmental studies, final design, consultation during construction and shop drawing review of the rehabilitation of S. R. 0219, Section C09, also known as the Bradford Bypass, from the southern terminus at Owens Way to the northern terminus at the New York state line. The project is located in Bradford, PA in McKean County.

S. R. 0219, Section C09 project includes the replacement of superstructures and minor substructure rehabilitation for nineteen (19) bridges. Of the nineteen (19) bridges, there are seven (7) single span bridges, seven (7) three (3) span bridges, four (4) four-span bridges and one (1) seven (7) span bridge to be designed. The roadway design work involves reconstruction of 5.3 miles of concrete pavement. An erosion and sedimentation control plan will be designed with this project. Temporary right of way will be needed for this project and will be part of the design. Traffic for S.R. 0219, Section C09 will be maintained utilizing temporary roadways and daylight

flagging operations as necessary. The estimated construction cost is \$36 million. This project will be done in metric units.

This project starts at Segment 0502/Offset 0000 northbound and Segment 0503/Offset 0000 southbound and ends at Segment 0594/Offset 2516 northbound and Segment 0595/Offset 2465 southbound.

The anticipated duration of the agreement is thirty-six (36) months.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The Department will shortlist a minimum of three (3) firms. The following criteria, listed in order of importance, will be considered by the Consultant Selection Committee during the evaluation of the firms submitting letters of interest:

- Specialized experience and technical competence of the firm.
- Specialized experience, previous experience, and technical competence of individuals who constitute the firm.
- Special requirements of this assignment.
- Past record of performance with respect to cost control, work quality, and ability to meet schedules.

The shortlisting announcement for this project will be done at the District. All firms submitting letters of interest will be notified by the District of the shortlisting announcement date.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. George M. Khoury, P.E., District Engineer
Engineering District 2-0
1924-30 Daisy Street
P. O. Box 342
Clearfield, PA 16830

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Vasco A. Ordonez, P.E., District 2-0, at (814) 765-0439.

Westmoreland County

Project Reference No. 08430AG2415

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately fourteen (14) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S. R. 0022, Section B07 in Westmoreland County. This project involves the reconstruction of the existing roadway. The estimated construction cost is \$12 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable 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 acceptable letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Ability to provide CDS operator.
- e. Understanding of Department's requirements, policies, and specifications.
- f. Past Performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (8)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

- 1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
- 2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
- 3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
- 4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License
- 1 Paint Test Kit
- 1 Vehicle for the Transportation of Nuclear Gauge
- 1 CDS Operator

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant(s) do not need to be identified in the Letter of Interest.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	12

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
 Engineering District 12-0
 N. Gallatin Avenue, Ext.
 Uniontown, PA 15401
 Attention: Mr. Nick Hutnick

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles Thompson, P.E., District 12-0, at (724) 439-7137 or Mr. Nick Hutnick, District 12-0, at (724) 439-7385.

Washington County

Project Reference No. 08430AG2416

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately ten (10) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following six (6) projects:

1. S. R. 2023, Section H00, Washington County. This project involves the rehabilitation of the existing bridge.
2. S. R. 1030, Section B10, Washington County. This project involves the new roadway construction for S. R. 1030, Section B10.
3. S. R. 0519, Section L11, Washington County. This project involves the re-construction of the existing roadway.
4. S. R. 1009, Section UNK, Washington County. This project involves the re-construction of the existing roadway.
5. S. R. 2030, Section G01, Washington County. This project involves the rehabilitation of the existing bridge.
6. S. R. 2030, Section G02, Washington County. This project involves the rehabilitation of the existing bridge.

The estimated construction cost is \$3.0 million for S. R. 2023, Section H00; \$500 thousand for S.R. 1030, Section B10; \$750 thousand for S. R. 0519, Section L11; \$2.0 million for S.R. 1009, Section UNK; \$300 thousand for S. R. 2030, Section G01; and \$350 thousand for S.R. 2030, Section G02.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable 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 acceptable letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Past Performance.

e. Understanding of Department's requirements, policies, and specifications.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (5)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	11

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
Engineering District 12-0
N. Gallatin Avenue, Ext.
Uniontown, PA 15401
Attention: Mr. Nick Hutnick

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Charles Thompson, P.E., District 12-0 at (724) 439-7137 or Mr. Nick Hutnick, District 12-0 at (724) 439-7385.

Statewide Open-End Contract

Project Reference No. 08430AG2417

The Department will retain an engineering firm for an Open-end Contract to provide various traffic-engineering/safety services throughout the State. The contract will be for a period of 5 years and a maximum amount of \$4 million with projects assigned on an as-needed basis.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the 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:

- Specialized experience and technical competence of the firm and any subconsultants.
- Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience.
- Available staffing for this assignment, and the specific experience and competence of project manager and other individuals.
- Relative size of firm to size of projects that may be completed under this Contract.
- Location of consultant office with respect to the Bureau of Highway Safety and Traffic Engineering.

The required services will encompass a wide range of traffic engineering functions, many of which must be performed under short completion schedules. The anticipated types of work may include but are not limited to the following:

- Develop statewide standards, specifications, and policies for traffic control devices. Review traffic control equipment and devices and applications provided by the manufacturers, and recommend the issuance of certificates of approval (COAs) for acceptable devices. Prepare and update database for COAs. Develop or implement all or portions of a statewide quality control (QC) plan, including a quality assurance (QA) program, for traffic signs, signals, pavement markings and other traffic control devices, ITS devices, and engineering and traffic studies.
- Merge the federal MUTCD and the Department's regulations into a "Pennsylvania MUTCD." Develop training materials for "Pennsylvania MUTCD."
- Perform technical report writing for various traffic and transportation engineering reports, studies, technical memorandums, analyses, etc.
- Perform safety audits during the design and construction phases of select statewide projects using Department guidelines. Analyze existing highway facilities that have significant operational problems and cause adverse impact on the safe and/or efficient flow of people. Develop traffic safety strategies to target identified safety concerns from Pennsylvania's Safety Management System (SMS).
- Review guide signs to determine their effectiveness, giving consideration to positive guidance principles and other human factor considerations. Perform reviews of consultant and/or Department-prepared traffic control plans for Plans, Specifications and Estimates (PS&Es).
- Develop and update computerized inventories of signals, markings, RPMs, emergency detour routes, etc. Develop and maintain Department web site for transportation systems, highway safety, ITS, traffic engineering studies, etc.
- Perform complex traffic engineering/safety analyses and assessments. Perform analyses of travel demand reduction (including multi-modal) and operational management strategies in non-attainment areas to reduce the number of single-occupancy vehicles.
- Perform comprehensive access management reviews of proposed major commercial developments including impacts and needed enhancements to the adjacent highway system.
- Design sophisticated traffic signal systems, complex expressway signing projects, guide rail upgrade projects, etc. Review traffic sign and signal structures and appurtenances for structural integrity.
- Develop or review intelligent transportation systems (ITS) projects and initiatives (e.g.; fiber optic cable usage; digital, 800 MHz, and other statewide radio efforts; advanced truck rollover warning systems; incident and congestion management activities; Advanced Traffic Management Systems (ATMS) efforts; and Advanced Traveler Information Systems (ATIS) efforts). Provide technical assistance to develop, review, and perform ITS operations, e.g., Statewide Operations Center (SOC), Traffic Management Centers (TMCs), etc. Help to integrate traffic control centers. Develop and/or provide software and systems integration capabilities for ITS projects and initiatives to insure compatibility and systems networking.

11. Develop or review electrical aspects of traffic signals. Develop specifications such as NTCIP, NEMA TS2, LED signals, loop detectors for motorcycles and bicycles, etc.

12. Develop policies, procedures, guidelines, brochures, or manuals for improving safety and efficiency of highways, e.g., incident management to improve the safe and efficient "clearing" of major incidents. Develop education programs for drivers, the Department, other agencies, etc., as they relate to these policies, procedures, brochures or manuals for incident management. Investigate highway crashes and incidents to determine causation factors and recommend remedial treatment. Analyze proposed changes in accident reporting systems.

13. Perform analyses of the highway system to enhance usage by pedestrians and bicycles.

14. Assist the Department in obtaining retroreflectivity readings of signs and markings, by using Department Equipment.

15. Provide guidance to task forces in the areas of traffic engineering, ITS, incident management, etc., to help establish Department policy. Provide technical assistance in developing traffic calming techniques and procedures. Assist the Department in providing expert testimony regarding engineering studies, highway occupancy permits, etc.

The traffic engineering and safety services identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under these Open-End Contracts.

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2"x11", one-sided, plus an organization chart (up to 11"x17" size), required information, and additional resumes, if applicable. (See General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Thomas E. Bryer, P.E., Director
Bureau of Highway Safety and Traffic Engineering
555 Walnut Street, Forum Place-7th Floor
Harrisburg, PA 17101-1900
Attention: Mr. Arthur H. Breneman, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Arthur H. Breneman, P.E., Bureau of Highway Safety and Traffic Engineering, at (717) 787-3620.

**Bradford, Tioga, Lycoming, Sullivan, Columbia,
Montour, Northumberland, Snyder and Union
Counties**

Project Reference No. 08430AG2418

The Department will retain two (2) engineering firms, one (1) each for two (2) separate Open-End Contracts to perform various engineering and/or environmental services on various projects located in Engineering District 3-0, that is Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties. The emphasis on these Contracts will be on engineering studies and services, although environmental

assignments are also likely. Each Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount for each Open-End Contract will be \$2.0 million.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating two (2) Open-End Contracts based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firm shall be considered.

b. Project workload for the next two (2) years.

c. Available staffing for anticipated assignments.

d. Specialized experience and technical competence of firm.

e. Location of consultant in relation to the District.

f. Resumes of key personnel.

g. Relative size of firm to size of projects that may be completed under these Contracts.

h. Capability for fast response time.

The work and services required under these Contracts may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under these Contracts include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under these Contracts may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under these Open-End Contracts.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Paul E. Heise, P.E., District Engineer
Engineering District 3-0
715 Jordan Avenue
Montoursville, PA 17754

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Gary Williams, P.E. District 3-0, at (570) 368-4391.

**Bradford, Tioga, Lycoming, Sullivan, Columbia,
Montour, Northumberland, Snyder and Union
Counties**

Project Reference No. 08430AG2419

The Department will retain an engineering firm for one (1) Open-End Contract to perform various environmental and/or engineering services on various projects located in Engineering District 3-0, that is Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties. The emphasis on this Contract is environmental, although engineering assignments are also likely. This Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount for this Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating one (1) Open-End Contract based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals

will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firm shall be considered.
- b. Project workload for the next two (2) years.
- c. Available staffing for anticipated assignments.
- d. Specialized experience and technical competence of firm.
- e. Location of consultant in relation to the District.
- f. Resumes of key personnel.
- g. Relative size of firm to size of projects that may be completed under these Contracts.
- h. Capability for fast response time.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under this Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs)

and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Paul E. Heise, P.E., District Engineer
Engineering District 3-0
715 Jordan Avenue
Montoursville, PA 17754

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Christopher King, District 3-0, at (570) 368-4255.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that requests engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1638. Filed for public inspection September 24, 1999, 9:00 a.m.]

FISH AND BOAT COMMISSION

Temporary Changes to Fishing Regulations at the Lake at Lackawanna State Park, Lackawanna County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), is taking immediate action to temporarily modify fishing regulations at the Lake at Lackawanna State Park, Lackawanna County. Specifically, the Executive Director is closing the lake to all fishing, effective October 1, 1999. This action is being taken at the request of the Bureau of State Parks, Department of Conservation and Natural Resources. The Executive Director of the Commission finds that closing the lake at Lackawanna State Park to fishing is necessary and appropriate for the protection, preservation and management of fish and fish habitat, to conserve and preserve fishing opportunities and to provide for the health and safety of persons who fish the lake.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 99-1639. Filed for public inspection September 24, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, September 9, 1999, and took the following actions:

Regulations Approved:

Environmental Quality Board #7-331: Surface and Underground Coal Mining (amends 25 Pa. Code Chapter 86).

Environmental Quality Board #7-344: Sewage Enforcement Officers Application Requirements for Certification (amends 25 Pa. Code Chapter 72).

Environmental Quality Board #7-341: Gasoline Volatility Requirements (amends 25 Pa. Code Chapters 121, 126 and 139).

Milk Marketing Board #47-6: Transactions Between Dealers and Producers—Uniform System of Accounts (amends 7 Pa. Code §§ 143.12, 143.14 and 149.24).

Department of Health #10-149B: Health Facility Licensure—Freestanding Ambulatory Surgical Facilities (amends 28 Pa. Code Chapters 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571 and 573).

Department of Agriculture #2-107: Food Employee Certification (adds Chapter 76 to 7 Pa. Code).

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

*Environmental Quality Board—Surface and Underground
Coal Mining; Regulation No. 7-331*

Order

On February 2, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapter 86. The authority for this regulation is sections 4.2(a) and 4.5 of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1366.4b(a); and 1396.4e); sections 3.2(a) and 6.1 of the Coal Refuse Disposal Control Act (52 P. S. §§ 30.53b(a), and 30.56a); sections 5 and 315(h)—(o) of The Clean Streams Law (35 P. S. §§ 691.5 and 691.315 (h)—(o)); and sections 120-A and 1930-A of The Administrative Code of 1929 (71 P. S. §§ 510-20 and 510-30). The proposed regulation was published in the February 14, 1998, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 17, 1999.

The proposed regulation amends the general provisions for designating areas unsuitable for mining which were found to be more stringent than federal law. Changes were made in definitions for conformity with Federal regulations and make clarity changes which include procedures and notification requirements and the addition of metric equivalent measures.

We have reviewed this regulation and find it to be in the public interest. The amendments are a result of the Regulatory Basics Initiative initiated by the Department of Environmental Protection in August of 1995 and are consistent with Federal requirements.

Therefore, It Is Ordered That:

1. Regulation No. 7-331 from the Environmental Quality Board, as submitted to the Commission on August 17, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

*Environmental Quality Board—Sewage Enforcement Of-
ficers Application Requirements for Certification; Regula-
tion No. 7-344*

Order

On February 9, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapter 72. The authority for this regulation is section 9 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.9) and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510.20). The proposed regulation was published in the February 20, 1999, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 3, 1999.

The regulation reduces the time period for Sewage Enforcement Officer (SEO) candidates to submit required documents to the State Board for Certification of SEOs prior to examination. The application and fee for the scheduled examination are now due 30 days prior to the scheduled examination. Documentation of successful completion of the precertification training course is now due no later than the commencement of the scheduled examination.

We have reviewed this regulation and find it to be in the public interest. The amendments will accommodate schedule changes necessary because of expanded training for SEOs. Candidates and their municipalities will no longer need to make separate travel arrangements for training and testing.

Therefore, It Is Ordered That:

1. Regulation No. 7-344 from the Environmental Quality Board, as submitted to the Commission on August 3, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

Environmental Quality Board—Gasoline Volatility Requirements; Regulation No. 7-341

Order

On September 8, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). It amends Chapters 121, 126 and 139 of 25 Pa. Code. The authority for this regulation is section 5 of the Air Pollution Control Act (35 P. S. § 4005). The proposed rulemaking was published in the *Pennsylvania Bulletin* on September 26, 1998, with a 67-day public comment period. The final-form regulation was submitted to the Commission on August 3, 1999.

These amendments eliminate the use of Federal reformulated gasoline (RFG) as a compliant fuel in the Pittsburgh-Beaver Valley area during the ozone season (from May 1 to September 15) of each year. They respond to public concern that RFG is not a suitable alternative fuel for the Pittsburgh-Beaver Valley area because it contributes to emissions of volatile organic compounds that exceed the health-based standard for ground level ozone.

The amendments also include a technical correction in language referencing sampling procedures for fuel volatility. Finally, the final regulation reduces the on-site recordkeeping requirements for retail gasoline facilities.

We have reviewed this regulation and find it to be in the public interest. Approximately 2.8 to 3.0 million people in the affected seven counties will benefit from the sale of cleaner-burning low Reid Vapor Pressure (RVP) gasoline as the sole compliant fuel during the ozone season, starting in the year 2000. There will be no increased cost to the regulated community to produce compliant RVP gasoline because it is already widely used during the ozone season.

Therefore, It Is Ordered That:

1. Regulation No. 7-341 from the Environmental Quality Board, as submitted to the Commission on August 3, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

Milk Marketing Board—Transactions Between Dealers and Producers—Uniform System of Accounts; Regulation No. 47-6

Order

On August 9, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the Milk Marketing Board (Board). This rulemaking amends 7 Pa. Code §§ 143.12, 143.14 and 149.24. The authority for this regulation is contained in sections 608 and 704 of the Milk Marketing Law (31 P. S. §§ 700j-608 and 700j-704) and section 5 of the Milk Producers' Security Act (31 P. S. § 626.5). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board is amending its regulations relating to payments from milk dealers to milk producers to be consistent with United States Department of Agriculture (USDA) regulations. The amendments relate to dates by which milk dealers must make interim and final payments to producers, and the class of milk to be used as the basis of interim payments. The regulation also deletes an existing reference to a Board-published weekly payment schedule. Since no milk dealers pay on a weekly basis, the Board does not publish this payment schedule.

We have reviewed this regulation and find it to be in the public interest. The amendments will ensure that the Board's regulations are consistent with comparable USDA requirements.

Therefore, It Is Ordered That:

1. Regulation No. 47-6 from the Milk Marketing Board, as submitted to the Commission on August 9, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

Department of Health—Health Facility Licensure—Freestanding Ambulatory Surgical Facilities; Regulation No. 10-149B

Order

On July 3, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Health (Department). This rulemaking amends 28 Pa. Code Chapters 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571 and 573. The authority for this regulation is sections 801.1, 803 and

806 of the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b). The proposed regulation was published in the July 19, 1997, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 30, 1999, but was withdrawn prior to Commission action. A revised final-form regulation was submitted to the Commission on April 14, 1999. The Department withdrew this revised regulation on May 3, 1999, and announced plans to hold additional meetings with interested parties. On August 4, 1999, the Department submitted the final-form regulation with additional revisions.

This regulation is a comprehensive update and revision of the provisions for licensure and operation of ambulatory surgical facilities. These facilities provide specialty or multispecialty outpatient surgical treatments. The rulemaking contains provisions relating to classification and licensure of facilities, qualifications of medical staff, surgical and anesthesia services, pediatric surgeries, quality assurance and improvement programs, medical records, laboratory and radiology services, and fire and safety services.

We have reviewed this regulation and find it to be in the public interest. This regulation represents a necessary and beneficial update of the existing licensure provisions for ambulatory surgical facilities. The provisions and standards of this regulation will help to insure that these facilities provide safe and efficient services for the care and treatment of their patients.

Therefore, It Is Ordered That:

1. Regulation No. 10-149B from the Department of Health, as submitted to the Commission on August 4, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Alvin C. Bush, Vice Chairperson, Arthur Coccodrilli, Robert J. Harbison, III, John F. Mizner

Public Meeting held
September 9, 1999

*Department of Agriculture—Food Employe Certification;
Regulation No. 2-107*

Order

On June 11, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking adds Chapter 76 to 7 Pa. Code. The authority for this regulation is the Food Employe Certification Act (3 Pa. C.S. § 6505). The proposed regulation was published in the June 21, 1997, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 20, 1999. On August 6, 1999, the Commission received a request from the Department to toll consideration of this final-form regulation to amend reinstatement provisions in § 76.15(d). On August 11, 1999, the Department submitted its revisions to the final-form regulation to the Commission.

This regulation will require most food establishments to have at least one supervisory employe who has undergone food safety training and passed a written examination evidencing food safety knowledge. Compliance is optional until July 1, 2001.

We have reviewed the revised final-form regulation and find it to be in the public interest. It implements the requirements of the Food Employe Certification Act and will serve as a safeguard of the public health.

Therefore, It Is Ordered That:

1. Regulation No. 2-107 from the Department of Agriculture, as revised on August 11, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1640. Filed for public inspection September 24, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-446	Department of Public Welfare Act 49 of 1994, Act 30 of 1995 and Act 35 of 1996; Omnibus Amendments	9/8/99
14-459	Department of Public Welfare Omnibus Revisions to Pharmaceutical Services and Restrictions to Fertility Services	9/13/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1641. Filed for public inspection September 24, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Mattern-Sowers Insurance Agency under Act 143; Erie Insurance Group; Doc. No. AT99-09-007

A prereview telephone conference initiated by the Administrative Hearings Office shall be conducted on October 12, 1999, at 11 a.m. A review shall occur on October 26, 1999, at 10 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

No prereview memoranda or other written submissions are required for the prereview/settlement conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

The parties are advised that under 40 P. S. § 24 any information or documents exchanged under this order are absolutely privileged and may not be disclosed to any outside party. Failure to maintain the confidentiality of information or documents may result in enforcement action or other civil penalty.

The agency contract at issue shall remain in force and effect pending the issuance of a Decision in this matter.

Persons with a disability who wish to attend the above-referenced review, and require an auxiliary aid, service or other accommodation to participate in the review, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1642. Filed for public inspection September 24, 1999, 9:00 a.m.]

Alleged Violation of Insurance Laws

*Donald A. Young—Donald A. Young & Associates, Inc.;
Doc. No. SC98-09-027*

Notice is hereby given of the Order to Show Cause issued on September 7, 1999, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Insurance Department Act of 1921, Act of May 17, 1921, P. L. 789, as amended, 40 P. S. §§ 234, 252 and 279, and 31 Pa. Code §§ 37.37, 37.46, 37.47 and 37.48.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.193, 35.225—35.251; Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3 and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1643. Filed for public inspection September 24, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

[Correction]

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the State Office Building, Room 1701, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Daylin B. Leach; file no. 99-265-32547; Erie Insurance Exchange; doc. no. PH99-08-007; October 4, 1999, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, 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 hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1409. Filed for public inspection August 20, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

[Correction]

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the State Office Building, Room 1701, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Richard Edelschein; file no. 99-210-32606; Keystone Insurance Company; doc. no. PH99-08-025; October 4, 1999, at 9 a.m.

The following hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Joseph Boback; file no. 99-121-04549; Nationwide Mutual Insurance Company; doc. no. P99-08-024; October 5, 1999, 1 p.m.;

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, 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 hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1556. Filed for public inspection September 10, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

[Correction]

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the State Office Building, Room 1701, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Nicholas Bucciarelli; file no. 99-278-32693; American International Companies; doc. no. PH99-08-034; October 4, 1999, at 2:30 p.m.;

Appeal of Monique Webb; file no. 99-267-33037; Erie Insurance Exchange; doc. no. PH99-09-002; October 4, 1999, at 3:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses

and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, 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 hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1602. Filed for public inspection September 17, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

[Correction]

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's policy.

The hearing will be held in the State Office Building, Room 304, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Donegal Mutual Insurance Company; file no. 99-121-04416; Terry L. and Cheryl A. Yohman; doc. no. P99-08-026; October 7, 1999, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The 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.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1557. Filed for public inspection September 10, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Columbia County, Wine & Spirits Shoppe #1902, 105 West Main Street, Bloomsburg, PA 17815.

Lease Expiration Date: September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space along U.S. Route 11 in Scott Township.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110

Contact: Charles D. Mooney, (717) 657-4228

Lehigh County, Wine & Spirits Shoppe #3911, 119 Chestnut Street, Coplay, PA 18037.

Lease Expiration Date: September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 to 2,200 net useable square feet of new or existing retail commercial space within the Borough of Coplay.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110

Contact: Charles D. Mooney, (717) 657-4228

Lancaster County, Wine & Spirits Shoppe #3607, 727 South Broad Street, Lititz, PA 17543.

Lease Expiration Date: April 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 to 5,000 net useable square feet of new or existing retail commercial space along PA Route 501 in Warwick Township.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110.

Contact: Charles D. Mooney, (717) 657-4228

Lancaster County, Wine & Spirits Shoppe #3606, 586 Centerville Road, Lancaster, PA 17601.

Lease Expiration Date: June 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space along Centerville Road between PA Route 462 and PA Route 23 in East Hempfield Township.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110

Contact: Charles D. Mooney, (717) 657-4228

Berks County, Wine & Spirits Shoppe #0602, 1202 Rockland Street, Reading, PA 19604.

Lease Expiration Date: February 29, 2004

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,100 net useable square feet of new or existing retail commercial space in the Northeast section of the City of Reading.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110

Contact: Charles D. Mooney, (717) 657-4228

Montgomery County, Wine & Spirits Shoppe #4623, 1456 Bethlehem Pike, Flourtown, PA 19031.

Lease Expiration Date: March 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 9,500 net useable square feet of new or existing retail commercial space on Bethlehem Pike, within the town of Flourtown, Springfield Township.

Proposals due: October 15, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794

Contact: Robert Jolly, (215) 560-5310

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 99-1644. Filed for public inspection September 24, 1999, 9:00 a.m.]

PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM

Request for Proposal

The Pennsylvania Municipal Retirement System has issued a Request for Proposal (RFP 1999-1) for investment consulting and performance measurement services. The RFP will cover a 5-year period beginning April 1, 2000, through March 31, 2005.

Parties interested in receiving a copy of the RFP must submit a request in writing to the Pennsylvania Municipal Retirement System (PMRS), P. O. Box 1165, Harrisburg, PA 17108-1165. Correspondence can also be faxed to (717) 783-8363. Proposals are due at the PMRS offices no later than 3 p.m. October 21, 1999.

Questions or requests for further information or clarification regarding the issuance of this RFP must be submitted in writing no later than October 4, 1999, and should be addressed to Reynold E. Witmer, Chief of Accounting Division.

JAMES B. ALLEN,
Secretary

[Pa.B. Doc. No. 99-1645. Filed for public inspection September 24, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Competitive Transition Charge Reconciliation Statement; Doc. No. M-FACE9905

This notice is to inform the public that West Penn Power Company has filed a statement of its competitive transition charge revenues and to address the implementation of future competitive transition charge rates based on the latest energy sales projections.

The filing of this statement is required by sections 1307(e) and 2808(f) of the Public Utility Code, 66 Pa.C.S. §§ 1307(e) and 2808(f).

The Pennsylvania Public Utility Commission has scheduled a hearing on Tuesday, October 26, 1999 at 10 a.m. in a Commission hearing room, Ground Floor, North Office Building, Harrisburg, PA, when and where all persons in interest may appear and be heard if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1646. Filed for public inspection September 24, 1999, 9:00 a.m.]

Competitive Transition Charge Reconciliation Statement; Doc. No. M-FACE9906

This notice is to inform the public that PECO Energy Company has filed a statement of its competitive transition charge revenues and to address the implementation of future competitive transition charge rates based on the latest energy sales projections.

The filing of this statement is required by sections 1307(e) and 2808(f) the Public Utility Code, 66 Pa.C.S. §§ 1307(e) and 2808(f).

The Pennsylvania Public Utility Commission has scheduled a hearing on Wednesday, October 27, 1999 at 10 a.m. in a Commission hearing room, Ground Floor, North Office Building, Harrisburg, PA, when and where all

persons in interest may appear and be heard if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1647. Filed for public inspection September 24, 1999, 9:00 a.m.]

Petition of Pennsylvania Gas Association for Promulgation of Policy Statement Regarding Collection of Research and Development Funds by Natural Gas Distribution Companies, Doc. No. P-00991738

On August 20, 1999, the Pennsylvania Gas Association (PGA) filed a Petition for Promulgation of Policy Statement Regarding Collection of Research and Development Funds by Natural Gas Distribution Companies. By this Petition, the PGA urges the Pennsylvania Public Utility Commission (Commission) to adopt a policy statement which endorses the collection of funds by Pennsylvania natural gas utilities for the express purpose of assisting research and development projects through an automatic adjustment clause under section 1307(a) of the Public Utility Code, 66 Pa.C.S. § 1307(a). The PGA has attached a proposed policy statement to its Petition.

In support of its Petition, the PGA states that surcharges to support research and development are being phased out of interstate pipeline rates as the result of a settlement approved by the Federal Regulatory Energy Commission. Substantial benefits may be realized through continued research and development, according to the PGA. It proposed that continued research and development be funded through a volumetric surcharge imposed at the State level on noncompetitive sales and transportation customers.

Persons wishing to file answers to the PGA Petition may do so no later than 20 days after publication of notice of this filing in the *Pennsylvania Bulletin*. Replies to the answers may be filed no later than 7 days thereafter. An original and 10 copies of each answer and reply should be filed with the Office of the Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265 and one copy should be served on the contact person listed at the same address. Copies of the Petition may be obtained from the Commission's Secretary's Bureau by calling Lisa Higley at (717) 787-1013.

The contact person is Assistant Counsel Lawrence F. Barth who may be reached at (717) 772-8579 or by electronic mail at barth@puc.state.pa.us.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1648. Filed for public inspection September 24, 1999, 9:00 a.m.]

Railroad With Hearing

A-00115848. Stewartstown Borough. Application of Stewartstown Borough, for the approval of the construction of an at-grade crossing of the railroad tracks of Stewartstown Railroad Company in Stewartstown Borough, York County, PA.

An initial hearing on this matter will be held Thursday, October 28, 1999 at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1649. Filed for public inspection September 24, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 18, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00116178. East Coast Van Service, Inc. (8321 Mansfield Avenue, Suite 300, Philadelphia, PA 19150), a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service between points in the city and county of Philadelphia, and the counties of Chester, Bucks, Delaware and Montgomery.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00116172. Main Line Transit Service, Inc. (303 East Church Road, King of Prussia, Montgomery County, PA 19406), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, (1) for Morgan's Run Corporation, from the Radnor Train Station and the Radnor P & W Train Station, in the township of Radnor, Delaware County, to the Radnor Corporate Center in said township, and vice versa; subject to the following conditions: That all service shall be provided in vehicles having a seating capacity of not less than 18 persons, excluding the driver; and that transportation shall be for the account of one party for which the charge is based upon the transportation of a group and not upon the number of persons transported and for which payment is made by a group, organization or company and not by the passengers as individuals; and (2) between points in the townships of Upper Merion, Lower Merion and the borough of Narberth, Montgomery County, and the townships of Radnor, Haverford, Marple and Newtown, Delaware County; subject to the following conditions: That service shall be provided in vehicles without the use of taxi meters or dome lights; that service is limited to the

transportation in a vehicle not limited to individual use, for which reservations are made not later than the previous calendar day; and that service may be performed in vehicles having a seating capacity of 25 passengers or less, excluding the driver; which is to be a transfer of the paratransit rights authorized Bennett Taxi Service, Inc., under the certificate issued at A-00089018, F. 4, subject to the same limitations and conditions.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under each application.

A-00116130, F. 2. Pittsburgh Transportation Company, Inc. (5931 Elsworth Avenue, Pittsburgh, Allegheny County, PA 152065), a corporation of the Commonwealth of Pennsylvania—additional right—persons upon call or demand, (1) in the borough of Brentwood, and the townships of Bethel, Upper St. Clair and Snowden, Allegheny County; (2) in the township of Baldwin, the borough of Whitehall, and that portion of the township of Jefferson, all in Allegheny County, bounded and described as follows: Beginning at a point common to Jefferson Township, Snowden Township and Baldwin Township, thence from said point of beginning along the line dividing Snowden Township from Jefferson Township to Highway Route 02085; thence along Highway Route 02085 in a northeasterly direction to the Mowery, Gill Hall and Cochran's Mill Road; thence along said road to Highway Route 072; thence along Highway Route 072 and the Coal Valley Road to Highway Route 51; thence in a northwesterly direction along Highway Route 51 to Highway Route 02113, thence along Highway Route 02113 to the line dividing Jefferson Township for West Mifflin Borough; thence along said township line to a point common to Jefferson Township, Baldwin Township and West Mifflin Borough; thence along the Jefferson Township-Baldwin Township line to the place of beginning; including the borough of Pleasant Hills; (3) in that portion of the borough of West Mifflin, Allegheny County, bounded and described as follows: Beginning at a point at the southwesterly corner of West Mifflin Borough, at a point common to Jefferson Borough and Baldwin Borough; thence along a line dividing West Mifflin and Baldwin Borough, to a point on a line dividing property now or formerly of Terminal Coal Company and property of Charles Davis; thence along said dividing line and along a line dividing property now or formerly of Willock Land Company from property of Carnegie Illinois Steel Corporation, in a southeasterly direction to State Highway Route 885 and Monongahela, Southern Railroad, also known as the Union Railroad; thence in a northeasterly direction along the line of the Union Railroad and along the northerly line of the Municipal Airport property, to Buttermilk Hollow Road; thence along Buttermilk Hollow Road in a southerly direction to Lebanon Church Road; thence in a southwesterly direction along Lebanon Church Road to the Jefferson Borough line, thence along the Jefferson Borough line in a northerly direction to the point at place of beginning; (4) in the borough of Castle Shannon; (5) in the borough of Finleyville, Washington County, and within a radius of 5 miles thereof; and (6) in the city of Pittsburgh, Allegheny County; which is to be a transfer of the call or demand rights of Mayflower Contract Services, Inc., authorized under the certificate issued at A-00108838, F. 1, subject to the same limitations and conditions. *Attorney:* Ray F. Middleman,

Northridge Office Plaza, 117 VIP Drive, Suite 310,
Wexford, PA 15090.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1650. Filed for public inspection September 24, 1999, 9:00 a.m.]

**Sewage Service
Without Hearing**

A-230054. Kebert Enterprises, Inc. Application of Kebert Enterprises, Inc., for approval to offer, render, furnish or supply sewage service in an additional portion of Greenwood Township, Crawford County.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 12, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Kebert Enterprises, Inc.

Through and By Counsel: Guy P. Beneventano, Esquire, 3401 North Front Street, P. O. Box 5950, Harrisburg, PA 17110-0950.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1651. Filed for public inspection September 24, 1999, 9:00 a.m.]

**Water Service
Without Hearing**

A-212285F0067. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of (1) the transfer, by sale, of the water works property and rights of Linde Enterprises, Inc.'s Elk Forest Subdivision Water System to Pennsylvania-American Water Company, and (2) the right of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in additional portions of Clinton Township, Wayne County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 12, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan D. Simms, Esquire, Corporate Counsel, Pennsylvania-American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1652. Filed for public inspection September 24, 1999, 9:00 a.m.]

**PUBLIC SCHOOL
EMPLOYEES' RETIREMENT
BOARD**

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 27, 1999	Maria Weightman (Multiple Service Credit)	2:30 p.m.
November 3, 1999	Joanne Gurmankin (Purchase of Service)	1 p.m.
	Harry R. Short (D) (Change of Guardianship)	2:30 p.m.
November 17, 1999	Mary Ann Vehar (Purchase of Service)	1 p.m.
	Libby Forman (Benefit Eligibility)	2:30 p.m.
December 8, 1999	Jacob L. Meehl (Purchase of Service Credit)	10 a.m.
	William D. McClure (Purchase of Service)	1 p.m.
	Rosemary Muller (Purchase of Service)	2:30 p.m.
December 15, 1999	Catherine Cortegerone (Purchase of Service)	1 p.m.
	Curtis E. Brown (Purchase of Service)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 99-1653. Filed for public inspection September 24, 1999, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Dirt and Gravel Roads Pollution Prevention Maintenance Program; Apportionment of Funds

As required by 25 Pa. Code § 83.604(f), the State Conservation Commission (Commission) is providing public notice of FY 99-00 apportionment of funds to participating County Conservation Districts for the Dirt and Gravel Roads Pollution Prevention Maintenance Program that is authorized under 75 Pa.C.S. § 9106.

A. Effective Date

These allocations are effective upon publication in the *Pennsylvania Bulletin*.

B. Background

The Commission approved the following allocations at their public meeting on July 20, 1999: \$3,528,000 of FY 99 funds are apportioned according to stipulations in 75 Pa.C.S. § 9106(c). Copies of the referenced Statement of Policy contained in 25 Pa. Code § 83.604, as published in 28 Pa.B. 4634 (September 12, 1998) and 75 Pa.C.S. § 9106 are available from Woodrow J. Colbert at the State Conservation Commission Office, Room 407, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

The following allocations are being made to the County Conservation districts participating in the program. Listed alphabetically, they are:

Adams \$18,620; Allegheny \$20,299; Armstrong \$50,098; Beaver \$24,806; Bedford \$53,172; Berks \$18,958; Blair \$29,013; Bradford \$32,409; Bucks \$19,933; Butler \$22,936; Cambria \$24,601; Cameron \$54,803; Carbon \$18,193; Centre \$36,041; Chester \$29,845; Clarion \$60,383; Clearfield \$219,493; Clinton \$26,850; Columbia \$30,653; Crawford \$104,664; Cumberland \$18,180; Dauphin \$24,233; Elk \$33,900; Erie \$30,776; Fayette \$53,221; Forest \$36,381; Franklin \$23,540; Fulton \$27,697; Greene \$60,030; Huntingdon \$68,203; Indiana \$100,532; Jefferson \$54,127; Juniata \$41,630; Lackawanna \$45,722; Lancaster \$44,414; Lawrence \$25,899; Lebanon \$15,596; Lehigh \$33,377; Luzerne \$79,921; Lycoming \$37,048; McKean \$21,056; Mercer \$55,236; Mifflin \$31,855; Monroe \$24,673; Montgomery \$16,731; Montour \$15,632; Northampton \$18,639; Northumberland \$17,384; Perry \$46,500; Pike \$115,640; Potter \$436,409; Schuylkill \$35,659; Snyder \$18,213; Somerset \$26,937; Sullivan \$60,049; Susquehanna \$29,916; Tioga \$60,012; Union \$39,913; Venango \$44,223; Warren \$47,079; Washington \$67,703; Wayne \$400,596; Westmoreland \$35,463; Wyoming \$71,772; York \$40,518.

SAMUEL HAYES,
Chairperson

[Pa.B. Doc. No. 99-1654. Filed for public inspection September 24, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Modification and Expansion of the Lebanon/Lancaster Interchange Lancaster County, PA

Reference No. 3-120

The Turnpike Commission (Commission) will retain an engineering firm to prepare preliminary and final design plans for the modification and expansion of the Lebanon/Lancaster Interchange Toll Plaza (Milepost 266.4) to provide an expanded facility for access to and from S.R. 0072, in Rapho Township, Lancaster County, PA.

The required engineering services will include field surveys, coordination with utility companies and services, soils investigations and corresponding reports. Architectural services will include design of the toll plaza building, interior design, landscape design, toll booths, canopy and other related tasks necessary for the project. Significant building program data will be provided from previous similar projects. In addition, the necessary plans and contract documents will be required for redecking bridge EB-503, upgrading ramps, interchange signing, lighting, maintenance and protection of traffic, construction staging, contour grading, drainage and roadside development. Additional right-of-way is not anticipated as part of this project. If environmental services are needed for this project, they will be provided by others.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.
- b. Past record of performance with respect to cost control, work quality ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.
- c. The specific experience and number of individuals who constitute the firm.
- d. Location of consultant's office where the work will be performed.
- e. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.
- f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

The Commission is committed to the inclusion of disadvantaged, minority, and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Pennsylvania Department of Transportation at the time of the submission of the letter of

interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Pennsylvania Turnpike Commission at the previous address, or by calling (717) 939-9551, Ext. 4241.

Direct inquiries to Jeffrey C. Davis, P.E., at (717) 939-9551, Ext. 5160, or by e-mail at jdavis@paturndpike.com.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. If the firm has multiple offices, the location of the office performing the work must be identified.

2. Three page expression of interest in the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

5. A copy of the Annual Qualification Package submitted to the Pennsylvania Department of Transportation for the current year that is in the same District as this project or one that is best suited for this project.

The Annual Qualification Package should contain at a minimum, the following information for the prime consultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project; limit to one 8 1/2 x 11 page, one side, per person. Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in Pennsylvania.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the PA Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 noon, Friday, October 15, 1999. Letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, one firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for the work and services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-1655. Filed for public inspection September 24, 1999, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The 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.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development
374 Forum Building
Harrisburg, PA 17120
800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
787-0000

③ Contract Information

④ Department

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 A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, *"Frequently Asked Questions About State Contracts,"* explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities

1809-73000-99-73 Pattern Systems Software. Software program to include: DrawPOWER 20, Product Planner 20, Cut Planner 20, Label Planner. Software to be used in pattern making in Correctional Industries Furniture Factory.

Department: Corrections
Location: SCI Coal, 1 Kelly Drive, Coal Township, PA 17866-1020
Duration: 1 year
Contact: MaryAnn Ulrich, (717) 731-7134

1140239 Tractors—2 each latest model John Deere 450H Crawler-Dozer (no substitute). For copy of the bid package fax request to (717) 787-0725.

Department: Game Commission
Location: Various
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

8505030 Construction and building materials—1 each box, precast concrete box culvert. For copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Lebanon
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

8250660 Motor vehicles, trailers and cycles—106 each latest model Type II Dump Truck, manual transmission, with aluminum dump body. For copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

8250700 Metal working machinery—2 each compressor, 250 CFM (Paint Truck). For copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

1138209 Motor vehicles, trailers and cycles—1 each 2000 Model Ford Super Duty F-550 Cre Cab with dual rear wheels, equipped with an Eby 9'x98" aluminum flatbed. For copy of the bid fax request to (717) 787-0725.

Department: State Police
Location: Harrisburg
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

1161219 Pumps—1 unit ultraviolet closed chamber water purification system. For copy of the bid fax request to (717) 787-0725.

Department: Public Welfare
Location: Polk
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

8505020 Construction and building material—1 each box, precast concrete box culvert. For copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Lancaster
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

1144169 Vehicular equipment and components—1 each Hunter P611 Plus M-27" Computer alignment console with 27" monitor 1 set DSP-400 digital imaging cameras with self centering wheel adapters and wheel targets (set of four). For copy of the bid package fax request to (717) 787-0725.

Department: State System of Higher Education
Location: Thaddeus Stevens State School of Technology, Lancaster, PA
Duration: FY 99—00
Contact: General Services, (717) 787-2199/4705

SERVICES

Audio/Video

6500-083 Contractor shall provide maintenance, repair and modification services to the telephone system at the State Correctional Institution at Retreat, Hunlock Creek, Luzerne County, PA. Contact Institution Purchasing Office for bid specifications.

Department: Corrections
Location: State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, PA 18621
Duration: January 1, 2000 to December 31, 2002
Contact: Barbara Swiatek, (570) 735-8754

Computer Related Services

ADV#-47 Indiana University of PA (IUP) Indiana, PA 15705, is seeking bids for parts for existing computer equipment. Manufacturer: Foundry Networks. Requests for a bid package should be made in writing, referencing Advertisement #47, and directed to Patty Bash, Purchasing Agent, IUP, 650 S 13th St., Indiana, PA 15705 (724) 357-3077, fax (724) 357-2670, or e-mail PABash@grove.iup.edu. Requests for bid packages will be accepted until September 30, 1999. The University encourages responses from small and disadvantaged, minority, and women-owned firms.

Department: State System of Higher Education
Location: Indiana University of PA, Indiana, PA 15705
Duration: Indefinite
Contact: Patty Bash, (724) 357-3077

Construction and Construction Maintenance

015DGS182-3 Project title: Flood Protection Project. Brief description: Construct rectangular reinforced concrete channel, stilling basin, precast concrete box culverts and excavation of a trapezoidal earth channel with riprap protection. Estimated Range: \$1,000,000 to \$2,000,000. General Construction. Plans deposit: \$50 per set. Payable to: Department of Environmental Protection. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed. Mail requests to: Department of Environmental Protection, Construction Contracts Section, P. O. Box 8452, Harrisburg, PA 17105-8452, (717) 783-7994. A prebid conference has been scheduled for Tuesday, October 12, 1999, at 10 a.m. at Plymouth Borough Building, 162 West Shawnee Avenue, Plymouth, PA. Contact: Paul Ebright, (717) 783-7929. Contractors who have secured contract documents are invited and urged to attend this prebid conference.

Department: General Services
Location: Wadham Creek, Plymouth Borough, Luzerne County, PA
Duration: 550 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

401-BL-594 Bakeless Concrete Repair—Provide all labor, material and equipment necessary to repair existing exterior concrete facade surfaces, including removal of damaged concrete, coating of exposed steel reinforcing, patching of damaged areas, and application of penetrating corrosion inhibitor and surface coating over entire concrete area. There will be one general contractor. To obtain a copy of the bid specifications and bid documents, submit a \$30 nonrefundable deposit to Comprehensive Design, 3054 Enterprise Drive, State College, PA 16801-2755, (814) 238-7706. All information related to the project will be included in the package. Presently it is anticipated it will be bid at this time, with work to be completed in the spring.

Department: State System of Higher Education
Location: Bloomsburg University, Bloomsburg, PA
Duration: 60 days
Contact: Joseph C. Quinn, (570) 389-4311

KUCC-0001 Kutztown University is seeking qualified contractors for the student union building north addition at Kutztown University. Bid packages are available for a nonrefundable fee of \$210 from: Virginia Stoudt, STV Architects, 205 West Welsh Dr., Douglassville, PA 19518, (610) 385-8325. Bid packages are available September 27, 1999 through prebid. A prebid meeting has been scheduled for October 7, 1999, at 10 a.m. in Room 250, Student Union Building. Bids are to be received no later than 2 p.m. on October 27, 1999. Nondiscrimination and equal opportunity are the policies of the Commonwealth and the State System of Higher Education.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: 355 days from Notice to Proceed with work to be completed by December 22, 2000
Contact: Barbara Barish, (610) 683-4602

Court Reporting

CLDGJ2054 Provide court reporting services for the Fifteenth Statewide Investigating Grand Jury to be housed in Harrisburg, Dauphin County, PA. Court reporting services are required for 4—5 days per month for 18 months.

Department: Attorney General
Location: Harrisburg, PA
Duration: November, 1999—May, 2002 with a possible 6-month extension
Contact: Jean M. Kreiser, (717) 787-4745

Demolition

90973412 Contractor to supply all bonds, permits, insurance, supervision, labor, tools, materials, equipment, services and appurtenances to demolish Building #17 (Activities building at Torrance State Hospital).

Department: Public Welfare
Location: Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111
Duration: Anticipated: October 1, 1999 to June 30, 2000
Contact: Linda J. Zoskey, Purchasing Agent, (724) 459-4547

Engineering Services

08430AG2416 To provide supplementary construction inspection staff of approximately ten inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S.R. 2023, Section H00 (bridge rehabilitation); S.R. 1030, Section B10 (new roadway construction); S.R. 0519, Section L11 (roadway reconstruction); S.R. 1009, Section UNK (roadway reconstruction); S.R. 2030, Section G01 (bridge rehabilitation); and S.R. 2030, Section G02 (bridge rehabilitation) in Washington County, Engineering District 12-0.

Department: Transportation
Location: Engineering District 12-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2415 To provide supplementary construction inspection staff of approximately 14 inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S.R. 0022, Section B01 (roadway reconstruction) in Westmoreland County, Engineering District 12-0.

Department: Transportation
Location: Engineering District 12-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2414 To provide preliminary engineering, environmental studies, final design, consultation during construction and shop drawing review for S.R. 0219, Section C09, Bradford Bypass, in McKean County.

Department: Transportation
Location: Engineering District 2-0
Duration: Thirty-six (36) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2413 To provide supplementary construction inspection staff of approximately 12 inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S.R. 1031, Section F00 (bridge rehabilitation) in Fayette County; S.R. 1077, Section 01M (bridge rehabilitation) in Washington County; and on S.R. 0981, Section C01 (bridge rehabilitation); S.R. 0136, Section 137 (bridge rehabilitation); S.R. 0982, Section P01 (bridge rehabilitation); and S.R. 1026, Section H01 (bridge rehabilitation) in Westmoreland County.

Department: Transportation
Location: Engineering District 12-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2412 To provide supplementary construction inspection staff of approximately eight inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S.R. 3077, Section E01 (bridge rehabilitation), S.R. 0030, Section 16R (bridge rehabilitation), and S.R. 0136, Section L01 (bridge rehabilitation) in Westmoreland County and on S.R. 0088, Section 06R (bridge replacement) in Greene County, Engineering District 12-0.

Department: Transportation
Location: Engineering District 12-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2417 Statewide Open-End Contract to provide various traffic engineering/safety services.

Department: Transportation
Location: Statewide
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2409 To provide construction materials testing and sampling services for various projects in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties.

Department: Transportation
Location: Engineering District 8-0
Duration: Sixty (60) Months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2410 To provide construction inspection and documentation services for Highway Occupancy Permit Projects in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties.

Department: Transportation
Location: Engineering District 8-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2407 Statewide Open-End Contract for various engineering, environmental and management services associated with the planning, design, construction and maintenance of transportation related sound barriers, alternate noise abatement, inventories and policy development.

Department: Transportation
Location: Bureau of Environmental Quality
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2406 To provide construction inspection services on S.R. 3160, Section A03, Cargo Interchange, in Allegheny County.

Department: Transportation
Location: Engineering District 11-0
Duration: Twenty-eight (28) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2411 To provide supplementary construction inspection staff of approximately eight inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S.R. 0201, Section 07R (roadway reconstruction), S.R. 4003, Section 01R (roadway reconstruction), S.R. 4004, Section C01 (bridge replacement) and S.R. 0021, Section 01M in Fayette County, Engineering District 12-0.

Department: Transportation
Location: Engineering District 12-0
Duration: Twelve (12) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2419 Open-End Contract for various environmental and/or engineering services on various projects in Engineering District 3-0, that is, Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties.

Department: Transportation
Location: Engineering District 3-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2408 To perform preliminary engineering, final design and provide services during construction for S.R. 1020, Section 001 in Bedford County and S.R. 1023, Section 001 in Cambria County.

Department: Transportation
Location: Engineering District 9-0
Duration: Thirty (30) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2418 Two Open-End Contracts for various engineering and/or environmental services on various projects in Engineering District 3-0, that is, Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties.

Department: Transportation
Location: Engineering District 3-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

Environmental Maintenance Services

040109 Operation and maintenance of wastewater plant at rest area on I-80. Operation and maintenance of water system at rest area on I-80 and at two rest areas on I-81. Specifications may be obtained by contacting the District Roadside Specialist, Monday through Friday, 8 a.m. to 3 p.m. or by faxing request to Roadside Unit at (570) 963-4245.

Department: Transportation
Location: Transportation District 4-0
Duration: December 1, 1999 through November 30, 2000/Renewal options
Contact: Martha Spaide, (570) 963-4048

Financial and Insurance Consulting

SBC #991083 International student insurance service is needed by ESU for SBC#991083. Fax your request for the bid package to (570) 422-3232, Attn: Ann Zaffuto. All responsible firms are invited to participate including MBE/WBE firms.

Department: State System of Higher Education
Location: East Stroudsburg University, East Stroudsburg, PA 18301
Duration: 5 years
Contact: Ann Zaffuto, (570) 422-3595

Food

LBP-99-014 Milk: whole, 2%, skim and Lactaid. To be delivered as needed upon request. Quantities, specifications and delivery dates may be obtained from the Northeastern Veterans Center.

Department: Military Affairs
Location: Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213
Duration: January 1, 2000 through December 31, 2000
Contact: Barbara Lance, (570) 961-4354

ADV-46 Indiana University of PA is seeking proposals for a vendor to provide dining services to the University in accordance with Request for Proposal (RFP) 2000-01. Request for an RFP package should be made in writing, referencing Advertisement No. ADV-46 and directed to P. K. Froelicher, Director of Purchasing, IUP, 650 South 13th St., Indiana, PA 15705; fax (724) 357-2670; e-mail pkfro@grove.iup.edu. Request for the RFP package will be accepted until September 30, 1999. The University encourages responses from small and disadvantaged, minority and women-owned firms.

Department: State System of Higher Education
Location: Indiana University of PA, Indiana, PA 15705
Duration: 5 years—June 1, 2000—May 31, 2005
Contact: P. K. Froelicher, (724) 357-3077

Bread-99 Vendor to supply to SCI-Graterford bakery products (breads, rolls, bagels and the like) and any other related products. Average monthly use 35,000 lvs. breads, 1,200 dozen rolls each (hot dog, hamburger, steak) 600 dozen bagels. All amounts are estimated. This will be a monthly purchase.

Department: Corrections
Location: State Correctional Inst. Graterford, Box 246, Rt. 29, Graterford, PA 19426
Duration: 1 year
Contact: Kelly Richardson, (610) 489-4151

Danish-99 Vendor to supply to the State Correctional Inst. Graterford danish related products (danish, muffins, and the like). Estimated amounts 30,000 per month. Purchase will be monthly or as needed.

Department: Corrections
Location: State Correctional Inst. Graterford, Box 246, Rt. 29, Graterford, PA 19426
Duration: 1 year
Contact: Kelly Richardson, (610) 489-4151

HVAC

FM0018 Deliver generator to 5267 E Simpson Ferry Road, Mechanicsburg, PA on or before November 1, 1999, and pick up between January 31, 2000, and February 9, 2000. Generator must be capable of 1500KW, 60 Hertz, 3 Phase 120/480V and continuous duty. Generator must be diesel powered and be self-contained.

Department: Transportation
Location: Bureau of Information Services, 5267 E. Simpson Ferry Road, Mechanicsburg, PA 17055
Duration: November 1, 1999 to January 31, 2000
Contact: Craig Bolinger, (724) 439-7382

WC 731 West Chester University is soliciting sealed bids for the installation and rental of one 20,000 pound per hour (pph) minimum outdoor fire-tube boiler, gas/no. 2 oil fired low NOx burner package boiler. The boiler package is to be installed on an existing macadam surface in close proximity to an existing boiler plant. The existing boiler plant currently operates coal and oil fired boilers. The successful bidder will be required to install and connect any and all necessary piping to attach the outdoor boiler package to interior boiler plant connections. Any such piping and related connections shall remain the property of the University at the end of the contract. Additionally, the successful bidder shall be required to furnish and install a fence system to completely enclose the boiler package. It shall be the contractor's responsibility to obtain any and all necessary permits and/or certificates necessary for the operation and as otherwise deemed necessary. A site visit will be conducted at 9:30 a.m. on October 6, 1999, meeting at the boiler plant (near intersection of S. Church St. and University Ave.).

Department: State System of Higher Education
Location: West Chester University, West Chester, PA
Duration: One year with four 1-year options to renew
Contact: Jacki Marthinsen, (610) 436-2705

Lodging/Meeting

CLDGJ2055 Provide hotel accommodations for the Fifteenth Statewide Investigating Grand Jury to be housed in Harrisburg, Dauphin County, PA. Hotel accommodations are required 4—5 days per month for 18 months.

Department: Attorney General
Location: Harrisburg, PA
Duration: November, 1999—May, 2002 with a possible 6-month extension
Contact: Jean M. Kreiser, (717) 787-4745

SP 3890061 Services required for meeting rooms, lodging and meals for approximately 130 participants for the Bureau of State Parks Interpretive Workshop. Facility must be located within a 10 mile radius of downtown Harrisburg.

Department: Conservation and Natural Resources
Location: Within a 10 mile radius of downtown Harrisburg, PA
Duration: May 17 thru May 21, 2000
Contact: Ruth DeWalsche, (717) 783-0760

Medical Services

Med. Services 99-003 Automated External Defibrillators, 4 each, Life pak 500, or approved equal and accessories: Battery pack, carrying case, external modem, cables, trainer, carrying case for trainer, computer software for training simulation and ready connect electrodes. For copy of the bid package fax request to (412) 257-6761.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599
Duration: ASAP after receipt of order
Contact: Fred Molisee, Purchasing Agent, (412) 257-6215

SP#90782005 The contractor shall establish and conduct a Vision Stimulation and Mobility Therapy Program for individuals of the Hamburg Center, who are diagnosed as being visually impaired. To receive specifications, submit fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Old Route 22, Hamburg, PA 19526
Duration: Anticipated Dates January 1, 2000—December 31, 2002
Contact: Beverly O. Epting, PA, (610) 562-6031

Moving Services

060002 Contract is for moving office furniture, computers, boxes of files and all other miscellaneous equipment from the existing PennDot District 6-0 office in St. Davids, PA 19087, to the District's new office building in King of Prussia, PA 19406.

Department: Transportation
Location: PennDot District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087-5178
Duration: December 1, 1999 to January 31, 2000
Contact: Charles Stone, (610) 964-6520

Real Estate Services

373883 Lease office space to the Commonwealth of Pennsylvania Board of Probation and Parole, 6,753 useable sq.ft. of new or existing office space with parking for 17 vehicles, in Lackawanna County, PA within the following boundaries: (1) North: Von Storch Avenue to Glenn Street to Sanderson Avenue to New York Street to the Scranton City Limits, South: Scranton City Limits, East: Scranton City Limits and West: Lackawanna River and (2) within the Boroughs of Dunmore and Moosic. The office must be situated with 3 blocks of a public transportation system. Proposals due: November 22, 1999. Solicitation No.: 92899.

Department: Probation and Parole Board
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1999-2000
Contact: John Hocker, (717) 787-4396

Property Maintenance

80000218 Millersville University is seeking qualified bidders to provide the University with power washing and sealing of masonry surfaces for various campus buildings. Work will be performed as mutually scheduled through June 30, 2000. Interested contractors must fax their requests for a bid packet to Anna Stauffer no later than 11 a.m. on Friday, October 1, 1999.

Department: State System of Higher Education
Location: Millersville University, Millersville, PA 17551
Duration: November 1999—June 30, 2000
Contact: Anna Stauffer, (717) 872-3041

62-0044 West Chester University is soliciting sealed bids for Project 62-0044 South Campus Housing—Recreation Area. The project shall consist of all work necessary relating to the construction of one new volleyball and one new basketball court. Work shall include, but not be limited to, the earth work, paving, drainage, stormwater retention, volleyball and basketball court equipment, wood curbing, fencing, underground conduits for future use and site restoration.

Department: State System of Higher Education
Location: West Chester University, West Chester, PA 19383
Duration: 60 days from notice to proceed
Contact: Jacki Marthinsen, (610) 436-2705

3881159003 Remedial tree planting project. Seedlings will be planted on recently harvested forest land at different sites on the Susquehannock State Forest; 129,000 seedlings on 678 acres. In addition to tree planting, contractor will install 400 tree shelters.

Department: Conservation and Natural Resources
Location: Susquehannock State Forest—District No. 15 Potter County—North Central Pennsylvania
Duration: March 15, 2000 thru June 30, 2000.
Contact: Tom Wallace, Asst. District Forester, (814) 274-3600

Miscellaneous

99-02 Alcohol Highway Safety Program. The objective of this project is to satisfy a need for the Commonwealth of Pennsylvania for the operational maintenance and technical support for the Statewide Pennsylvania Alcohol Highway Safety Program. Additional information and a request for proposals (RFP) may be obtained by faxing a request for RFP 99-02 to Tina Chubb at (717) 783-7971.

Department: Transportation
Location: Statewide
Duration: 5 years
Contact: Tom Schumacher, (717) 783-8906

ITQ 359001 The Pennsylvania Department of Transportation (PennDOT) is issuing an "Invitation to Qualify" (ITQ) to qualify contractors interested in providing right-of-way acquisition services. These services include, but are not limited to: conducting negotiations with property owners for the acquisition of real estate and rights-of-way; preparation of documents necessary for acquisition and condemnation of rights-of-way; searching land titles; processing payments; conducting settlements; relocation planning; payment evaluation; relocation advisory assistance; appraisal planning; and property management services. Contractors will be required to adhere to all State and Federal regulations applicable in the performance of these activities. Interested contractors may request a copy of the ITQ Contract and Application by faxing their name, company name, address, telephone number and fax number to Tina Chubb at (717) 783-7971. Please reference ITQ 359001 on your fax.

Department: Transportation
Location: Commonwealth of Pennsylvania
Duration: Multiyear with possibility of renewal
Contact: Debra Gray, (717) 783-9671

RFP 98-23 The Department of Transportation is soliciting proposals for review and evaluation of the existing forms/paperwork management program, and recommendations for an improved program focusing on future technology with emphasis on, but not limited to, electronic collection and disbursement of data. Interested contractors may request a copy of the Request for Proposals by faxing their name, company name, address, telephone number, and fax number to Tina Chubb at (717) 783-7971. Please reference RFP 98-23 on your fax.

Department: Transportation
Location: Harrisburg
Duration: 12 months
Contact: Terry Haines, (717) 783-8902

99-1001 The contractor shall provide all rigging supervision, labor, equipment, trucks and forklifts to disconnect all utilities, dismantle where required to move 3 Braun washers #400 one Braun washer #600 and Norman dryer from SCI Cresson to SCI Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, P. O. Box 8837, 2500 Lisburn Rd., Camp Hill, PA 17001-8837
Duration: October 1, 1999 to June 30, 2000
Contact: Delores Stephens, (717) 975-5200

081-99-7000-47 The Pennsylvania Commission on Crime and Delinquency is accepting proposals to identify a single training delivery contractor to provide for the delivery of deputy sheriffs' basic training programs at a single site, geographically located centrally within the State. The Pennsylvania Commission on Crime and Delinquency is an equal opportunity employer.

Department: Crime Commission

Location: At site provided by contractor

Duration: Multiyear contract: Initial approximately 15 months/renewable for two additional 2-year contracts.

Contact: Donald Numer, (717) 705-3693, Ext. 3041

PGC-2619 Provide framing for limited edition fine art prints, that is, Working Together for Wildlife, Duck Stamp Prints, Retirement Certificates, and the like. Vendor must be able to provide quality framing of up to a dozen prints on 2 day's notice and up to six prints on 1 day's notice, and provide weekly delivery to the Harrisburg area. Inquiries regarding specifications should be addressed to Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, attention, Carl Graybill. To obtain a bid package, vendors should address inquiries to the same location, attention Diane Shultz or Linda Beaver, or phone (717) 787-6594.

Department: Game Commission

Location: 2001 Elmerton Avenue, Harrisburg, PA 17110-9797

Duration: October 1999 to September 2004

Contact: Diane Shultz or Linda Beaver, (717) 787-6594

SP388129002 Services required for installation of woven wire deer fence for Forest District #12, Lycoming County.

Department: Conservation and Natural Resources

Location: Bureau of Forestry

Duration: The contract shall commence upon execution and terminate

Contact: Gary Frank, (570) 327-3450

[Pa.B. Doc. No. 99-1656. Filed for public inspection September 24, 1999, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
5610-25	09/08/99	American Asphalt Paving Co.	75,236.75	5610-25	09/08/99	Global Stone Penroc Inc.	9,991.25
5610-25	09/08/99	Atlantic States Materials of PA	4,200.00	5610-25	09/08/99	H & H Materials Inc.	32,223.75
5610-25	09/08/99	Bedrock Quarries	42,690.00	5610-25	09/08/99	Hanson Aggregates PA	719,113.15
5610-25	09/08/99	Berks Products	5,725.00	5610-25	09/08/99	Hasbrouck Sand and Gravel Inc.	65,225.00
5610-25	09/08/99	Better Materials Corp.	1,246.25	5610-25	09/08/99	Hempt Brothers Inc.	5,701.88
5610-25	09/08/99	Blooming Glen Quarry/Div. of Haines and Kibblehouse Inc.	5,000.00	5610-25	09/08/99	Highway Materials Inc.	1,736.50
5610-25	09/08/99	Buffalo Limestone Inc.	50,915.00	5610-25	09/08/99	Hoover Sand and Gravel Co. Inc.	24,250.00
5610-25	09/08/99	Carbon Fuel Resources Inc.	43,625.00	5610-25	09/08/99	IA Construction Corp.	222,834.25
5610-25	09/08/99	Carmeuse PA Inc.	14,025.00	5610-25	09/08/99	IMS Waylite	76,908.00
5610-25	09/08/99	Codorus Stone and Supply Co. Inc.	5,000.00	5610-25	09/08/99	International Mill Service Inc.	102,237.50
5610-25	09/08/99	Commerical Stone Co. Inc.	69,563.75	5610-25	09/08/99	Jay Fulkroad and Sons Inc.	5,000.00
5610-25	09/08/99	County Line Quarry Inc.	7,196.25	5610-25	09/08/99	Keystone Lime Company Inc.	462.50
5610-25	09/08/99	E. F. Lippert and Co. Inc.	79,125.00	5610-25	09/08/99	Lakeland Sand and Gravel Inc.	19,481.00
5610-25	09/08/99	Eastern Industries Inc.	92,513.50	5610-25	09/08/99	Latrobe Construction Co.	7,700.00
5610-25	09/08/99	Eureka Stone Quarry Inc.	11,250.00	5610-25	09/08/99	M & M Lime Company Inc.	5,000.00
5610-25	09/08/99	G. F. Edwards	78,516.50	5610-25	09/08/99	Martin Limestone Inc.	5,348.75
5610-25	09/08/99	Glen O. Hawbaker Inc.	50,436.00	5610-25	09/08/99	Martin Stone Quarries Inc.	5,196.75
5610-25	09/08/99	G. L. McKnight Inc.	1,800.00	5610-25	09/08/99	Meckley's Limestone Products Inc.	8,250.00
5610-25	09/08/99	Glacial Sand and Gravel Co.	27,960.00	5610-25	09/08/99	Middleport Materials Inc.	3,312.00
5610-25	09/08/99	Glasgow Inc.	2,281.25	5610-25	09/08/99	Naceville Materials/A Joint Venture	5,000.00

STATE CONTRACTS INFORMATION

5051

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
5610-25	09/08/99	National Limestone Quarry Inc.	20,539.00	5610-25	09/08/99	Tarmac America	348.75
5610-25	09/08/99	New Enter- prise Stone/ Limeco Inc.	223,318.00	5610-25	09/08/99	The Acme Co.	2,085.00
5610-25	09/08/99	PBS Coals Inc.	5,000.00	5610-25	09/08/99	Valley Quar- ries Inc.	6,040.00
5610-25	09/08/99	Penn/MD Materials/ Div. of Haines and Kibblehouse Inc.	2,125.00	5610-25	09/08/99	Waste Man- agement and Processors Inc.	18,110.00
5610-25	09/08/99	Pikes Creek Sand and Stone Inc.	5,000.00	5610-25	09/08/99	Wayne Gravel Products	262,126.50
5610-25	09/08/99	Pennsy Supply Inc.	19,981.88	5610-25	09/08/99	Wyoming Sand and Stone Co.	5,000.00
5610-25	09/08/99	Pioneer Mid Atlantic	32,691.88	5610-25	09/08/99	York Building Products Company Inc.	5,512.50
5610-25	09/08/99	Plumstead Materials/ Div. of Naceville Materials	5,000.00	5610-37	09/09/99	American As- phalt Paving Co.	31,381.50
5610-25	09/08/99	Porters Sand and Gravel/ Porters Con- crete Service Inc.	113,925.00	5610-37	09/09/99	Better Materi- als Corp.	33,858.00
5610-25	09/08/99	Pottstown Trap Rock Quarries	5,000.00	5610-37	09/09/99	Blue Circle Aggregates (New York) Inc./dba QPR	5,000.00
5610-25	09/08/99	Red Oak Sand and Gravel LLC	38,250.00	5610-37	09/09/99	Commercial Asphalt Prod./Div. of Commercial Stone Co.	9,313.50
5610-25	09/08/99	Rhinehart Sand and Gravel	89,870.00	5610-37	09/09/99	Eastern Indus- tries Inc.	73,965.25
5610-25	09/08/99	Rohrs Quarry Inc.	2,392.50	5610-37	09/09/99	Glasgow Inc.	5,000.00
5610-25	09/08/99	Russell Miner- als (PA) Inc.	50,811.25	5610-37	09/09/99	Glen O. Hawbaker Inc.	17,772.00
5610-25	09/08/99	Slippery Rock Materials Inc.	175,530.00	5610-37	09/09/99	H & K Materials/ Div. of Haines Kibblehouse	5,000.00
5610-25	09/08/99	Small Moun- tain Quarry Inc.	5,911.25	5610-37	09/09/99	Hanson Aggre- gates PA Inc.	27,680.70
5610-25	09/08/99	South Bend Limestone Co.	5,000.00	5610-37	09/09/99	Hanson Aggre- gates PA dba/HRI	76,198.00
5610-25	09/08/99	State Aggre- gates Inc.	239,390.00	5610-37	09/09/99	Heilman Pave- ment Spe- cialties	227,861.42
				5610-37	09/09/99	Hempt Broth- ers Inc.	11,625.00

STATE CONTRACTS INFORMATION

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
5610-37	09/09/99	IA Construc- tion Corp.	145,673.97	1049219-01	09/14/99	Chatham Knitting Mills Inc.	17,250.00
5610-37	09/09/99	Independence Construction Materials	67,748.00	1118129-01	09/14/99	Phoenix Data Inc.	23,680.04
5610-37	09/09/99	Kaminski Brothers Inc.	5,000.00	7314290-01	09/14/99	Jedco Paper Corp.	31,850.00
5610-37	09/09/99	Latrobe Con- struction Co.	37,148.25	8250220-01	09/14/99	Fords Nat'l. Auto Mart d/b/a Motors Fleet	91,292.00
5610-37	09/09/99	M & M Stone Co.	5,000.00	8250220-02	09/14/99	Hondru Chrysler Plymouth Inc.	81,700.00
5610-37	09/09/99	Marsh Asphalt Inc.	78,975.00	8250340-01	09/14/99	Ingersoll-Rand Equipment Sales	365,750.00
5610-37	09/09/99	New Enter- prise Stone & Lime Co. Inc.	130,113.75	8250370-01	09/14/99	Groff Tractor & Equip- ment Inc.	52,525.00
5610-37	09/09/99	Pennsy Supply Inc.	38,033.65	8250380-01	09/14/99	Mid-Atlantic Vegetation Management Inc.	85,110.00
5610-37	09/09/99	Russell Stan- dard	10,620.50	8250390-01	09/14/99	U. S. Traffic Corp. d/b/a Display So- lutions	19,000.00
5610-37	09/09/99	Union Equip. Inc. Div./of New Enter- prise Stone & Lime Co. Inc.	11,510.00	8250640-01	09/14/99	Griffin Motor Company	20,400.00
5610-37	09/09/99	Valley Quar- ries Inc.	27,140.14				
5610-37	09/09/99	Whitaker Roads Corp.	37,925.00				
5610-37	09/09/99	Windsor Ser- vice Inc.	5,000.00				
5610-37	09/09/99	Wyoming Sand & Stone Co.	56,155.40				
5610-37	09/09/99	York Building Products Co. Inc.	31,853.88				

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-1657. Filed for public inspection September 24, 1999, 9:00 a.m.]