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# PENNSYLVANIA BULLETIN

Volume 30  
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Subject Index for  
January—September 2000

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

**No. 311, October 2000**

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**PENNSYLVANIA**



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

## ***Pennsylvania Bulletin***

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

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

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

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

## **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

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2000.

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# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 20]

Order Amending Rule 21<sup>1</sup>; No. 264; Criminal Procedural Rules Doc. No. 2

### Order

*Per Curiam:*

Now, this 19th day of September, 2000, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been submitted without publication in the interests of justice pursuant to Pa.R.J.A. 103(a)(3), and a Final Report to be published with this *Order*;

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule of Criminal Procedure 21 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 2001.

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### CHAPTER 20. ISSUING AUTHORITIES: VENUE, LOCATIONS, AND RECORDING OF PROCEEDINGS

#### Rule 21. Venue; Transfer of Proceedings.

##### [ (a) ] (A) Venue

All criminal proceedings **in summary and court cases** shall be brought before the issuing authority for the magisterial district in which the offense is alleged to have occurred or before an issuing authority on temporary assignment to serve such magisterial district, subject, however, to the following exceptions:

(1) A criminal proceeding may be brought before any issuing authority of any magisterial district within the judicial district whenever the particular place within the judicial district **[ where ] in which** the offense is alleged to have occurred is unknown.

\* \* \* \* \*

##### (b) Transfer of Proceedings **In Court Cases**

\* \* \* \* \*

**Official Note:** Formerly Rule 154, adopted January 16, 1970, effective immediately; section (a)(3) adopted July 1, 1970, effective immediately; renumbered **Rule 21** September 18, 1973, effective January 1, 1974; amended July 1, 1980, effective August 1, 1980; amended January 28, 1983, effective July 1, 1983; **renumbered Rule 130 and amended March 1, 2000, effective April 1, 2001;** amended April 20, 2000, effective July 1, 2000; **amended September 19, 2000, effective January 1, 2001.**

### Comment

\* \* \* \* \*

Paragraph (A)(3), which is an exception to the general rule governing venue, was added in 2000 in view of *Commonwealth v. McPhail*, 692 A.2d 139 (Pa. 1997), in

<sup>1</sup> Rule 21 will be renumbered Rule 130 as part of the renumbering and reorganization of the Rules of Criminal Procedure the Court adopted on March 1, 2000, effective April 1, 2001.

which the Court held that "all charges stemming from a single criminal episode" must be joined in a single trial "despite the fact that some of the charges arose in a different county." Accordingly, when charges arising from a single criminal episode occur in more than one judicial district, the magisterial district in which the proceeding on all the charges is brought, i.e., the one with venue, may be any one of the magisterial districts in which the charges occurred. *See Commonwealth v. Geyer*, 687 A.2d 815 (Pa. 1996) (the compulsory joinder rule and 18 Pa.C.S. § 110 apply when two or more summary offenses arise from a single criminal episode.)

\* \* \* \* \*

The decision of in which magisterial district in paragraph [ (a) ] (A)(2) or in which judicial district in paragraph [ (a) ] (A)(3) the proceedings are to be brought is to be made initially by the law enforcement officers or attorneys for the Commonwealth. In making the decision, the law enforcement officers or attorneys for the Commonwealth must consider in which magisterial district under paragraph [ (a) ] (A)(2) or in which judicial district under paragraph [ (a) ] (A)(3) it would be in the interests of justice to have the case proceed, based upon the convenience of the defendant and the witnesses, and the prompt administration of justice.

See Rule 25 (Objections to Venue)<sup>2</sup> for the procedures to challenge a transfer of proceedings under this rule.

See Rule 151 for the procedures to withdraw the prosecution.<sup>3</sup>

See Chapter 4000 concerning bail.<sup>4</sup>

#### *Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the April 20, 2000 amendments concerning multiple charges arising from a single criminal episode published with the Court's Order at 30 Pa.B. 2219 (May 6, 2000).

**Final Report explaining the September 19, 2000 amendments clarifying the application of the rule to both summary and court cases published with the Court's Order at 30 Pa.B. 5135 (October 7, 2000).**

### FINAL REPORT<sup>5</sup>

#### Proposed amendments to Pa.R.Crim.P. 21<sup>6</sup>

#### Application of McPhail To Summary Cases<sup>7</sup>

<sup>2</sup> Rule 25 will be renumbered Rule 134 as part of the renumbering and reorganization of the Rules of Criminal Procedure the Court adopted on March 1, 2000, effective April 1, 2001.

<sup>3</sup> Rule 151 will be renumbered Rule 551 as part of the renumbering and reorganization of the Rules of Criminal Procedure the Court adopted on March 1, 2000, effective April 1, 2001.

<sup>4</sup> Chapter 4000 will be renumbered Chapter 5 Part C as part of the renumbering and reorganization of the Rules of Criminal Procedure the Court adopted on March 1, 2000, effective April 1, 2001.

<sup>5</sup> The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

<sup>6</sup> Rule 21 will be renumbered Rule 130 as part of the renumbering and reorganization of the Rules of Criminal Procedure that the Court adopted on March 1, 2000, effective April 1, 2001.

<sup>7</sup> In *Commonwealth v. McPhail*, 692 A.2d 139, 144 (Pa. 1997), the Court held that "the place of trial, whether within or without the county where the alleged crime occurred, is a matter of venue, not jurisdiction." Therefore, under 18 Pa.C.S. § 110, when all the charges are within the jurisdiction of a single court, they must be joined in a single trial; a trial in one judicial district is a bar to the trial in another judicial district of other charges arising from the same criminal episode.

On September 19, 2000, effective January 1, 2001, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Rule of Criminal Procedure 21 (Venue; Transfer of Proceedings) to make it clear that the rule applies to both summary and court cases, including those summary cases in which multiple offenses are part of a single criminal episode occurring in more than one judicial district.

### I. Background

Shortly after the Court adopted new Rule 300 (Transfer of Proceedings) and the correlative changes to Rules 21, 25 (Objections to Venue), 1100 (Prompt Trial), and 4015 (Receipt for Deposit; Return of Deposit)<sup>8</sup> (the "McPhail Recommendation") on April 20, 2000, effective July 1, 2000,<sup>9</sup> the Committee received an inquiry from the AOPC Judicial Computer Project (JCP) Staff Attorney, David Price, concerning the application of the Rule 21(A) changes to summary cases.<sup>10</sup> Mr. Price raised the question because Rule 21 is a rule that only applies to cases before issuing authorities, originally addressed venue between magisterial districts, and on its face, did not limit the applicability of new paragraphs (A)(2) and (3) to court cases. Clarification of this issue was necessary for purposes of the district justice computer system, which is being updated to accommodate the Rule 21 McPhail changes.

### II. Discussion

When the original McPhail proposal was developed, the Committee had directed its attention to the narrow question of how to implement McPhail, which involved a court case; the Committee had not considered the procedures in the context of summary cases. After considering the matter in response to the JCP's inquiry, we concluded the Court's reasoning in McPhail seemed equally applicable to summary cases. The Committee based this conclusion on the case law concerning the jurisdiction of the minor judiciary, including *Commonwealth v. Geyer*, 687 A.2d 815 (Pa. 1996). In *Geyer*, the Court applied the compulsory joinder rule and 18 Pa.C.S. § 110 to summary offenses, and noted with regard to summary offenses that "no defendant should be subjected to unnecessary successive prosecutions of any kind. Further, the interests of judicial economy are served by relieving the court system of repetitious litigation of any nature."

Agreeing that the Rule 21(A) McPhail changes should apply to summary cases, and, that as written, Rule 21 may be ambiguous and confusing for the bench and bar, the Committee considered various means to clarify the rule. The Committee recommended as the simplest solution the following changes that were adopted by the Court:<sup>11</sup>

(1) the first line of the introductory paragraph in Rule 21(A) has been amended by adding "in summary and court cases" after "All criminal proceedings;"

<sup>8</sup> Rule 25 will be renumbered 134, Rule 1100 will be renumbered Rule 600, and Rule 4015 will be renumbered Rule 535 as part of the renumbering and reorganization of the Rules of Criminal Procedure the Court adopted on March 1, 2000, effective April 1, 2001.

<sup>9</sup> The Committee's Final Report explaining the McPhail changes was published with the Court's Order at 30 Pa.B. 2219 (May 6, 2000).

<sup>10</sup> The McPhail rule changes provide, *inter alia*, the procedures for the transfer of court cases when multiple charges arising in a single criminal episode occur in different judicial districts.

<sup>11</sup> The Committee discussed whether the rules should include special procedures for instituting a McPhail-type summary case. Aware that there are local procedures in place governing cases with multiple summary offenses in a single criminal episode arising in more than one magisterial district within the judicial district, the Committee, anticipating that similar procedures likely will be adapted when the offenses arise in different judicial districts, concluded the rules should remain silent for the time being.

(2) "in court cases" has been added at the end of the title to paragraph (B); and

(3) the following language cross-referencing *Commonwealth v. Geyer* has been added at the end of the second paragraph of the Comment:

See *Commonwealth v. Geyer*, 687 A.2d 815 (Pa. 1996) (the compulsory joinder rule and 18 Pa.C.S. § 110 apply when two or more summary offenses arise from a single criminal episode.)

[Pa.B. Doc. No. 00-1714. Filed for public inspection October 6, 2000, 9:00 a.m.]

## Title 249— PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Continuance Policy; Domestic Relations Division; Administrative Regulation No. 00-04

Effective Wednesday, November 1, 2000, Whereas: (1) the orderly administration of justice requires that the Court or other presiding officer reach disposition for all filings in a timely manner; and (2) unnecessary continuances inhibit timely dispositions for both the party seeking the continuance, as well as for parties in other cases whose cases must be scheduled at a later date to accommodate the continuance for the first party.

It Is Hereby Ordered that the following continuance policy is implemented in the Domestic Relations Division:

(1) All requests for continuance must be in writing to the Court or presiding officer, and must specify the reason that the continuance is being requested; all opposing parties and/or counsel must be copied with said request.

(2) In order for the Court or presiding officer to accurately and easily identify the specific scheduled event for which the continuance is being requested, the request must also include the caption of the case, the names of the parties, the matter pending, the date, time and place of the scheduled event, and the position of the opposing parties or counsel with regard to the continuance request.

(3) Continuance shall only be granted for good cause shown, and agreements to continue the case by the parties or counsel are not sufficient to stay the provisions of this Administrative Regulation.

(4) Unless the party requesting the continuance receives approval from the Court or presiding officer granting the continuance, the event shall proceed as scheduled. If either party fails to appear for the scheduled event without approval from the Court or presiding officer that a continuance is granted for that event, the underlying petition, complaint, motion, or other pleading may be disposed by the Court or presiding officer under applicable law.

(5) No request for a continuance of any conference, hearing, or trial shall be considered unless in writing to the Court or presiding officer at least 48 hours prior to the scheduled date, absent an emergency.

(6) Counsel and parties are advised to notify the Court if an Order of Attachment is necessary.

(7) Violations of this Regulation may result in the imposition of sanctions.

PAUL P. PANEPINTO,  
*Administrative Judge*

[Pa.B. Doc. No. 00-1715. Filed for public inspection October 6, 2000, 9:00 a.m.]

## Title 255—LOCAL COURT RULES LYCOMING COUNTY

**Amendments to Rules of Civil Procedure; No.  
00-00666**

### Order

*And Now*, this 29th day of August, 2000, it is hereby *Ordered and Directed* as follows:

1. Lycoming County Rule of Civil Procedure L1018.1 is hereby rescinded.
2. Lycoming County Rule of Civil Procedure L1018.1, following hereto, is hereby promulgated.
3. The Prothonotary is directed to:
  - a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.
  - b. Distribute two (2) certified copies of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
  - c. File one (1) certified copy of this order with the Pennsylvania Civil Procedural Rules Committee.
  - d. Forward one (1) copy of this order to the *Lycoming Reporter* for publication therein.
  - e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.
  - f. Keep continuously available for public inspection copies of this order.
4. The rule revision approved by this order shall become effective January 1, 2001.

*By the Court*

CLINTON W. SMITH,  
*President Judge*

**L1018.1. Notice to Defend.** Every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall be in the form required by the Pennsylvania Rules of Civil Procedure. Pursuant to Pa.R.C.P. 1018.1(c), the following are designated as the offices to be named in the notice to plead from which legal help can be obtained:

IF YOU DO NOT HAVE A LAWYER CONTACT:

Pennsylvania Bar Association  
Lawyer Referral Service  
100 South Street  
P. O. Box 186  
Harrisburg, PA 17108-0186  
Telephone (800) 692-7375

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE  
ELIGIBLE FOR LEGAL AID THROUGH:

Legal Services Office  
329 Market Street  
Williamsport, PA 17701  
Telephone (570) 323-8741

[Pa.B. Doc. No. 00-1716. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Krzysztof L. Nowak, having been disbarred from the practice of law in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order dated September 22, 2000 disbaring Krzysztof L. Nowak from the practice of law in this Commonwealth, to become effective October 22, 2000. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director & Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 00-1717. Filed for public inspection October 6, 2000, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 4—ADMINISTRATION

### DEPARTMENT OF STATE

#### [4 PA. CODE CHS. 174, 176 AND 177]

#### Campaign Finance Forms

The Department of State (Department), Bureau of Commissions, Elections and Legislation amends §§ 174.1, 176.2, 176.8, 177.1, 177.2 and 177.9 to read as set forth in the Annex A.

The notice of proposed rulemaking was published at 30 Pa.B. 1255 (March 4, 2000) and was subject to a 30-day public comment period. The Department received no public comments and no comments from the House and Senate State Government Committees. The Independent Regulatory Review Commission (IRRC) made comments on May 4, 2000.

These amendments revise the references to four of the six existing forms in § 177.9 (relating to official forms) and add references to two additional forms, which have been in use since 1980 but never incorporated by reference in regulations. The Department has modernized the campaign finance forms, which will ease documentation for filers. Additionally, the regulations incorporate a provision announcing that reports may be filed on diskette.

Although the existing forms are included in the current regulations, this rulemaking deletes the forms from the regulations to comply with § 2.10(a) of the *Pennsylvania Code & Bulletin Style Manual*, which recommends that the forms be referenced in regulations rather than adopted in regulations. The information required to be reported continues to be set forth in Chapters 174, 176 and 177.

While candidates and political committees are provided with the revised forms for reporting during the 2000 elections, the Department will allow candidates and political committees to continue to file the prior version of the forms during the 2000 election year.

IRRC asked the Department to clarify in the final-form regulations who has to file and what must be filed under each of the forms listed in § 177.9(a). For those forms for which this filing information is already contained in other regulations, IRRC suggested that appropriate cross references be made between § 177.9 and those relevant sections. IRRC also requested that appropriate cross references be made in those relevant sections to § 177.9. These revisions were made as more specifically set forth in Part II of this Preamble.

Finally, IRRC asked the Department to correct typographical errors in other relevant sections that refer to the forms contained in § 177.9. An example of an error occurs in § 177.1(f) on Independent Expenditures Reports, which had incorrectly referred to filing Campaign Financial Reports on DSBE Form 502. As noted in the Annex A, the reference to independent expenditure reports was changed to filing Independent Expenditure Reports on DSEB Form 505.

As a result of the comments received to the proposed amendments from IRRC and upon further review by the Department, Chapters 174, 176 and 177 were also revised to make editorial changes and make these regulations internally consistent as the Department added cross references to the other chapters.

### I. Statutory Authority

The Secretary of the Commonwealth (Secretary) has the authority to promulgate regulations on reporting forms under section 201(a) of the act of June 3, 1937 (P. L. 1333, No. 320) (25 P. S. § 2621(a)).

### II. Description of Revisions

#### § 174.1 (relating to business entity).

At the request of IRRC, the Department added a cross reference to Form DSEB 504 in § 177.9 because this form is used to report contributions by nonbid contract recipients as required in § 174.1.

#### § 176.2 (relating to forms and filing).

At the request of IRRC, the Department added a cross reference to Form DSEB 500 in § 177.9 and changed the previous incorrect reference from Form DSBE 501.

#### § 176.8 (relating to authorization of political committee).

At the request of IRRC, the Department added a cross-reference to Form DSEB 501 in § 177.9 and made an additional editorial correction to the county board of elections.

#### § 177.1 (relating to general).

*Subsections (a) and (b).* At the request of IRRC, the Department added a cross reference to Form DSEB 502 in Section 177.9 and made other editorial changes to make the references to the forms consistent with those in § 177.9.

*Subsection (c).* At the request of IRRC, the Department added a cross reference to Form DSEB 503 in § 177.9.

*Subsection (f).* At the request of IRRC, the Department added a cross reference to Form DSEB 505 in § 177.9 and corrected the previous reference to DSBE Form 502.

In subsections (a), (b), (b)(4), (e) and (f), the Department made editorial changes to the title of Form DSEB 502, changing it from Campaign Financial Reports to Campaign Finance Reports to obtain consistency with § 177.9.

In subsection (b)(7), the Department followed the suggestion of the IRRC to correct a reference to the Independent Expenditure Reports on Form DSEB 505 and to cross reference that form to § 177.9.

#### § 177.9 (Official Forms)

The following four forms which were promulgated in 1980, at 10 Pa.B. 962 (March 8, 1980), are revised and renamed as follows and in Annex A:

- (1) Form DSEB-500 (Political Committee Registration Statement).
- (2) Form DSEB-501 (Authorization For a Political Committee To Receive Funds on Behalf of a Candidate).
- (3) Form DSEB-502 (Campaign Finance Report).
- (4) Form DSEB-503 (Campaign Finance Statement).

The title of Form DSEB-501 was changed because the appointment of a treasurer is not done on that form because it already appears on Form DSEB-500. The titles of Forms DSEB-502 and DSEB-503 were changed from

Campaign Expense to Campaign Finance because the Report includes not only campaign expenses but also receipts, contributions, in-kind contributions and unpaid debts. The Statement includes both receipts and disbursements.

The Department also revised the reference to two additional forms that have been in use since the regulations were last promulgated in 1980:

- (1) Form DSEB-504 (Contributions By Non-bid Contract Recipients).
- (2) Form DSEB-505 (Independent Expenditure Report).

Finally, a reference is added to § 177.9 to indicate that reports will be accepted on diskette as long as it meets the technical specifications of the Department.

*Chapter 177. Forms of Reports by Candidates, Political Committees and Other Persons*

Copies of all of these forms and the technical specifications for diskette filing are available from the Bureau of Commissions, Elections and Legislation, Department of State, 302 North Office Building, Harrisburg, PA 17120 or from the Department's website at [www.dos.state.pa.us](http://www.dos.state.pa.us). The Secretary deletes from the regulations copies of the forms. Executive Order 1996-1 directs that agencies eliminate unnecessary regulatory provisions. The forms themselves are nonregulatory documents and do not impose any additional duties or liabilities on the general public or on the political committees that file reports. Furthermore, the Legislative Reference Bureau recommends that forms not be adopted in the *Code* and *Bulletin* but be referred to in regulations. See § 2.10 of the *Pennsylvania Code & Bulletin Style Manual*.

III. *Fiscal Impact*

These amendments will have no measurable fiscal impact on the Commonwealth, its political subdivisions or the private sector because the Commonwealth charges no fees for filing these reports. The Commonwealth will continue to charge a nominal fee for photocopies of the reports. However, reports will be made available on the Department's web page. Therefore, individuals with access to the Internet would no longer need to pay to obtain copies of the campaign finance reports.

IV. *Paperwork Requirements*

Although the Department is revising its campaign finance reporting forms, these amendments will not create new paperwork for other agencies of the Commonwealth. As in the past, county boards of elections will be required to reproduce and distribute the forms prescribed by the Department to local candidates and political committees.

V. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 22, 2000, the Department submitted a copy of the proposed rulemaking to IRRC and the Majority and Minority Chairpersons of the House and Senate State Government Committees.

In compliance with section 5(c) of the Regulatory Review Act, the Department also provided the new and former versions of the campaign finance forms. In preparing the final-form regulations, the Department considered the comments it had received from IRRC.

These final-form regulations were deemed approved by the House and Senate Committees on August 29, 2000. IRRC met on September 7, 2000, and approved the

amendments in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

IV. *Contact Person*

Interested persons may contact Mary S. Heinlen, Director of Campaign Finance, Bureau of Commissions, Elections and Legislation, Department of State, 302 North Office Building, Harrisburg, PA 17120 concerning these regulations.

*Order*

(a) The regulations of the Department, 4 Pa. Code Chapters 174, 176 and 177, are amended by amending §§ 174.1, 176.2, 176.8, 177.1, 177.2 and 177.9 to read as set forth in Annex A.

*(Editor's Note:* The Department did not propose to amend §§ 174.1, 176.2, 176.8, 177.1 and 177.2 at 30 Pa.B. 1255.)

(b) The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as require by law.

(c) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

KIM PIZZINGRILLI,  
*Secretary of the Commonwealth*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 30 Pa.B. 4981 (September 23, 2000).)

**Fiscal Note:** 16-22. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART VIII. BUREAU OF LEGISLATION,  
COMMISSIONS AND ELECTIONS**

**CHAPTER 174. REPORTS OF POLITICAL  
CONTRIBUTIONS**

**§ 174.1. Business entity.**

(a) A rational and appropriate distinction may be made between enterprises operated for profit and those for nonprofit. The word "business" connotes being operated for profit. The purpose of Act 201 is to require disclosure of political contributions which could have been made with the object of obtaining financially remunerative nonbid contracts from government bodies. Nonprofit organizations would not normally benefit from these contracts, and are hereby deemed to fall outside the scope of the legislative intent.

(b) Only those business entities doing business in this Commonwealth are required to report on the current version of Form DSEB 504, as described in § 177.9 (relating to official forms). Parent companies of subsidiaries doing business in this Commonwealth but which do not do business here themselves shall also be excluded, even when a director of the parent corporation also serves on the board of directors of the subsidiary. In that case, that director's knowledge is relevant only as it pertains to contributions of other directors of the subsidiary.

(c) With the exemption of the business official authorized under the Business Corporation Law or analogous laws to sign the report on behalf of the business entity, there is no duty of any other business official to inquire as to the making of any political contributions by other business officials or employees.



**CHAPTER 176. REGISTRATION AND ORGANIZATION OF POLITICAL COMMITTEES**

**§ 176.2. Forms and filing.**

(a) The Registration Statement shall be filed on the current version of Form DSEB 500, as described in § 177.9 (relating to official forms), which may be obtained from the Secretary or any county board of elections.

(b) The Registration Statement, to be signed by the treasurer, shall include the following:

(1) The names, addresses and phone numbers of the political committee.

(2) The name, address and phone number of the committee's treasurer.

(3) The name, address and phone number of the committee's chairperson.

(4) The names, addresses and relationships of other affiliated or connected organizations.

(5) The candidates, if any, and their names and addresses.

(6) The ballot question, if any, which the committee intends to support or oppose.

(7) The banks, safety deposit boxes or other repositories and their addresses used by the committee.

(8) The proposed period of operation of the committee.

**§ 176.8. Authorization of political committees.**

(a) Any political committee receiving contributions on behalf of a candidate shall be authorized in writing by the candidate on the current version of Form DSEB-501, as described in § 177.9 (relating to official forms). The written authorization shall be filed with the Secretary or the respective county board of elections, as appropriate.

(b) A candidate is not required to authorize any State, county, city, borough, township, ward or other regularly constituted party committee of any political body to receive contributions on behalf of the candidate in a general, municipal or special election.

**CHAPTER 177. REPORTS BY CANDIDATES, POLITICAL COMMITTEES AND OTHER PERSONS**

**§ 177.1. General.**

(a) Every political committee and candidate shall file cumulative annual Campaign Finance Reports on the current version of Form DSEB 502, as described in § 177.9 (relating to official forms).

(b) Each treasurer of a political committee and each candidate which receives contributions or makes expenditures or incurs liabilities exceeding the sum of \$250 shall file Campaign Finance Reports on the current version of Form DSEB 502, as described in § 177.9, with the Secretary or the respective county board of elections, or both.

(c) A treasurer of a political committee or a candidate which receives contributions or makes expenditures or incurs liabilities in an amount not exceeding the sum of \$250 shall file a sworn statement to that effect on the current version of Form DSEB 503, as described in § 177.9, with the Secretary or the respective county board of elections, or both.

(1) Treasurers of political committees and candidates, including those who have authorized political committees, are required to file reports or statements.

(2) A treasurer of a political committee and a candidate who receives no contributions or makes no expenditures or incurs no liabilities shall file a sworn statement to that effect with the Secretary or the respective county board of elections, or both. These statements shall be filed at the reporting times prescribed in section 1626 of the Pennsylvania Election Code (25 P. S. § 3246) and § 177.3 (relating to filing dates).

(d) For purposes of this section, expenditures shall consist of the following:

(1) Printing and traveling expenses and personal expenses incident thereto, stationery, advertising, postage, expressage, freight, telegraph, telephone and public messenger service.

(2) The rental of radio facilities and amplified systems.

(3) Political meetings, demonstrations and conventions and the pay and transportation of speakers.

(4) The rent, maintenance and furnishing of offices.

(5) The payment of clerks, typewriters, stenographers, janitors and messengers actually employed.

(6) Transportation of electors to and from the polls.

(7) The employment of watchers at primaries and elections to the number and in the amount permitted by the Pennsylvania Election Code (25 P. S. §§ 2600—3573).

(8) Expenses, legal counsel, incurred in good faith in connection with any primary or elections.

(9) Contributions to other political committees.

(e) The Nomination Filing Petition Fees are expenditures for the purposes of this section.

(f) Every person, other than a political committee or candidate who makes independent expenditures expressly advocating the election or defeat of a clearly identified candidate or question appearing on the ballot, other than by contribution to a political committee or candidate, in an amount exceeding the sum of \$100 during a calendar year shall file Independent Expenditure Reports on the current version of Form DSEB 505, as described in § 177.9, with the Secretary or the respective county board of elections, or both.

(g) A person may not use the contents of a filed statement or report for a commercial purpose.

**§ 177.2. Form and content of reports.**

(a) The Campaign Finance Reports shall be filed on the current version of Form DSEB 502, which may be obtained from the Secretary or any county board of elections.

(b) The Campaign Finance Report, to be signed and sworn to by the individual submitting the report, shall include the following:

(1) The full name, mailing address, occupation and name of employer, if any, or the principal place of business, if self-employed, of each person who has made one or more contributions to or for the committee or candidate within the reporting period in an aggregate amount or value in excess of \$250, together with the amount and date of the contributions. The accuracy of the information furnished to the candidate or committee shall be the responsibility of the contributor.

(2) The full name and mailing address of each person who has made one or more contributions to or for the committee or candidate within the reporting period in an aggregate amount or value in excess of \$50, together with

the amount and date of the contributions. The accuracy of the information furnished by the contributor shall be the responsibility of the contributor.

(3) The total sum of individual contributions made to or for the committee or candidate during the reporting period and not reported under paragraphs (1) and (2).

(4) Every expenditure, the date made, the full name and address of the person to whom made, and the purpose for which the expenditure was made. Each Campaign Finance Report of a political committee shall itemize only those expenditures made to influence the election or defeat of a candidate for nomination or election in this Commonwealth or a question appearing on the ballot in this Commonwealth and all other expenditures made outside this Commonwealth, not relevant to elections within this Commonwealth, shall be aggregated and reported as one lump sum.

(5) Unpaid debts and liabilities, with the nature and amount of each, the date incurred and the full name and address of the person owed.

(6) The account shall include an unexpended balance of contributions or other receipts appearing from the last account filed.

(7) In addition, the Independent Expenditure Reports on the current version of Form DSEB 505, as described in § 177.9 (relating to official forms), filed by persons making independent expenditures shall contain the name of the candidates or questions supported or opposed.

(c) Receipted bills are required as follows:

(1) Each candidate or committee treasurer shall retain a receipted bill from the person to whom the expenditure is made by or on behalf of the political committee or candidate in excess of \$25.

(2) The receipted bill shall contain the following:

(i) The identification of the person to whom the expenditure is made.

(ii) The amount of the expenditures.

(iii) The particulars of the expenditures.

(iv) The date the expenditures were made.

(3) When a receipted bill is not available, the treasurer may retain the following:

(i) The cancelled check showing payment of the bill.

(ii) The bill, invoice or other contemporaneous memorandum of the transaction supplied to the committee by the payee containing the same information as referred to in paragraph (2).

(iii) Both.

(d) A person may inspect or copy the vouchers, or copies of vouchers, for expenditures itemized in a Campaign Finance Report by filing a written request, with the appropriate supervisor, after the filing date for the report. The supervisor shall notify the candidate or committee treasurer of the request and the candidate or committee treasurer shall either forward the vouchers, or copy of the vouchers, to the supervisor or make the vouchers, or copy of the vouchers, available to the requesting person.

(e) Each Campaign Finance Report shall contain a summary, on a separate page, of the information required by subsection (b).

(f) Each Campaign Finance Report of a political committee created solely for the purpose of influencing an election on behalf of a single candidate shall be accompa-

nied by an affidavit of the candidate. The affidavit shall affirm that, to the best of the candidate's knowledge, the political committee has not violated the act of October 4, 1978 (P. L. 893, No. 1978-171).

**§ 177.9. Official Forms.**

(a) The following official forms have been promulgated under the provisions in this chapter:

(1) Form DSEB-500 (Political Committee Registration Statement) as required by §§ 176.1—176.3 (relating to registration of political committees; forms and filing; and change or correction in information).

(2) Form DSEB-501 (Authorization For a Political Committee To Receive Funds On Behalf of a Candidate) as required by § 176.8 (relating to authorization of political committees).

(3) Form DSEB-502 (Campaign Finance Report) as required by §§ 177.1(a) and (b) and 177.2 (relating to general; and form and content of reports).

(4) Form DSEB-503 (Campaign Finance Statement) as required by § 177.1(c).

(5) Form DSEB-504 (Contributions By Non-bid Contract Recipients) as required by § 174.1 (relating to business entity).

(6) Form DSEB-505 (Independent Expenditure Report) as required by §§ 177.1(f) and 177.2(b)(7).

(b) The Department also accepts campaign finance reports on diskette in lieu of a paper report as long as it meets the technical specifications of the Department and is accompanied by a cover page and signed affidavit. This information can be obtained by accessing the Department's website at [www.dos.state.pa.us](http://www.dos.state.pa.us) or contacting the Bureau at (717) 787-5280.

[Pa.B. Doc. No. 00-1718. Filed for public inspection October 6, 2000, 9:00 a.m.]

**Title 22—EDUCATION**

**DEPARTMENT OF EDUCATION**

**[22 PA. CODE CH. 354]**

**Institutional Preparation of Professional Educators**

The Department of Education (Department) adopts Chapter 354 (relating to preparation of professional educators) under authority delegated to the Department by the State Board of Education (State Board) in § 49.13(a) (relating to policies). The Board's authority to promulgate Chapter 49 (relating to certification of professional personnel) is found in sections 1109, 1141, 1201—1214, 2603-B and 2604-B of the Public School Code of 1949 (code) (24 P. S. §§ 11-1109, 11-1141, 12-1201—12-1214, 26-2603-B and 26-2604-B). Under section 2606-B of the code (24 P. S. § 26-2606-B), the State Board on May 11, 2000, approved the regulations in final-form.

Notice of proposed rulemaking was published at 29 Pa.B. 3363 (July 3, 1999) with an invitation to submit written comments within 30 days.

*Purpose and Requirements*

Chapter 354 sets forth the basic rules for institutions (colleges and universities) that prepare professional educators in this Commonwealth. The final-form regulations are necessary to strengthen the preparation of profes-

sional educators who will serve in the public schools of this Commonwealth. It is in the interest of this Commonwealth's public schools that institutions preparing professional educators maintain the highest standards of academic excellence. Accordingly, to be authorized to conduct professional educator preparation programs in this Commonwealth, institutions and their off-campus centers must meet the requirements in these final-form regulations.

#### *Comments and Responses*

The Department, during the formal public comment period, received comments from 47 individuals and organizations. The Department conducted 3 days of hearings during which 15 individuals, representing various teacher preparation constituencies and private citizens, presented testimony. Written comments from 32 individuals were added to this testimony and forwarded to the House and Senate Education Committees and the Independent Regulatory Review Commission (IRRC). Each of these organizations submitted comments to the Department for review. These comments were also shared with the State Board.

Support for implementation of the proposed regulations came primarily from the higher education academic community; those not in support were primarily from the teacher education community and college career and guidance personnel. Supporters of the proposed regulations rested their arguments in three areas: 1) the requirement for a major in the content area; 2) the requirement of a 3.0 GPA; and 3) general support for the entire concept of more rigorous entry and exit requirements. Many of the supporters offered suggestions for improvement and clarification of a number of key elements.

In general, opposition came from the teacher preparation community, which disagreed with several key elements. Opposition also came from the college career and guidance personnel who oppose the 3.0 GPA requirement. Comments from both of these groups offered alternative criteria for entry into and exit from professional educator programs, as well as ways to improve other key elements.

Members of the House and Senate Education Committees offered several suggestions to improve the clarity, continuity, and alignment of the document with Chapter 49. IRRC presented many suggestions to improve the clarity and reasonableness of the document. IRRC also recommended clarification regarding statutory authority of the Department to promulgate the regulations. The Department's authority is derived from delegated authority of the State Board, which derives its power principally from sections 2603-B(a) and 2604-B(c) of the code.

Since there are similarities between Chapter 354 and Chapter 49, additional concern was raised by the House and Senate Education Committees, public commentators and IRRC, regarding the need to make cross references between the two chapters. There was concern that including the standards for professional educator certification categories that appear in Chapter 49 might be more appropriate for inclusion in the proposed regulations. Chapter 354, however, is a regulatory document for the design and structure of professional educator preparation programs that will provide the pedagogical studies and experiences necessary to enable an individual to meet the certification requirements of Chapter 49. For example, the 3.0 GPA entry requirement of the new chapter is a program requirement and not a certification requirement. Furthermore, in instances when there are similarities,

cross reference citations to Chapter 49 are included in Chapter 354. The program specific guidelines also supplement the pedagogical design of preparation programs.

*Definitions.* IRRC pointed out the inconsistent use of the terms "candidate" and "applicant." Careful attention was paid to the consistent usage of these terms throughout the document. For the sake of clarity, the term "applicant" was added to the list of definitions in § 354.1. Additionally, two other terms were deleted in accordance with IRRC and House Education Committee recommendations. They were "educational institutions" and "unit." Both terms were deleted from § 354.1 and replaced by the terms "school entity" and "preparing institution," respectfully, since both of these terms are already defined in the code.

Both the House Education Committee and IRRC were also concerned with the term "Department-defined competencies." These competencies were not defined in the regulations. This term was replaced with the term "program specific guidelines," which was also added to the definitions in § 354.1. The term "general standards" was removed from § 354.1 and included as a specific reference in § 354.11(2) (relating to minimum requirements for approval).

*Purpose.* In § 354.2 (relating to the purpose), IRRC recommended removing language that contained general concepts and undefined standards such as, "proven record of high academic achievement" and "shall maintain the highest standards of academic excellence." IRRC recommended including language stating that Chapter 354 establishes the standards and procedures for Department-approved institutional programs that prepare professional educators.

*Program Approval.* Based on recommendations from the House Education Committee and IRRC, citations were added, for purposes of clarity, in §§ 354.11 and 354.12 (relating to minimal requirements for approval; and program approval) to cross reference the chapter and sections of the Department's regulations that outline the program approval process.

*Standards.* Public comment from the teacher education community suggested the addition of a fourth standard to § 354.13 (relating to standards). The fourth standard was "professional performances." This standard was tied to standards in various sections of Chapter 49. The Department, in the process of revising the proposed Chapter 354, included citations to reference the Chapter 49 standards. Coupled with the fact that the program specific guidelines developed by the Department contain performance indicators to be used in conjunction with this chapter, the fourth standard (professional performances) was not added. However, at the recommendation of the Senate Education Committee, the principles enumerated in various sections of Chapter 49 were inserted in § 354.33 (relating to professional competency).

*Field Experiences.* For purposes of clarity, IRRC recommended deletion of § 354.22 (relating to field experience) because the topic was covered in the later sections, § 354.26(d)(1)–(3) of the proposed regulations. The Department deleted § 354.22 and amended § 354.26 by renumbering it as § 354.25 (relating to preparation program curriculum) and adding additional language for the evaluation of a candidate's field experiences and for purposes of clarity and continuity.

*Preparing Institution Reporting.* IRRC and several public commentators addressed the annual and biennial

report requirements and recommended that the Department revisit this section for purposes of clarity and specificity. The Department amended this section based on these comments. The language in this section requiring an annual report is now aligned with Federal reporting requirements as found in the Higher Education Amendments of 1998, known as HEA Title II and as defined in 20 U.S.C.A. § 1027(f)(1)(A) and (B). The biennial report was modified to reflect consistency in the required data to be collected and will serve as an indicator of effective programs in the program review process.

*Academic Preparation (General Studies).* There was general support for this section from both the House and Senate Education Committees, teacher education constituencies and the general public. However, IRRC and the House Education Committee recommended that undefined terms such as “studies in” and “experiences in” be removed or clearly defined in § 354.1. The Department amended the language for clarity by removing references to “studies in” and “experiences.” Additionally, the title of this section was changed to “Academic Preparation” to better reflect its intent.

*Academic Performance (Competence).* Public comment was received on the academic competence requirements stipulated in § 354.24 (relating to academic performance) renumbered from § 354.25. This section outlines the requirements placed on professional educator candidates regarding academic competence in the discipline that candidates plan to teach or educational areas in which the candidate intends to serve. This section was amended by deleting § 354.24(a)(1). The amended section now defines the overall minimum GPA which candidates shall maintain. A new paragraph (4) was added to § 354.24 to reflect the requirements found in § 49.91 (relating to intern certificates). Additional language was added for clarification in terms of defining initial preparation programs and clearly referencing certificate areas and categories.

*Preparation Program Curriculum.* Section 354.25 (relating to preparation program curriculum) requires the professional educator program to be efficient, avoid duplication or repetition of coursework and to enable candidates to integrate general and academic studies with professional and pedagogical knowledge. Section 354.25(a)(4) requires that the professional educator program be designed to be completed within 4 years. Most of the opposition to this section was based on the fact that many college students change their majors at least twice during their college career and therefore completing a teacher education program in 4 academic years is difficult. Additional comments noted that in the design of a program less emphasis would need to be placed on pedagogy and that this was not a practical approach because there are many new challenges, involving such areas such as special education students, use of new instructional technologies, and new cognitive science and learning theories, that need to be part of the professional education curriculum.

The Senate Education Committee recommended that § 354.25 be broadened to include more emphasis on pedagogical studies. Although the language of this section is general with regard to pedagogical studies, the program specific guidelines supplement the language of this section and provide specific pedagogical studies that are unique to each certificate area. The language in § 354.25(c)(2) links preparation program curriculum to the program specific guidelines and Chapter 4 (relating to

academic standards and assessments). The Department addressed Senate Education Committee recommendations by adding citations referencing §§ 354.32 and 354.33 (relating to monitoring and assessment; and professional competencies). In essence, the language in § 354.33 drives much of the preparation program curriculum. The Senate Education Committee’s concern about inconsistent standards is addressed by references to the program specific guidelines, Chapters 4 and 49.

Several new paragraphs were added to § 354.25(a). Paragraph (5) was added to emphasize the requirement for efficient program design at the advanced degree initial preparation program level. A new paragraph (6) was added to ensure compliance with Chapter 49 requirements for intern programs and certificate validity. A more complete reference to technology was accomplished by the addition of § 354.25(b)(1) and (2). This subsection now requires that program design include emerging technologies.

Based on public comment, primarily from the teacher education community, § 354.26(d)(1) (as numbered in the proposed rulemaking but renumbered as § 354.25 in final-form) was deleted and replaced by § 354.25(d) and (e). The language in these two sections defines field experiences and establishes standards for the evaluation of a candidate’s field experiences. A new subsection § 354.25(f) was added to provide clear standards for the student teaching experience.

*Collaborative Programs.* Aside from changes made for purposes of clarity and consistency, and renumbering from § 354.27, § 354.26 (relating to collaborative programs) was only slightly amended. At the recommendation of the State Board, language was added to § 354.26(b) and (d) to include nonpublic schools among the school entities with which a preparing institution may develop collaborative programs.

*Admissions.* There were recommendations from the teacher education community, the public and the Senate Education Committee to remove the 3.0 GPA admissions requirement from § 354.31(4). Two rationales for this recommendation surfaced. The first rationale is based on the difficulty that some beginning college freshmen encounter in adjusting to college life. Essentially, many commentators expressed concern that one “bad” semester would make it extremely difficult to attain a 3.0 GPA by the end of 48 credit hours and subsequently result in a declining number of capable students entering the teaching profession. Most of the public commentators espousing this position also noted that no other profession has such a stringent entry requirement at the undergraduate level.

Additionally, the Senate Education Committee and commentators from the teacher education community voiced strong concern over the exclusion of professional educator course work in the computation of the entry GPA. Commentators felt that a regulation was an insult to the integrity of schools of teacher education. Furthermore, many of these commentators supported a 3.0 GPA requirement as an “exit” criteria rather than an entry requirement on the premise that it was their responsibility, as educators, to bring individuals up to that standard. Legislative comments regarding this issue were centered on the fact that this concept devalues the importance of pedagogy and that “academic competence” should be redefined to include pedagogical studies.

In contrast to the opposition to the 3.0 GPA requirement, most of these commentators supported the bachelor

of science or bachelor of arts requirement on the basis that academic competency in the content area is very important. Additionally, several of these commentators expressed concern about grade inflation in schools of education.

Therefore, the final form of § 354.31 (relating to admission) was amended, based on public comment and Senate Education Committee recommendations, by deleting the 3.0 GPA requirement to be exclusive of professional educator courses and modifying the language to read as an "overall" 3.0 GPA. Section 354.31(5) was added to permit the use of less than an overall 3.0 GPA academic record with a strong applicant performance on either the Scholastic Achievement Test (SAT) or the American College Testing Service test (ACT) as alternative entry vehicles.

A new paragraph (8) was added to § 354.31 to provide a mechanism for recognizing strong professional educator preparation programs. Essentially, this paragraph allows the preparing institution to determine the GPA entry requirement (with Department approval) if the institutional pass rate on the professional knowledge and content assessments is 90% or higher. Section 354.31(7) was amended to require preparing institutions to determine the criteria for the admission of applicants under the 10% rule. The 10% rule permits an institution to accept up to 10% of the applicants for admission who do not meet the 3.0 GPA requirement.

*Monitoring and Assessment.* Section 354.32 (relating to monitoring and assessment) creates a systematic monitoring requirement based on performance assessment to measure competencies in several skills. This section was amended for purposes of clarity and consistency as recommended by IRRC. In § 354.32(a)(1), several skill dimensions were deleted. Specifically, § 354.32(a)(1)(xi)—(xiv) were deleted because of the difficulty of measuring these attributes. Two new skill dimensions were added to the list. They are professional standards and practice (subparagraph (xi)) and mastery of instructional technology (subparagraph (xii)).

*Professional Competency.* Section § 354.33 (relating to professional competency) requires development of a procedure to confirm a candidate's competence prior to recommendation for professional educator certification. Several changes for clarity and consistency were made throughout this section. The most significant amendment was made to § 354.33(1), which was modified to include the language of the learning principles for each certificate category from Chapter 49. This language replaced the citations from Chapter 49 related to the learning principles associated with each certificate category. Section 354.33(4) (as proposed) was deleted and replaced by § 354.33(5). The new paragraph defines the exit GPA as an overall GPA as opposed to considering separate 3.0 GPAs in the academic content area as well as professional educator courses.

A new paragraph (6) was added to § 354.33 for purposes of defining alternative exit options tied to a 2.8 GPA and performance on the content area assessment of one standard error of measure above the qualifying score. A new paragraph (8) was added to § 354.33 for purposes of adjusting program exit requirements to reflect professional educator supply and demand. Based on data provided by the Department, the Secretary (with State Board approval) may adjust the exit requirements for those certificate areas or categories, or both, where a shortage of professional educators exists.

*Faculty.* Section 354.41 (relating to faculty quality) requires that faculty be teacher scholars and that the preparing institution establish a comprehensive plan to confirm activities to enhance and assess the intellectual vitality of the faculty. Two new subsections were added to the section. Subsection (d) requires that the preparing institution provide evidence of faculty competence in the use of technology. Subsection (e) requires that the preparing institution provide evidence of collaboration among academic, general and education faculty in the planning and design of all facets of the professional educator curriculum.

#### *Editing and Correcting*

Various drafting errors and changes recommended for clarity and consistency suggested by public commentators, members of the House and Senate Education Committees, IRRC and by the State Board were made in the final-form regulations.

#### *Affected Parties*

Persons who intend to pursue initial professional educator certification and teacher education personnel at the 89 colleges and universities which prepare teachers in this Commonwealth will be required to comply with the final form of this chapter. Additionally, a college or university which has an approved teacher education program or seeks to offer an approved program will be required to comply with the final form of this chapter.

#### *Cost and Paperwork Estimates*

Cost to the individual preparing for or holding educator license/certification:

Costs for the completion of academic requirements: ranging from \$40,000 to \$100,000 for a Baccalaureate Degree currently exist (unless under scholarship or financial aid).

Costs borne by institutions of higher education offering professional educator preparation programs are inherent in the restructuring of programs to be in compliance with the new standards.

There are no costs or savings, or both, to any local governmental authority.

The costs to State government will be related to the following: The development of new standards handbooks; training and evaluation manuals and guides; training sessions and workshops for evaluators, chairpersons and proposal writers from institutions preparing self-studies for accreditation. These expenditures will be from Department general operating funds, with an approximate cost of \$30,000 to \$50,000, spread over 3 years. Costs to maintain the program approval process will be comparable to already existing costs which have been approximately \$300,000 per year.

#### *Effective Date*

The final-form regulations will take effect upon publication as final rulemaking in the *Pennsylvania Bulletin*. An implementation schedule will be established to allow time for preparing institutions to adjust their programs to come into compliance.

#### *Sunset Date*

The effectiveness of Chapter 49 is reviewed by the State Board every 10 years. The regulations will be reviewed concurrently with the decennial review of Chapter 49. Thus, no sunset date is necessary.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on June 23, 1999, the Department submitted a copy of the notice of proposed rulemaking published at 29 Pa.B. 3363 to IRRC and to the Chairpersons of the House and Senate Committees on Education. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received as well as other documentation. In addition to submitting the final-form regulations, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of these materials is available to the public upon request.

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

These final-form regulations were disapproved by the House Education Committee on June 14, 2000, disapproved by the Senate Education Committee on June 13, 2000, and approved by IRRC on July 13, 2000 in accordance with section 5(c) of the Regulatory Review Act.

*Contact Person*

The official responsible for information on these final-form regulations is George L. Shevlin, Deputy Secretary for Postsecondary and Higher Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-5041 or TDD (717) 772-2864.

*Findings*

The Department finds that:

(1) Public notice of the intention to adopt these final-form regulations 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 regulations are necessary and appropriate for the administration of the code.

(4) The regulations have been approved by the State Board of Education under section 2606-B of the code.

*Order*

The Department, acting under authorizing statute, orders that:

(a) The regulations of the Department, 22 Pa. Code, are amended by adding §§ 354.1, 354.2, 354.11—354.13, 354.21—354.26, 354.31—354.33 and 354.41 to read as set forth in Annex A.

(b) The Secretary 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 Secretary 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*.

EUGENE W. HICKOK,  
*Secretary*

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 30 Pa.B. 3873 (July 29, 2000)).

**Fiscal Note:** Fiscal Note 6-264 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 22. EDUCATION**

**PART XVI. STANDARDS**

**CHAPTER 354. PREPARATION OF PROFESSIONAL EDUCATORS**

**GENERAL PROVISIONS**

- Sec.
- 354.1. Definitions.
- 354.2. Purpose.

**GENERAL**

- 354.11. Minimum requirements for approval.
- 354.12. Program approval.
- 354.13. Standards.

**CATEGORY—PROGRAM DESIGN**

- 354.21. Mission.
- 354.22. Preparing institution reporting.
- 354.23. Academic preparation.
- 354.24. Academic performance.
- 354.25. Preparation program curriculum.
- 354.26. Collaborative programs.

**CATEGORY II—APPLICANTS AND CANDIDATES**

- 354.31. Admission.
- 354.32. Monitoring and assessment.
- 354.33. Professional competency.

**CATEGORY III—FACULTY**

- 354.41. Faculty quality.

**GENERAL PROVISIONS**

**§ 354.1. 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).

*Academic discipline*—A defined field of formal study at an institution of higher learning.

*Advanced preparation program*—A program at the post-baccalaureate level for those who already have completed an initial preparation program. Candidates in advanced preparation programs pursue additional areas of certification or supervisory, administrative, educational specialist certification or letter of eligibility.

*Applicant*—An individual seeking admission to a program for the initial or advanced preparation of professional educators.

*Board*—The State Board of Education of the Commonwealth.

*Candidate*—An individual who is enrolled in a program for the initial or advanced preparation of professional educators.

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

*Field experiences*—Off-campus activities that provide candidates with opportunities for practical application of theoretical constructs and concepts developed in coursework, under the supervision and direction of college faculty, prior to student teaching, internship or clinical experiences. The activities include: observing, tutoring, miniteaching, lesson planning and evaluating student performance, and may take place in public or nonpublic schools or community organizations.

*General studies*—Coursework in the arts, language and literature, history, mathematics, philosophy, the sciences and the social sciences.

*Initial preparation program*—A program at the baccalaureate or postbaccalaureate level that prepares candidates for their first certification as a professional educator.

*Preparing institution*—A college or university that offers a program approved by the Department to prepare professional personnel for employment in the public schools in accordance with Chapter 49 (relating to certification of professional personnel).

*Professional educator*—An individual who holds Pennsylvania certification issued in accordance with Chapter 49.

*Professional educator courses*—Courses of study of theoretical and practical knowledge in the following:

(i) Humanistic and behavioral foundations of education, structure, function and purpose of educational institutions in our society.

(ii) Methods and materials of instruction appropriate to the elementary or secondary level, or both.

(iii) Directed practice of performing in educational positions under institutional supervision in the category for which a certificate is granted.

*Professional educator program specific guidelines*—Department-defined competencies and course content for specific professional educator certification programs under § 49.14 (relating to approval of institutions).

*Standard error of measurement*—The standard deviation of errors of measurement that is associated with the test scores for a specified group of test takers.

#### § 354.2. Purpose.

(a) Preparing institutions shall have professional educator preparation programs to ensure that candidates for professional educator certification master both the content and methodology of their discipline and meet the standards for academic performance as defined in § 354.24 (relating to academic performance) and professional educator curriculum as defined in § 354.25 (relating to preparation program curriculum) and that candidates are supported in their achievement of the learning principles under § 354.33 (relating to professional competency).

(b) In the interest of the students in public schools in this Commonwealth, preparing institutions shall maintain the highest standards of academic excellence to receive and maintain Department approval to conduct programs leading to Commonwealth public school certification.

### GENERAL

#### § 354.11. Minimum requirements for approval.

To be authorized to conduct preparation programs in this Commonwealth, a preparing institution and any of its off-campus centers engaged in the preparation of professional educators shall meet the following requirements:

(1) Be approved as a baccalaureate or graduate degree granting institution by the Department under § 31.52 (relating to accreditation).

(2) Be evaluated and approved by the Department to offer specific programs leading to professional educator certification under § 49.14 (relating to approval of institutions), in accordance with the general standards contained in this chapter and the professional educator program specific guidelines established by the Department.

tutions), in accordance with the general standards contained in this chapter and the professional educator program specific guidelines established by the Department.

#### § 354.12. Program approval.

(a) Prior to approving a preparing institution, the Department will conduct an evaluation to ensure the requirements in this chapter are met. The Department may review approved preparation programs at any time. Regular evaluations of approved programs will be conducted at 5-year intervals under § 49.13 (relating to policies).

(b) The Department will approve new programs and proposed changes to existing programs consistent with § 49.14 (relating to approval of institutions), general standards contained in this chapter, and professional educator program specific guidelines.

(c) Evaluation teams will be appointed by the Department under § 49.13 and consist of professional educators from basic education and appropriate personnel from institutions of higher education. Evaluation teams shall make recommendations to the Department regarding the approval or disapproval of programs.

(d) The Department will deny or approve programs based upon the professional educator program specific guidelines.

(e) The Department may deny or withdraw approval from preparing institutions for failure to meet the requirements in § 354.11 (relating to minimum requirements for approval).

#### § 354.13. Standards.

The following standards shall be used to evaluate institutions seeking initial approval or maintaining approval to prepare professional educators for Pennsylvania public school certification:

- (1) Category I—Program Design.
- (2) Category II—Applicants and Candidates.
- (3) Category III—Faculty.

### CATEGORY I—PROGRAM DESIGN

#### § 354.21. Mission.

The professional educator program shall have a clearly articulated mission statement that is based on the needs of professional educator candidates, public school entities and students. The evidence required to satisfy that this standard is met includes:

(1) The mission statement is cooperatively developed by faculty, candidates and other members of the professional community and documented under this section.

(2) The professional educator program demonstrates coherence between the mission statement, academic standards as found in Chapter 4 (relating to academic standards and assessment), professional educator courses, field experiences, instruction, evaluation, required candidate competencies, learning principles defined in § 354.33 (relating to professional competency), skill dimensions defined in § 354.32 (relating to monitoring and assessment), and is in compliance with this chapter.

#### § 354.22. Preparing institution reporting.

(a) The preparing institution shall submit annually to the Department a systematic evaluation which includes information obtained through the following sources:

(1) Candidate assessment as defined in section 207(f)(1)(A) of the Higher Education Act of 1965 (20 U.S.C.A. § 1027(f)(1)(A)).

(2) Collection of data from candidates as defined in 20 U.S.C.A. § 1027(f)(1)(B).

(b) The preparing institution shall demonstrate that the result of the systematic evaluation of the professional educator program, as specified in subsection (a), is utilized to enhance candidate achievement through the modification and improvement of the preparing institution's overall professional educator program.

(c) The preparing institution shall biennially compile and make available to applicants, candidates, the Department and the Board information concerning its recent graduates. This information shall be collected no sooner than 6 months following the candidate's graduation and shall include the following:

(1) Number of recent graduates employed in instructional, educational specialist, supervisory and administration positions in this Commonwealth.

(2) Number of recent graduates employed in instructional, educational specialist, supervisory and administration positions in locations outside this Commonwealth.

(3) Number of recent graduates employed in education-related positions in this Commonwealth.

(4) Number of recent graduates employed in education-related positions in locations outside this Commonwealth.

(5) Number of recent graduates employed in non-education related positions in this Commonwealth.

(6) Number of recent graduates employed in noneducation related positions in locations outside this Commonwealth.

**§ 354.23. Academic preparation.**

(a) The preparing institution shall have a procedure to document that applicants for admission to initial and advanced preparation programs which culminate in a bachelor's degree or higher have met the requirements for academic preparation and academic performance prior to admission into a professional education program.

(b) Academic preparation shall include the following:

(1) At least 6 semester hour credits (or the equivalent) in college level mathematics.

(2) At least 6 semester hour credits (or the equivalent) in college level English composition and literature.

**§ 354.24. Academic performance.**

The preparing institution shall have a procedure to confirm that professional educator candidates maintain academic performance in each academic discipline that the candidates plan to teach or in the academic discipline related to the certificate category in which they plan to serve and in the professional educator courses related to the certificate category the candidates intend to earn. This standard shall be met by the following criteria:

(1) Candidates whose initial preparation program culminates in a bachelor's degree or higher shall maintain an overall minimum grade point average (GPA) of 3.0 in each certificate area the candidates plan to teach or in the certificate category in which the candidates plans to serve, to be phased in as follows:

(i) Academic Year: 2001-2002—2.6 GPA

(ii) Academic Year: 2002-2003—2.8 GPA

(iii) Academic Year: 2003-2004—3.0 GPA

(2) For initial preparation programs culminating in a bachelor's degree or higher, academic preparation courses under § 354.23 (relating to academic preparation) shall be the same as for a bachelor of arts or bachelor of science degree.

(3) For initial preparation programs culminating in a bachelor's degree or higher, academic content area courses for the preparation of professional educators shall include all required core courses and required elective courses in the bachelor of arts or bachelor of science major academic area the candidates intend to teach or in the noninstructional certificate category the candidates plan to serve. Free electives in the bachelor of arts and bachelor of science major and credits in the cognate areas shall be optional.

(4) For initial preparation programs culminating in a bachelor's degree or higher, candidates for certification in more than one certificate area or certificate category shall meet the requirements in paragraph (3) in the major area and for each additional area that candidates plan to serve.

(5) For initial preparation programs conducted under § 49.91 (relating to intern certificates) candidates for certification shall meet the requirements of this section and § 354.23 (relating to academic preparation).

**§ 354.25. Preparation program curriculum.**

(a) The preparation program shall be designed to ensure that candidates acquire and learn to apply the professional and pedagogical knowledge, defined in § 354.33 (relating to professional competency), and skill dimensions identified in § 354.32 (relating to monitoring and assessment). The evidence required to demonstrate that this standard is met includes the following:

(1) The preparation program design shall be consistent with the preparing institution's mission, and reflect knowledge derived from research and sound professional practice.

(2) The preparing institution shall ensure that the preparation program curriculum does not include unnecessary duplication of coursework and strives to create efficient professional educator preparation.

(3) The preparing institution shall ensure that candidates complete a well planned sequence of professional educator courses and field experiences to develop an understanding of the structure, skills, core concepts, facts, methods of inquiry and application of technology related to each academic discipline the candidates plan to teach or in the academic disciplines related to the noninstructional certificate categories in which they plan to serve.

(4) For initial programs culminating in a bachelor's degree, the professional educator program shall cooperate with the liberal arts and other academic disciplines of the college or university to create preparation programs that allow candidates to complete the degree and the initial preparation program within 4 years from the time of initial enrollment at the college or university.

(5) For initial programs culminating in an advanced degree, the professional educator program shall cooperate with the liberal arts and other academic disciplines of the college or university to create preparation programs that allow candidates to complete the advanced degree and the initial preparation program within 5 years from the time of initial enrollment at the college or university.

(6) For initial programs conducted under § 49.91 (relating to intern certificates), the preparing institution



shall cooperate with the liberal arts and other academic disciplines of the college or university to create preparation programs that allow candidates to complete the intern program under § 49.92 (relating to validity).

(b) The preparation program shall be designed to enable candidates to integrate general and academic coursework, with professional and pedagogical coursework to teach, guide and assist public school students in achieving the academic standards under Chapter 4 (relating to academic standards and assessments). Candidates shall complete a sequence of courses and experiences in:

(1) Professional studies in which they acquire and learn to apply knowledge about the impact of technology in teaching and learning.

(2) Pedagogical studies that help develop understanding and use of technology in education, including the use of computers, the internet, distance learning technologies, and other emerging technologies in instruction, assessment and professional productivity.

(c) The preparation program shall be designed to ensure that candidates become competent professional educators. The evidence that this standard is met includes the following:

(1) Programs for the continuing preparation of professional educators build upon and extend prior knowledge and experiences of candidates including core studies of learning and practices that support learning.

(2) Professional educator program specific guidelines, the learning principles defined in § 354.33 (relating to professional competency), and Chapter 4 (relating to academic standards and assessment) are used in developing programs in each certificate area.

(3) Programs are designed to ensure candidates research information, use research methods, and acquire knowledge about issues and trends in public education.

(d) The professional educator program shall have sequential field experiences that may begin as early as the initial semester of college enrollment, prior to student teaching, internships, and clinical experiences, which provide candidates with opportunity to:

(1) Apply principles and theories from the program design to actual practice in classrooms and schools.

(2) Study and practice in a variety of communities, with students of different ages, and with culturally diverse and exceptional populations.

(e) Field experiences shall:

(1) Include frequent observation and consultation with cooperating teachers and school administrators fluent in the institution's education philosophy.

(2) Be fully supported by the preparing institution's faculty.

(3) Be an integrated part of the professional education curriculum and shall be consistent with the overall program design.

(4) Encourage reflection by candidates.

(5) Include evaluation and feedback from higher education faculty, public or nonpublic school faculty, and peers.

(f) The preparation program shall be designed to provide a minimum 12 week full-time student teaching experience under the supervision of:

(1) Program faculty with knowledge and experience in the area of certification.

(2) Cooperating teachers trained by the preparation program faculty and who have the following:

(i) The appropriate professional educator certification.

(ii) At least 3 years of satisfactory certificated teaching experience.

(iii) At least 1 year of certificated teaching experience in the school entity where the student teacher is placed.

#### § 354.26. Collaborative programs.

(a) The preparing institution shall collaborate with higher education faculty, public school personnel, and other members of the professional education community to design, deliver, and facilitate effective programs for the preparation of professional educators and to improve the quality of education in schools. The evidence that this standard is met includes the following:

(1) Professional educator faculty and faculty from liberal arts and other academic disciplines regularly collaborate in program planning and evaluation of all facets of the curriculum.

(2) The preparing institution develops agreements with public and nonpublic schools and cooperating professional educators to ensure:

(i) Student teaching, internships and other field experiences are collaboratively designed and implemented.

(ii) Candidates are supported in their achievement of the learning principles as defined in § 354.33 (relating to professional competence).

(iii) Cooperating professional educators involved in student teaching, internships, and clinical experiences are trained by the preparing institution to assist, guide, and evaluate the performance of student teachers and individuals who are serving in a clinical experience or internship.

(b) The preparing institution shall develop collaborative relationships, programs, and projects with public and nonpublic schools, to develop and refine knowledge bases, to consult, and to conduct research to improve the quality of education.

(c) The preparing institution shall provide ongoing support to novice educators in partnership with public schools during their induction period, including observation, consultation and assistance.

(d) The preparing institution shall cooperate with public and nonpublic schools in the development and implementation of alternative certification programs.

### CATEGORY II—APPLICANTS AND CANDIDATES

#### § 354.31. Admission.

The preparing institution shall recruit and admit applicants who demonstrate potential for professional success in public schools. The evidence that this standard is met includes:

(1) A comprehensive system to assess the qualifications of applicants seeking admission.

(2) An applicant who intends to enter a preparation program that culminates in a bachelor's degree may not be formally admitted to an initial professional educator preparation program before completion of 48 semester credit hours or the full-time equivalent of college level study.

(3) The applicant criteria for admission to a teacher preparation program are based on multiple sources of data, which include:

(i) An assessment of academic preparation under § 354.23 (relating to academic preparation).

(ii) An assessment of academic performance under paragraph (4).

(iii) Faculty recommendations.

(4) The preparing institution shall ensure that applicants admitted to an initial preparation program culminating in a bachelor's degree or higher shall complete prior college or university coursework, with a minimum grade point average (GPA) as follows:

(i) Academic Year: 2001-2002—2.6 GPA

(ii) Academic Year: 2002-2003—2.8 GPA

(iii) Academic Year: 2003-2004—3.0 GPA

(5) As an alternative to the 3.0 GPA admissions standard under paragraph (4), a preparing institution may admit applicants if they have achieved a 2.8 GPA and qualifying scores on the Praxis I, preprofessional skills tests as determined by the Secretary and approved by the Board, or either of the following:

(i) A 2.8 GPA and a combined score of 1050 on the Scholastic Aptitude Test (SAT), with no score lower than 500 on either the verbal or mathematics subtests.

(ii) A 2.8 GPA and a score of no less than 23 on the English subtest and 20 on the Mathematics subtest of the American College Testing Program Assessment (ACT).

(6) The criteria for admission to advanced preparation programs shall include at least the following:

(i) An assessment of academic performance—including the Miller Analogy Test (MAT) or the Graduate Record Exam (GRE).

(ii) An overall minimum GPA of 3.0.

(iii) Faculty and professional recommendations.

(iv) Record of competence and effectiveness in professional work.

(v) Graduation from a regionally accredited college or university.

(7) The preparing institution may accept up to 10% of the applicants for admission to the professional educator program who do not meet overall minimum GPA requirements in paragraph (4) or alternative admission criteria under paragraph (5). The criteria for admission of applicants specified in this paragraph shall be developed and documented by the preparing institution and must include the requirements in § 49.12 (relating to eligibility).

(8) When the institutional pass rate on the professional knowledge and content assessments, as defined in § 49.18 (relating to assessment) is 90% or higher for a given testing year, the requirements of paragraph (4) shall be reduced to a GPA entry requirement determined by the preparing institution and approved by the Department for the subsequent academic year.

(9) The preparing institution shall develop admission procedures for postbaccalaureate initial and advanced professional educator preparation programs to document the following:

(i) Applicants have attained depth and breadth in both general and academic studies under §§ 354.23—354.25 (relating to academic preparation; academic performance; and preparation program curriculum).

(ii) Incentives and affirmative procedures attract applicants with high academic and other qualifications.

(iii) Admission decisions are monitored by the preparing institution to ensure that the admissions criteria are applied.

(iv) The preparing institution seeks to recruit, admit and retain a diverse student body.

**§ 354.32. Monitoring and assessment.**

(a) The preparing institution shall have a program that systematically monitors and assesses the progress of candidates and confirms that they receive academic and professional counseling and advice from the time of admission through completion of their professional education program. The evidence that this standard is met includes the following:

(1) The progress of candidates at different stages of the program shall be monitored through performance-based assessments, which shall stipulate the level of competence required to ensure success in the following skill dimensions:

- (i) Content mastery.
- (ii) Planning.
- (iii) Classroom management.
- (iv) Organization.
- (v) Monitoring student progress.
- (vi) Leadership.
- (vii) Sensitivity to students' needs.
- (viii) Problem analysis.
- (ix) Strategic and tactical decision making.
- (x) Oral and written communication and presentation.
- (xi) Professional standards and practice.
- (xii) Mastery of instructional technology.

(2) Assessment of candidates' progress shall be based on multiple data sources that include the following:

- (i) Grade point average.
- (ii) Observations of field experience, student teaching, internship and clinical experience performance.
- (iii) Candidates' use of various instructional strategies and technologies.
- (iv) Faculty recommendations.

(v) Demonstrated competence in academic and professional educator coursework—for example, portfolios, performance assessments, research and concept papers.

(vi) Recommendations from cooperating professional educators involved in student teaching, internships and clinical experiences.

(b) Assessment data, as defined in subsection (a)(2), shall be used to advise candidates in future career planning.

(c) Criteria consistent with the purpose and mission of the professional educator program shall be used to determine eligibility for student teaching, internships and clinical experiences.

(d) The preparing institution shall, through publications and faculty advisement, provide candidates with clear information about institutional policies and requirements for:

- (1) Completing their professional education programs.
- (2) Satisfying certification requirements under Chapter 49 (relating to certification of professional personnel).
- (3) Exploring job opportunities.

**§ 354.33. Professional competency.**

The preparing institution shall have a procedure to confirm that a candidate's competency to begin the candidate's professional role in schools is assessed prior to completion of the program and recommendation for professional educator certification. The evidence that this standard is met includes:

(1) The preparing institution shall have a published set of criteria and competencies for exit from each professional education program, which are based on Chapter 4 (relating to academic standards and assessment) and professional educator program specific guidelines, and the following learning principles for each certificate category:

(i) *Instructional.*

(A) 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.

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

(C) 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.

(D) 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.

(E) 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.

(F) 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.

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

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

(I) 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.

(J) 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.

(ii) *Educational specialist.*

(A) 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.

(B) 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.

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

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

(E) 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.

(F) 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.

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

(H) 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.

(I) 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.

(J) 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.

(iii) *Supervisory.*

(A) 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.

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

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

(D) 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.

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

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

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

(H) 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.

(I) 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.

(J) 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.

(K) 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.

(iv) *Administrative.*

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

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

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

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

(E) 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.

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

(G) 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.

(2) The preparing institution shall have a procedure to confirm that a candidates' mastery of a program's stated exit criteria and competencies is assessed through the use of multiple sources of data including: a culminating experience, portfolios, interviews and observed performances in public schools, standardized tests and course grades.

(3) Candidate assessment shall include input from prekindergarten through grade 12 professional educators engaged in collaborative efforts with the preparing institution in student teaching experiences, internship experiences, field experiences and clinical experiences.

(4) Candidates shall have demonstrated a mastery of integrating technology into the curriculum as established by the preparing institution, in addition to specific technology standards that are included in the program specific guidelines developed by the Department.

(5) The preparing institution shall ensure that candidates in initial programs culminating in a bachelor's degree or higher complete the program with an overall minimum GPA of 3.0.

(6) As an alternative to the overall minimum GPA of 3.0, the preparing institution may recommend candidates for certification if they have achieved one of the following:

(i) An overall minimum GPA of 2.8 and have earned a score on the appropriate subject area assessment required under § 49.18 (relating to assessment) that is at least one standard error of measure above the established qualifying score for that assessment.

(ii) An overall minimum GPA of 2.8 and have an earned score on the appropriate professional knowledge assessment required under § 49.18 (relating to assessment) of at least one standard error of measure above the established qualifying score for that assessment.

(7) A percentage of candidates, as determined by the Secretary and the Board, shall obtain a satisfactory achievement level on Pennsylvania assessments required for certification under § 49.18 (relating to assessment).

(8) The Secretary will annually report to the Board the status of the supply and demand for professional educators for specific instructional or educational specialists areas for purposes of modifying GPA exit requirements defined in paragraph (5). The Secretary, with Board approval, will waive the GPA exit requirements when it can be demonstrated by the Department that applying these requirements will result in an insufficient supply of the number of certified professional educators to meet the demand for certified professional educators in a specific instructional or educational specialist area.

**CATEGORY III—FACULTY**

**§ 354.41. Faculty quality.**

(a) The preparing institution shall establish a procedure to confirm that the professional education faculty are education scholars who are qualified for their assignments and actively engaged in the professional education community.

(b) The preparing institution shall provide documentation to confirm efforts to recruit, hire and retain a diverse faculty.

(c) The preparing institution shall have a plan to confirm that there are systematic and comprehensive activities to enhance and assess the competence and intellectual vitality of the faculty.

(d) The preparing institution shall provide evidence that the faculty are knowledgeable, are practicing, and have training in and access to current practices related to the use of computers and technology, including education related electronic information, the Internet, video resources, computer hardware, software, distance learning technologies and related educational technologies and resources, and are able to integrate these practices into their teaching and scholarship.

(e) The preparing institution shall provide evidence that faculty who teach general and academic studies regularly collaborate in program planning and all facets of the professional educator curriculum.

[Pa.B. Doc. No. 00-1719. Filed for public inspection October 6, 2000, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 21]

### Kennels; Licensure; and Dog-Caused Damage

A public hearing has been scheduled to seek input from persons and organizations concerning proposed amendments to Chapter 21 (relating to general provisions; kennels; licensure; dog-caused damage).

The Bureau of Dog Law Enforcement will conduct the public meeting at 10 a.m. on October 12, 2000, in Room 202 at the Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA. The Bureau is looking for input on the proposed amendments as follows:

1. Amendment of § 21.24(d) (relating to kennels) which would delete the rest board requirements and add vinyl coated wire requirements.
2. Amendment of § 21.51 (relating to lifetime dog license issuance) which would allow for the use of microchips.
3. Additional amendments to Chapter 21.

Persons seeking to testify or present statement information or other comments should contact Jan Frushone-Gibas at (717) 787-3062. Written copies of any statements should be provided at time of the meeting.

Written comments may also be sent prior to the meeting to be included in the record. The commentator's name, address and phone number must be included with the comment. Comments may be sent to: Department of Agriculture, Bureau of Dog Law Enforcement, ATTN: Richard F. Hess, Director, 2301 N. Cameron Street, Harrisburg, PA 17110-9408.

SAMUEL E. HAYES Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-1720. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 231]

### Food-Service Employee Incentive Program

The Department of Labor and Industry (Department) proposes to amend Chapter 231 (relating to minimum wage) by adding §§ 231.91—231.99, to read as set forth in Annex A.

#### A. *Effective Date*

The proposed regulations will be effective upon publication of final-form regulations in the *Pennsylvania Bulletin*.

#### B. *Statutory Authority*

These regulations are proposed under section 3 of the act of December 21, 1998 (P. L. 1290, No. 168) (43 P. S. § 333.105a note) (Act 168), which requires the Depart-

ment to adopt regulations to enforce and carry out the newly-added provisions of section 5.1 of The Minimum Wage Act of 1968 (MWA) (43 P. S. § 333.105a).

#### C. *Background and Purpose*

Section 2 of Act 168 amended the MWA by establishing a Food-Service Employee Incentive Program (Program) for new employees hired by restaurant and food-service employers. Section 3 of Act 168, in turn, requires the Department to develop regulations to implement this Program, and postpones the effective date of section 2 until that time. This Program will be in effect for 3 years following the Department's promulgation of regulations; at which time, section 2 will expire under its own terms unless renewed by the General Assembly. The Department is required to prepare and submit a report to the Senate Labor and Industry Committee and the House Labor Relations Committee within 30 months after section 2 of Act 168 takes effect.

Under the Program, new employees in the restaurant and the food-service industry and their employers may voluntarily agree to a training program during which the employees will receive a training wage. The training wage may not be less than the statutory minimum wage. The employees covered under these regulations are dishwashers, bus-persons, servers, sales staff, cooks, hostesses/hosts and cashiers. Section 5.1(i) of the MWA prescribes the length of the training program, in terms of minimum and maximum numbers of weeks, depending on the particular position for which the employee is hired.

While the employee is being trained, the difference between the employee's training wage, and the entry level wage to which the employee will be entitled upon completion of the employee's training period, will be deposited by the employer into an escrow account referred to as the Employee Incentive Account. Upon completion of the training program, or the employee's promotion, these escrow payments are to be remitted to the employee in equal installments over a period equal to the period of training. However, if the employee quits or is fired for willful misconduct before the end of the training period, the employee forfeits the moneys deposited for the employee in the Employee Incentive Account.

The proposed regulations are designed to implement section 2 of Act 168, and define many of the details associated with this type of program. In developing this proposed rulemaking, the Department sent drafts to the Majority and Minority Chairpersons of the Senate Labor and Industry and House Labor Relations Committees, as well as employee and employer organizations. Additionally, Department personnel met with a representative of the Pennsylvania Restaurant Association and staff from the House Labor Relations Committee to review their organizations' respective comments.

#### D. *Summary of Proposed Rulemaking*

Most of the rules governing the program already are in place through Act 168. The proposed regulations build upon Act 168's provisions by spelling out many of the underlying details needed for employers to successfully implement these types of programs.

Section 231.91 (relating to authority and effective date) generally sets forth the authority and effective dates of the proposed regulations. Section 231.91(d) prominently reiterates an important rule governing claims under Act 168. Although Act 168 amended the MWA, it requires

claims arising under its provisions to be brought under the Pennsylvania Wage Payment and Collection Law (WPCL), act of July 14, 1961 (P.L. 637) (43 P.S. §§ 260.1—260.12), rather than the MWA. Significantly, this means that employers are potentially subject to statutory liquidated damages of \$500 or 25% of the wages due, whichever is greater, by virtue of section 10 of the WPCL, if they fail to make timely payment of wages, and offer no good faith contest or dispute of the wage claim.

Section 231.92 (relating to eligibility) incorporates some basic, statutory requirements about the Program. It is to be voluntary; it is only open to restaurant and food service industry employers; and participating employes must work a minimum of 20 hours a week.

Section 231.93(a) (relating to amount of training wage) requires that the employer and employe agree to the amount of the training wage in writing. The complete requirements for this writing are spelled out in § 231.96 (relating to writing required).

Section 231.93(b) clarifies that the training wages cannot be less than the minimum wage. Similarly, § 231.93(c) explains that tip credits still can be used toward satisfying the minimum wage for tipped employes, as provided for in section 3(d) of the MWA (43 P.S. § 333.103(d)).

Section 231.94 (relating to length of training period) incorporates Act 168's minimum and maximum training periods for restaurant and food-service industry employes.

Section 231.95 (relating to employe incentive account) contains the substantive and recordkeeping requirements for the Food-Service Employe Incentive Account. Only one account is required per employer, even though multiple employes may be participating in the employer's program. Because these funds are to be maintained in an account for the benefit of the employes, any unlawful diversion of these funds by the employer could be prosecuted under 18 Pa.C.S. (relating to Crimes Code) as a form of theft.

Section 231.96 details what the written agreement between the employer and employe should contain. Specifically, the agreement shall contain:

- (1) The training wage and the starting date of training.
- (2) The length of the training period and the position for which the employe is being trained.
- (3) The entry-level wage which the employe will receive upon completion of the training period.
- (4) The financial institution where the employer maintains the Food-Service Employe Incentive Account.
- (5) The installment-payment schedule to be followed after the employe completes the training period.

Section 231.96(a)(5) also contemplates that revisions to this schedule will have to be made in the case of employes promoted before the end of the training period.

Section 231.96(b) requires employers to obtain a signed acknowledgment from the employes that they have read and understood the agreement terms. Subsection (c) directs the employer to maintain a copy of the employe's signed acknowledgment for 3 years, along with other payroll records already required to be kept under §§ 231.31—231.35 of the MWA's regulations.

These recordkeeping requirements are intended to reduce the occasion for misunderstanding between the employer and employe, to protect both parties in the event of disputes under the agreements and to facilitate the Department's investigation of complaints. The Depart-

ment will develop, and post on its website ([www.dli.state.pa.us](http://www.dli.state.pa.us)), a sample form, which employers can use to enroll new employes in a Program.

Section 231.97 (relating to training) adopts Act 168's rules on training, including the requirement that the employer be responsible for all training costs.

Section 231.98(a) (relating to completion of training) addresses payments from the Employe Incentive Account after the participant completes training or is promoted prior to completion of training. Act 168 only requires that payments be made in equal installments over a period equal to the period of training. Initial attempts to develop more precise rules specifying how the payments are to be calculated, and when specifically they must be paid, proved to be next to impossible—given the likely variations in training periods and hours worked from employe-to-employe, and the different pay periods and pay schedules used by employers. Consequently, the Department proposes to leave the actual installment schedule up to the employer and employe, so long as the two statutory parameters (equal installments and payments over a period equal to the period of training) are met.

The Department further proposes that the payment schedule be part of the written notification given to the employe when the employe starts employment. This up-front notification requirement is intended to discourage an employer from intentionally delaying the installment payments until close to the end of the period by which they must be made (such as, paying 50% on the next-to-the-last day and 50% on the last day), since employes will be less likely to agree to those terms. It is also contemplated that revisions to this schedule will have to be made in the case of employes who are promoted before the end of the training period. This contingency is taken into account in § 231.96(a)(5).

Section 231.98(b) outlines the three circumstances in which separated employes are entitled to payment from the Food-Service Employe Incentive Account. Those circumstances are one of the following:

- (1) Involuntary termination prior to completion of the training period for reasons other than willful misconduct.
- (2) Voluntary termination of employment subsequent to promotion or completion of the training period.
- (3) Involuntary separation from employment after promotion or completion of the training period without regard to cause.

For separated employes remaining eligible for payments, the Department proposes a 30-day deadline, in the interest of clarity, for employers to remit the remaining funds due them from the Food-Service Employe Incentive Account.

Section 231.99(a) (relating to forfeiture of escrowed funds) conversely provides that employes, voluntarily terminating employment with the employer prior to completion of training, forfeit all funds in their Food-Service Employe Incentive Account. Section 231.99(b) similarly directs that employes terminated for "willful misconduct," as that term is used in The Pennsylvania Unemployment Compensation Law (UC Law) (43 P.S. §§ 751—914), prior to completing training, forfeit their entitlement to these funds. Because Act 168 refers to the UC Law to define willful misconduct, questions arose as to the interplay of WPCL complaints and UC Law claims

from involuntarily-separated employes or employes at least claiming to be involuntarily separated. The Department proposes, in § 231.99(c), to rely upon final UC Law adjudications for investigation purposes in these circumstances. However, employes are not required to go through the Department under the WPCL, and may bring suit on their own under that statute. Moreover, the Department only intends to rely upon final adjudications in its investigation. It does not intend to postpone investigations while UC Law claims work their way through the system, up to, and including, judicial review.

*E. Affected Persons*

These proposed regulations will only apply to employers and newly hired employes in the food service and restaurant industries who voluntarily agree to participate in the Food-Service Employee Incentive Program.

*F. Fiscal Impact*

The proposed regulations will have no impact on local government. Even if a unit of local government, such as a school district, has food-service employes, they are exempt from both the MWA and the WPCL. The Commonwealth and its political subdivisions are not included in either statute's definition of the term "employer." See, *Philipsburg-Osceola Educ. Ass'n. v. Philipsburg-Osceola Area School District*, 633 A.2d 220 (Pa. Cmwlth. 1993) (WPCL); 1976 Op. Atty Gen. No. 29 (MWA). Similarly, these regulations do not affect employers or employes outside the restaurant and food-service industries, or employers or employes in those industries that opt to not participate.

Any costs to the Commonwealth will result from the increased enforcement duties assigned to the Department by Act 168, and not by these regulations. These duties will be undertaken by existing Department staff, and are perceived to be minimal.

No precise estimate can be made as to increased costs, if any, to participating employers and employes, since their actual costs are dependent on several variables, including the number of participating employes and the agreed-upon training and entry-level wages. The objective of Act 168, however, is to create an incentive for new employes in the restaurant and food-service industries to remain at their jobs, and thereby produce mutual benefits that exceed any initial costs. If the costs exceed the benefits in the long run, employers and employes will refrain from participating.

The Department estimates the following average training costs and employer savings when employes leave prior to completing their training:

<i>Job Title</i>	<i>Estimated Training**</i>	<i>Average Savings per Early Separation***</i>
Hosts and Hostesses	\$328.80	\$219.30
Waiters & Waitresses	\$251.16	\$107.07
Food Servers, Outside	\$341.46	\$384.42
Counter Attendants	\$269.64	\$163.83
Cooks, fast food	\$290.88	\$117.39
Cooks, short order	\$352.32	\$282.51

*G. Paperwork Requirements*

These regulations will require written notification and acknowledgment to and from participating employes. One record will suffice for both purposes. Additionally, the Department recommends that the schedule for installment payments from the Employee Incentive Account be

revised if the employe is promoted before completing his training period. These records must be maintained with other payroll records required to be kept by employers under the MWA, and are considered to be important to the protection of both employers and employes who participate in the Program. The Department will develop, and post on its website, a sample form for use by participating employers and employes to further reduce this already minimal burden.

*H. Sunset Date*

Act 168, by its own terms, provides that section 5.1 of the MWA will expire 3 years after the effective date of these regulations. Accordingly, § 231.91(c) proposes that the regulations will expire within 3 years unless section 5.1 of the MWA is renewed by the General Assembly.

*I. Contact Person*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed regulations to Robert E. Moore, Director, Bureau of Labor Law Compliance, Department of Labor and Industry, Room 1301, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120 (717) 787-4763; Fax: (717) 787-0517; e-mail: [rmoore@dli.state.pa.us](mailto:rmoore@dli.state.pa.us), within 30 days of publication in the *Pennsylvania Bulletin*. Questions about the proposed regulations can be directed to Richard C. Lengler, Deputy Chief Counsel, Labor Law Compliance Division, Office of Chief Counsel, Department of Labor and Industry, 10th Floor, Labor and Industry Building, Harrisburg, PA 17120 (717) 787-4816; Fax: (717) 783-5027; e-mail: [rlengler@dli.state.pa.us](mailto:rlengler@dli.state.pa.us).

*J. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 27, 2000, the Department submitted a copy of the proposed regulations to the Independent Regulatory Review Commission (IRRC), the Senate Labor and Industry Committee and the House Labor Relations Committee (Committees). In addition to submitting the proposed regulations, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed regulations, it will notify the Department 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 the portion of the proposed regulations to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Department, the General Assembly and the Governor of objections raised.

JOHNNY J. BUTLER,  
*Secretary*

**Fiscal Note:** 12-55; (1) General Fund; (2) Implementing Year 1999-00 is \$minimal; (3) 1st Succeeding Year 2000-01 is \$minimal; 3rd Succeeding Year 2002-03 is \$minimal; 4th Succeeding Year 2003-04 is \$minimal; 5th Succeeding Year 2004-05 is \$minimal; (4) Fiscal Year 1998-99 \$1.8 million; Fiscal Year 1997-98 \$1.7 million; Fiscal Year 1996-97 \$1.7 million; (7) General Government Operations; (8) recommends adoption.

**Annex A**  
**TITLE 34. LABOR AND INDUSTRY**  
**PART XII.**

**CHAPTER 231. MINIMUM WAGE**

**FOOD-SERVICE EMPLOYE INCENTIVE PROGRAM**

**§ 231.91. Authority and effective date.**

(a) This section and §§ 231.92—231.99 set forth the rules governing the Food-Service Incentive Employee Program for participating restaurant and food-service operations employers and their employes in this Commonwealth under section 5.1 of The Minimum Wage Act of 1968 (act) (43 P. S. § 333.105a).

(b) This section and §§ 231.92—231.99 will expire, along with section 5.1 of the act on \_\_\_\_\_ (*Editor's Note:* The blank refers to the effective date of adoption of this proposal.) unless section 5.1 is extended by the General Assembly.

(c) Under section 5.1(j) of the act (43 P. S. § 333.105a(j)), a claim arising under the Food-Service Employee Incentive Program provisions shall be brought under the Wage Payment and Collection Law (43 P. S. §§ 260.1—260.12).

**§ 231.92. Eligibility.**

(a) The Food-Service Employee Incentive Program is a voluntary program open to new employes of employers engaged as restaurant and food-service operations in this Commonwealth.

(b) A participating employe shall work a minimum of 20 hours a week.

**§ 231.93. Amount of training wage.**

(a) The amount of the training wage paid to participants in the Food Service Employee Incentive Program shall be established and agreed to in writing by the employe and the employer.

(b) The training wage cannot be less than the minimum wage established by The Minimum Wage Act of 1968 (43 P. S. §§ 333.101—33.115).

(c) The employer may use tip credits toward satisfying the minimum wage for tipped employes, as provided for in section 3(d) of The Minimum Wage Act of 1968 (43 P. S. § 333.103(d)).

**§ 231.94. Length of training period.**

The training periods shall be at least, but not more than, the following:

<i>Job Title</i>	<i>Training Period</i>
Dishwashers	2—4 weeks
Bus Persons	2—4 weeks
Servers	2—12 weeks
Sales Staff	2—6 weeks
Cooks	4—12 weeks
Hostess/Host/Cashier	4—12 weeks

**§ 231.95. Employee incentive account.**

(a) The employer shall maintain at least one escrow or restricted account designated as an Employee Incentive Account (Account) in accordance with section 5.1 of The Minimum Wage Act of 1968 (43 P. S. § 333.105a).

(b) The employer shall deposit sums consisting of the difference between the training wage and the entry-level wage into the Account on each regular payday during the training period. The employer shall credit the deposit in the name of each participating employe.

(c) Funds in the Account shall be the property of the employer until the employer is required to make payments to the employe. Funds in the Account are non-transferable and nonassignable.

(d) The employer shall maintain complete, detailed payroll records. The records shall include a listing of all deposits and withdrawals from the Account.

(e) The employer shall maintain the records at the place of employment or at a central recordkeeping office within or outside this Commonwealth. The employer shall maintain these records for 3 years in accordance with § 231.31 (relating to contents of record).

(f) Access to records maintained by the employer under this section shall be provided to the Department representatives within 7 days following written or verbal notice.

**§ 231.96. Writing required.**

(a) The employer shall provide written notification to the employe prior to the commencement of the training program of the following:

- (1) The training wage and the starting date of training.
- (2) The length of the training period and the position for which the employe is being trained.
- (3) The entry-level wage which the employe will receive upon completion of the training period.
- (4) The financial institution where the employer maintains the Food-Service Employee Incentive Account.
- (5) The installment-payment schedule to be followed after the employe completes the training period, provided the employer shall revise this schedule with the employe's written consent when the employe is promoted prior to completion of the training period.

(b) The employer shall obtain a signed acknowledgment that the employe has read and understands the written notification.

(c) The employer shall maintain a copy of the signed acknowledgment for 3 years, along with other records required to be kept under §§ 231.31—231.35.

(d) The Department will prepare a recommended notification and acknowledgment form that an employer may use. The Department will make these forms available on its Internet website and through other means.

**§ 231.97. Training.**

(a) The employer shall provide an employe with the usual and customary training associated with the position for which the employe was hired.

(b) The employer shall be responsible for all training costs, whether incurred by the employer or employe.

**§ 231.98. Completion of training.**

(a) After an employe completes the training period or is promoted, the employer shall pay all funds credited to the employe in the Food-Service Employee Incentive Account (Account). Payment shall be made in equal installments over a period of time equal to the length of the training period. These installment payments shall be paid to the employe, in addition to employe's entry-level wage, until the employe has received the full amount credited to the employe in the Account.

(b) The employer shall pay funds credited to employes in the Account, within 30 days of separation, to employes who are separated from the employer under any of the following conditions:



(1) Involuntary termination prior to completion of the training period for reasons other than willful misconduct.

(2) Voluntary termination of employment after promotion or completion of the training period.

(3) Involuntary separation from employment after promotion or completion of the training period without regard to cause.

**§ 231.99. Forfeiture of escrowed funds.**

(a) An employe who voluntarily terminates employment with the employer prior to completion of the training period forfeits all funds credited to the employe in the Food-Service Employe Incentive Account (Account).

(b) An employe terminated from employment for willful misconduct, as that term is used in the Unemployment Compensation Law (43 P. S. §§ 751—914), prior to completion of the training period forfeits all funds credited to the employe in the Account.

(c) When investigating claims and complaints regarding payments or forfeitures of funds in the Account, the Department may rely upon any final adjudication issued under the Unemployment Compensation Law regarding the nature of the employe's separation or whether the separation was for willful misconduct.

[Pa.B. Doc. No. 00-1721. Filed for public inspection October 6, 2000, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 26, 2000.

#### BANKING INSTITUTIONS

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-25-00	Merchants Bank of Pennsylvania, Shenandoah, and The First National Bank of Leesport, Leesport Surviving Institution— Merchants Bank of Pennsylvania, Shenandoah, with a change in corporate title and location to "Leesport Bank," 133 North Centre Avenue, Leesport, Berks County, PA	Shenandoah	Effective
	<i>Branches Acquired Via Merger:</i>		
	909 West Leesport Road Leesport Berks County	1 Reading Drive Wernersville Berks County	
	1199 Berkshire Blvd. Wyomissing Berks County	1210 Rockland Street Reading Berks County	
	U. S. Route 222 Blandon Berks County	Rittenhouse Place Route 309 Drums Luzerne County	
	3401-3 Pricetown Road Fleetwood Berks County	Maplewood Plaza 140 Cando Expressway Hazleton Luzerne County	
	801 South 4th Street Hamburg Berks County	101 North Main Street Shenandoah Schuylkill County (Former Main Office)	

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-18-00	The Peoples State Bank East Berlin Adams County	Intersection of U. S. Route 30 & Lincoln St. New Oxford Adams County	Opened
9-20-00	Somerset Trust Company Somerset Somerset County	7109 Mason Dixon Highway Meyersdale Summit Township Somerset County (Drive-Up Facility)	Approved

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-18-00	Bank of Hanover and Trust Company Hanover York County	To: 10 Lincoln Street New Oxford Adams County	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 318 Lincolnway East New Oxford Adams County	
9-25-00	Parkvale Savings Bank Monroeville Allegheny County	<i>To:</i> 74 Allegheny River Boulevard Verona Allegheny County	Filed
		<i>From:</i> 736 Allegheny River Blvd. Verona Allegheny County	

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-20-00	Lancaster Postal Employees Credit Union Lancaster Lancaster County	1000 W. Valley Road Southeastern Chester County	Approved

JAMES B. KAUFFMAN, Jr.,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1722. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Valley Forge Military Academy Foundation for Approval of Amendment of its Articles of Incorporation

#### *Notice of Opportunity for Hearing and Invitation to Protest*

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Valley Forge Military Academy Foundation for a Certificate of Authority approving the corporation's amendment to and the restating of its Articles of Incorporation in their entirety.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest generally; and effect of protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-7572 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Dr. Evans at (717) 787-7572 to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 00-1723. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Approved Grant Application under IDEA, Part B

The Department of Education's Eligibility Grant application under the Individuals with Disabilities Education Act, Part B, has been approved by the United States Department of Education. The amendments have been disseminated to school districts and Intermediate Units and are available for public inspection at these offices. Copies may be requested by writing to: Pennsylvania Training and Technical Assistance Network, Harrisburg Office, 6340 Flank Drive, Suite 600, Harrisburg, PA 17112-2793. Persons who require this information in an alternate format should contact Nancy Zeigler, Department of Education, Bureau of Special Education, 333 Market Street, Harrisburg, PA 17126-0333, or by calling (717) 783-6134 (TTY: (717) 787-7367).

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 00-1724. Filed for public inspection October 6, 2000, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

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

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

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

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

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

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

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

**PA 0064009.** Industrial waste, SIC: 3241, **Essroc Cement Corporation**, Nazareth Plant-2, Route 248 and Easton Road, Nazareth, PA 18064.

This proposed action is for issuance of an NPDES permit to discharge treated contact and noncontact cooling water and stormwater into an unnamed tributary to East Branch Monocacy Creek in Nazareth Borough, **Northampton County**.

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

##### *Outfall 002*

Effluent requirements were evaluated at internal monitoring points 102 and 202.

##### *Internal Monitoring Point 102*

The proposed effluent limits based on a design flow of 0.063 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Daily Maximum (mg/l)</i>	<i>Maximum (mg/l)</i>
Total Suspended Solids	12.0	24.0	
pH	6.0 to 9.0 standard units at all times		
Oil and Grease	15.0	30.0	
Temperature			110°F

*Internal Monitoring Point 202, Stormwater*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Daily Maximum (mg/l)</i>	<i>Maximum (mg/l)</i>
Total Suspended Solids		50.0	
pH	6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0062201.** Sewerage, **Schuylkill County Municipal Authority**, David J. Holley, General Manager, 221 S. Centre St., Pottsville, PA 17901.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Mahanoy Creek in the Borough of Gordon, **Schuylkill County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Dauphin Consolidated Water Supply located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.600 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	1.0		2.0

The EPA waiver is in effect.

**PA 006340-A1.** Sewerage, **Monteforte Enterprises**, R. R. 2, Box 34, New Milford, PA 18834.

This proposed action is for amendment of an NPDES permit to discharge treated sewage into an unnamed tributary to Nine Partners Creek in New Milford Township, **Susquehanna County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of .06 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	1.3	2.6
(11-1 to 4-30)	3.9	7.8
Nitrate-N	10	20
Fecal Coliform	200/100 ml as a geometric mean	
(5-1 to 9-30)	2,000/100 ml as a geometric mean	
(10-1 to 4-30)	6.0 to 9.0 standard units at all times	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine	1.2	2.8

The EPA waiver is in effect.

**PA 0030619.** Sewerage, SIC, **State Correctional Institute at Waymart**, Route 6, P. O. Box 256, Waymart, PA 18472.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into unnamed tributary of Middle Creek in Canaan Township, **Wayne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Stroudsburg/E. Stroudsburg intake located on Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of .5 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	2.5	50
Total Suspended Solids	30.0	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.5	5
(11-1 to 4-30)	7.5	15
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 to 9.0 standard units at all times	
Total Residual Chlorine	1	2

The EPA waiver is in effect.

**PA 0046353.** Sewerage, **Waymart Municipal Authority**, P. O. Box 224, Waymart, PA 18472.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Van Auken Creek in Waymart Borough, **Wayne County**.

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

Effluent requirements were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .210 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	15	20
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.2	3.3	4.4
(11-1 to 4-30)	6.6	9.9	13.2
Phosphorous as "P"	1	1.5	2
Dissolved Oxygen	A minimum of 6 mg/l at all times		
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 to 9.0 standard units at all times		
Total Residual Chlorine	.11		.26

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 0010782.** SIC Codes 4911, 4953 and 4952, Industrial waste, **Reliant Energy (Titus Power Plant)**, 100 Broad Street, Johnstown, PA 15907.

This application is for renewal of an NPDES permit for existing discharge of treated industrial waste to the Schuylkill River in Watershed 3C, in Cumru Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the 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 1.469 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0 to 9.0 S.U. at all times	
Total Suspended Solids	30	60	75
Oil and Grease	15	30	30
Total Residual Chlorine	0.2	—	0.5

The proposed effluent limits for Outfall 002 for a design flow of 2.149 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0 to 9.0 S.U. at all times	
Total Suspended Solids	30	60	75
Oil and Grease	15	30	30

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.200	0.400	0.500
Chromium, VI	0.113	0.226	0.283
Total Zinc	1.000	2.000	2.500
Total Copper	0.561	1.122	1.403
Total Iron	1.000	2.000	2.500
126 Priority Pollutants	nondetectable	nondetectable	—

The proposed effluent limits for Outfall 004 for a design flow of 1.007 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0 to 9.0 S.U. at all times	
Total Suspended Solids	30	60	75
Total Dissolved Solids	2,500	5,000	6,250
Oil and Grease	15	30	30

The proposed effluent limits for Outfall 104 for a design flow of 1.007 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6.0 to 9.0 S.U. at all times	
Total Suspended Solids	30	60	75
Oil and Grease	15	30	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 not in effect.

**PA 0009016.** SIC Codes 3469 and 3641, Industrial waste, **Osram Sylvania Products Inc.**, 1128 Roosevelt Avenue, York, PA 17404.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Willis Run in Watershed 7-H (Codus Creek), in West Manchester Township, **York County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Co. intake located on the Susquehanna River in Wrightsville, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfalls 001 and 002 for a total design flow of 0.213 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		from 6.0 to 9.0 S.U. inclusive	
Oil and Grease	15	XXX	30
Discharge Temperature*		monitor and report	

\*For Outfall 002 only.

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.

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

**PA 0004685.** Industrial waste, SIC: 3398, **Penna Flame Industries**, R. R. 3, Box 14B, Route 588 West, Zelienople, PA 16063.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from metal hardening operations in Franklin Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Connoquenessing Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Beaver Falls Municipal Authority, located at Eastville Borough, 18 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.023 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
TSS			30	60	
Oil and Grease			15		30
Iron			2	4	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA 0095851.** Sewage. **Penacquire L.L.C.**, P. O. Box 94, Boswell, PA 15531.

This application is for renewal of an NPDES permit to discharge treated sewage from the Roof Garden Acres MHP STP in Somerset Township, **Somerset County**.

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

*Outfall 001:* existing discharge, design flow of 0.013 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	15.0			30.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0097527.** Sewage, **Kenneth W. and Lori A. Cipra**, 11600 Wilshire Drive, North Huntingdon, PA 15642.

This application is for renewal of an NPDES permit to discharge treated sewage from the 51 Manor Mobile Home Park STP in Perry Township, **Fayette County**.

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

*Outfall 001:* existing discharge, design flow of 0.0031 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	7.0			14.0
(11-1 to 4-30)	21.0			42.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	7,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (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). Any major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

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

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

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on 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.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0082619	York Comm. Mgmt. Shangri-La/ Newberry Farms Community 332 Gosling Dr. York, PA 17402	York County Newberry Township	Conewago 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 or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan or action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit application and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483.

TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications received for industrial waste and sewage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**A. 5000404.** Sewage, submitted by **Donald L. Campbell, Sr.**, P. O. Box 260, Millerstown, PA 17062 in Greenwood Township, **Perry County** to construct a single family sewage treatment plant to serve their residence was received in the Southcentral Region on September 15, 2000.

**A. 2899402 (amendment 00-1)** Sewage, submitted by **Franklin County General Authority**, 5000 Lettorkenny Road, Suite 320, Chambersburg, PA 17201-8382 to install a sludge press and relocation pump station and bypass was received in the Southcentral Region on September 19, 2000.

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

**A. 0200402-A1.** Sewerage, **Sanitary Authority of Elizabeth Township**, 522 Rock Run Road, Buena Vista, PA 15019. Application for the construction and operation of Phase III of Sewer and Appurtenances to serve the Arrowhead Lakes Area Sewer System located in Elizabeth Township, **Allegheny County**.

**A. 0285405-A2.** Sewerage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200,

Coraopolis, PA 15108. Application for the modification and operation of a pump station and force main to serve the Stoops Ferry Wastewater Pump Station located in Moon Township, **Allegheny County**.

**A. 3000401. Sewerage, Threshold Housing Development, Inc.**, 8 N. Beeson Avenue, Uniontown, PA 15401. Application for the construction and operation of a sewage pumping station to serve the Threshold Subdivision located in Cumberland Township, **Greene County**.

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

**WQM Permit No. 1600406. Sewerage. St. Petersburg Borough**, P. O. Box 101, St. Petersburg, PA 16054. This project is for the construction and operation of a backwash holding tank with a supernatant decant into an unnamed tributary of the Clarion River in St. Petersburg Borough, **Clarion County**.

### INDIVIDUAL PERMITS

#### (PAS)

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day permit will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department 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 No. PAS10-G438. Stormwater. Green Point Farms, Inc.**, 202 Bayard Road, Kennett Square, PA, has applied to discharge stormwater from a construction activity located in East Nottingham Township, **Chester County**, to Little Elk Creek (HQ-TSF-MF).

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

*Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.*

**NPDES Permit PAS10S083. Stormwater. Washington St. Partners**, 5097 Milford Rd., E. Stroudsburg, PA 18301 has applied to discharge stormwater from a construction activity located in Stroud Township, **Monroe County** to Wigwam Run, HQ-CWF.

*Northampton County Conservation District, District Manager, Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.*

**NPDES Permit PAS10U138. Stormwater. Liberty Property Limited Partnership**, Lehigh Valley Corporate Center, 1510 Valley Center Parkway, Suite 240, Bethlehem, PA 18017 has applied to discharge stormwater from a construction activity located in Hanover Township, **Northampton County** to Monocacy Creek, HQ-CWF.

**NPDES Permit PAS10U137. Stormwater. Northampton County Industrial Development Authority**, 669 Washington St., Easton, PA 18042 has applied to discharge stormwater from a construction activity located in Plainfield Township, **Northampton County** to Little Bushkill Creek, HQ-CWF.

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

**NPDES Permit PAS10E073. Stormwater. Buffalo Township Elementary School**, Freeport Area School District, 500 Sarver Road, Sarver, PA 16055, has applied to discharge stormwater from a construction activity located in Buffalo Township, **Butler County**, to Sarver Run and Little Buffalo Creek (HQ-TSS).

### 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. 0900509. Public water supply. Northampton Bucks County Municipal Authority**, 111 Township Road, Richboro, PA 18954. This proposal involves the construction of a Chemical Feed System for Well No. 6 in Northampton Township, **Bucks County**.

*Bureau of Water Supply Management, Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105. Contact: Godfrey C. Maduka, (717) 787-9037.*

**A. 9996491. Great Spring Waters of America, Inc.**, 400 Killick Pond Road, Hollis, ME 04042; Tamara Risser, Quality Control Manager. Applicant requests Department approval for a major permit amendment to use a new spring water source at their Poland Spring bottling

facility in Hollis, ME. The following bottled water brand will be marketed in Pennsylvania: Poland Spring Natural Spring Water.

*Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.*

**Permit No. 5000504.** Public water supply. **Bloomfield Borough Water Authority**, Bloomfield Borough, **Perry County**. *Responsible Official:* Charles C. McLaughlin, Vice Chair, P. O. Box 293, New Bloomfield, PA 17068-0293. *Type of Facility:* A Construction Permit Application seeks approval to complete construction of Well No. 2 and ancillary facilities. The well will be operated at a rate of 80 gallons per minute. Disinfection, utilizing sodium hypochlorite, will be provided at existing Well House No. 1. *Consulting Engineer:* Julia C. Schiefer, P.E., Herbert, Rowland & Grubic, Inc., 369 East Park Dr., Harrisburg, PA 17111. *Application received:* August 28, 2000.

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

**0200503. Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239. Construction of a prefabricated chlorinator building to the existing High School Booster Pump Station serving Plum Borough, **Allegheny County**.

**5600506. Stoystown Borough Municipal Authority**, P. O. Box 324, Stoystown, PA 15563-0324. Development of Well #10 (Egler Test Well) serving Quemahoning Township, **Somerset County**.

**3000501. East Dunkard Water Association**, P. O. Box 241, Dilliner, PA 15237. Installation of a new 113,000 gallon, above ground, water storage tank. The new tank will replace two existing tanks serving East Dunkard 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—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 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Romagano Residence**, Bensalem Township, **Bucks County**. Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Bucks County Courier Times* on November 3, 1999.

**Spector Residence**, Bensalem Township, **Bucks County**. Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Bucks County Courier Times* on November 3, 1999.

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**Former Liquid Carbonic Industries Corporation**, Laurel Run Borough, **Luzerne County**. John Walker, P.G., Project Director, MEI Environmental, Inc., 6205 Easton Road, Pipersville, PA 18947 has submitted a Notice of Intent to Remediate (on behalf of his client,

Praxair, Inc., Industrial Drive, Keasbey, NJ 08832) concerning the characterization and remediation of site soils and groundwater found or suspected to have been contaminated with petroleum hydrocarbons, metals, PCBs, solvents and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard.

**Former Berger Trailer Residence**, Pocono Township, **Monroe County**. David Everitt III, Environmental Scientist, MEA, Inc., 201 Center Street, Stockertown, PA 18083 has submitted a Notice of Intent to Remediate (on behalf of his client, Sullivan Trail Village, R. R. 5, Box 5308, East Stroudsburg, PA 18301) concerning the remediation of site soils and groundwater found or suspected to have been contaminated with no. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide health standard.

**PPL Utilities—Former Penn Fuel Gas Manufactured Gas Plant (Ashland site)**, Ashland Borough, **Schuylkill County**. Michael J. Hasel, Environmental Professional, Environmental Management Division, PPL Utilities, Two North Ninth Street (GENTW8), Allentown, PA 18101-1179 submitted a Notice of Intent to Remediate concerning the characterization and remediation of site soils and groundwater found or suspected to have been contaminated with metals, phenolic compounds, cyanide, polycyclic aromatic hydrocarbons, and BTEX (benzene, toluene, ethylbenzene, and xylene) compounds. The applicant proposes to remediate the site to meet both a combination of the Statewide health and site-specific standards. A summary of the notice was reportedly published in the *Pottsville Republican* on September 18, 2000.

**PPL Utilities—Former Penn Fuel Gas Manufactured Gas Plant (Pottsville site)**, City of Pottsville, **Schuylkill County**. Michael J. Hasel, Environmental Professional, Environmental Management Division, PPL Utilities, Two North Ninth Street (GENTW8), Allentown, PA 18101-1179 submitted a Notice of Intent to Remediate concerning the characterization and remediation of site soils, groundwater and surface water found or suspected to have been contaminated with metals, phenolic compounds, cyanide, polycyclic aromatic hydrocarbons, and BTEX (benzene, toluene, ethylbenzene, and xylene) compounds. The applicant proposes to remediate the site to meet both a combination of the Statewide health and site-specific standards. A summary of the notice was reportedly published in the *Pottsville Republican* on September 18, 2000.

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

**Clearview Shopping Center**, Hanover Borough, **York County**. Clearview Associates, 18 South George Street, Suite 425, York, PA 17401 and **BL Companies**, 2407 Park Drive, 1st Floor, Harrisburg, PA 17110 have submitted a Notice of Intent to Remediate groundwater contaminated with BTEX and PAHs. The applicants proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hanover Evening Sun* on August 30, 2000.

**Palm Industrial Center**, Herefore Township, **Berks County**. Palm Partners, 404 Main Street, Pennsburg, PA 18073 and **Earth Data, Inc.**, 924 Springdale Drive, Exton, PA 19341 have submitted a revised Notice of Intent to Remediate site soils and groundwater contami-

nated with PHCs and PAHs. The applicants propose 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 Morning Call* on September 1, 2000.

**SKF USA Inc.**, City of Altoona, **Blair County**. SKA USA Inc., 1111 Adams Avenue, Norristown, PA 19403 and **ARM Group, Inc.**, 561 West Chocolate Avenue, Hershey, PA 17033 have submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicants propose to remediate the site to meet a combination of background, Statewide health, and site specific standards requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* during the week of September 25, 2000.

**Reading Jewish Community Center**, City of Reading, **Berks County**. Hafer Environmental Services, PO Box 4418, Reading, PA 19606 and Reading Jewish Community Center, 1700 City Line Street, Reading, PA 19604 have submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PHCs and PAHs. The applicants propose 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 *Reading Eagle/Reading Times* on July 12, 2000.

**Commercial Industries, Inc., formerly United Piece Dye Works Site**, Spring Garden and Springettsbury Townships, **York County**. Roux Associates, Inc., 1377 Motor Parkway, Islandia, NY 11749 and Commercial Industries, Inc., 1520 Northern Boulevard, Manhasset, NY 11030 have submitted a Notice of Intent to Remediate site soils, groundwater, surface water and sediment contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, and PAHs. The applicants propose to remediate the site to meet a combination of background and Statewide health standards requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on September 18, 2000.

**Cole Office Environments**, Springettsbury Township, **York County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 and Cresticon, Inc., 21240 Burbank Boulevard, Woodland Hills, CA 91367 have submitted a Notice of Intent to Remediate site soils contaminated with solvents. The applicants propose to remediate the site to meet the site specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* during the week of September 11, 2000.

**Distribution Pole 25017S33555**. City of Harrisburg, **Dauphin County**. Cornelius Lott, 1242 South 19th Street, Harrisburg, PA 17104 and PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 have submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicants propose 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 *Harrisburg Patriot News* on September 20, 2000.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**ACC Operations, Inc.—Former Coudersport Borough Property**, Coudersport Borough, **Potter County**.

LaBella Associates, P.C., on behalf of its client ACC Operations, Inc., Main at Water Street, Coudersport, PA 16915, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PHCs and a Notice of Intent to Remediate groundwater contaminated with BTEX and PHCs. 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 *Potter Leader Enterprise* on August 22, 2000.

**ACC Operations, Inc.—Former Vacuum Oil and Witter Oil Property, Coudersport Borough, Potter County.** LaBella Associates, P.C., on behalf of its client ACC Operations, Inc., Main at Water Street, Coudersport, PA 16915, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PHCs and a Notice of Intent to Remediate groundwater contaminated with BTEX and PHCs. 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 *Potter Leader Enterprise* on August 22, 2000.

**St. Mary's Church of the Assumption—Parsonage, Wyalusing Borough, Bradford County.** Marshall Miller & Associates, on behalf of its client St. Mary's Church, State at Wyoming Street, Wyalusing, PA 18853, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs and PAHs. 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 *Wyalusing Rocket* on July 27, 2000.

## SOLID AND HAZARDOUS WASTE

### PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

#### INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

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

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

**The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802; License No. PA-HC 0153; renewal application received on September 22, 2000.**

### REQUEST FOR PROPOSALS FOR MUNICIPAL SOLID WASTE CAPACITY

#### Columbia County

#### Bloomsburg, PA

#### Addendum #1

Sealed proposals will be received by the Columbia County Commissioners at the Columbia County Courthouse, Bloomsburg, PA 17815 until 2 p.m. prevailing time on October 19, 2000. All proposals will be publicly opened by the Columbia County Commissioners at 2 p.m. on October 19, 2000, at the County Courthouse. This supersedes the previous Notice which appeared on 30 Pa.B. 4752 (September 9, 2000) and called for sealed proposals to be received October 11, 2000.

Copies of the RFP may be purchased on or after September 11, 2000, only from the Columbia County Planning Commission at 702 Sawmill Road, Suite 104, Bloomsburg, PA 17815, (570) 389-9146, by payment of a nonrefundable amount of \$100 per proposal. Proposers should make checks payable to Columbia County.

## AIR QUALITY

### OPERATING PERMITS

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

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

**67-03056: SKF USA Inc.** (525 Fame Avenue, Hanover, PA 17331) for a Natural Minor Operating Permit for a ball and roller bearing manufacturing facility in Penn Township, **York County**.

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

**41-329-001A: Lycoming County Resource Management Services** (P. O. Box 187, Montgomery, PA 17752) for operation of two 860 horsepower landfill gas-fired reciprocating internal combustion engines at the Lycoming County Landfill in Brady Township, **Lycoming County**.

*City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 685-7584.*

**95-008: PECO Energy Co., Oregon Shop** (2610 Columbus Boulevard, Philadelphia, PA 19148) for operation of a maintenance facility in the City of Philadelphia, **Philadelphia County** servicing and repairing equipment and power generating components for surrounding PECO Energy generating facilities. The Synthetic Minor facility's air emission sources include 13 combustion units each rated at less than 5.0 MMBTU/hr, one metal working station, two paint shop spray booths with dry panel filters, one transformer shop paint spray booth with dry panel filters, one graphic arts shop, and one gasoline storage tank and distribution with Stage I and Stage II Vapor Recovery Systems.

**00-002: Girard College Power Plant** (2101 South College Avenue, Philadelphia, PA 19121) for operation of a school in the City of Philadelphia, **Philadelphia County**. This Synthetic Minor facility's air emission sources include three 725 HP boilers and one 300 HP boiler that can burn natural gas or No. 2 fuel oil.

**96-050: Convent of the Sisters of Saint Joseph** (9601 Germantown Avenue, Philadelphia, PA 19118) for operation of a non-profit religious educational institution in the City of Philadelphia, **Philadelphia County**. This Synthetic Minor facility's air emission sources include four emergency generators, two natural gas fired boilers each rated at less than 1.0 MMBTU/hr, three No. 2 oil or natural gas fired boilers with low NO<sub>x</sub> burners; two units are rated at 600 HP and one unit is rated at 300 HP.

### Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, 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 (relating to operating permit requirements) and G (relating to 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 persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any 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, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**23-00084: FPL Energy MH50, L.P.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) in Marcus Hook Borough, **Delaware County**. This facility is on the property of the Sunoco Marcus Hook Refinery and consists of only a cogeneration unit, which is a major source of NO<sub>x</sub>.

**46-00015: Occidental Chemical** (Armand Hammer Boulevard, Pottstown, PA 19464) in Lower Pottsgrove Township, **Montgomery County**. The facility's major emission points include chemical dryers, which emit major levels of volatile organic compounds and hazardous air pollutants.

**15-00027: Johnson Matthey, Inc.** (436/456 Devon Park Drive, Wayne, PA 19087-1816) in Tredyffrin Township, **Chester County**. The facility's major emission points include OC Lab, Selective Catalytic Reduction (SCR) Process, four Catalytic Drying Ovens, Centerless Grinder, Chip Removing Machine, three Power Handling Machines, a Pilot Plant Process, and Production Lines 1, 2, 3, and 4 which emit major levels of volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>).

**46-00081: Markel Corp.** (416 School Lane, Norristown, PA 19404) in Plymouth Township, **Montgomery County**. The facility's major emission points include two boilers, eight horizontal extruders, three vertical extruders, three vertical wire extruders and a catalytic oxidizer.

**09-00040: Consolidated Graphics** (315 A West Street Road, Warminster, PA 19874) in Warminster Township, **Bucks County**. The facility's major emission points include six lithographic printing presses and their cleanup operations, which emit major levels of volatile organic compounds.

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

**30-00063: Consolidation Coal Co.** (P. O. Box 100, Osage, WV 26543) for their Robena Preparation Plant in

Monongahela, **Greene County**. As a result of the potential levels of volatile organic compounds (VOCs) and particulate matter (PM<sub>10</sub>) emitted, this facility is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

#### PLAN APPROVALS

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

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

**23-0004: American Ref-Fuel Co. of DV, L. P.** (10 Highland Avenue, Chester, PA 19013) for a minor operating permit modification of facility VOC/RACT in City of Chester, **Delaware County**.

**46-0078: G-Seven LTD** (2289 North Penn Road, Hatfield, PA 19440) for modification of a spray booth to dry filters in Hatfield Township, **Montgomery County**.

**09-0131: Pyramid Graphics, Inc.** (1021 Washington Avenue, Croydon, PA 19021) for installation of a heatset web offset printing line in Bristol Township, **Bucks County**.

**09-320-054GP: Frantz Lithographic Service, Inc.** (1505 Ford Road, Bensalem, PA 19020) for construction of a sheetfed offset lithographic press in Bensalem Township, **Bucks County**.

**15-0004: Reynolds Metals Co.** (520 Lincoln Avenue, Downingtown, PA 19335) for a minor operating permit modification of facility VOC/RACT glue laminator in Downingtown Borough, **Chester County**.

**15-0108: Refractory Minerals Co., Inc.** (150 South Jennersville Road, West Grove, PA 19390) for relocation of a gas fired dryer in Penn Township, **Chester County**.

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

**05-05023A: New Enterprise Stone & Lime Co.,** (P. O. Box 77, New Enterprise, PA 16664) for installation of a recycled asphalt product (PAP) processing system on the existing batch asphalt plant at the Ashcom Quarry in Snake Spring Township, **Bedford County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-05064A: Sunoco Inc (R&M)** (1801 Market Street, Philadelphia, PA 19103) for installation of a replacement vapor control system on a bulk gasoline terminal's loading rack at their Montello Terminal in Spring Township, **Berks County**. The unit is being installed to comply with 40 CFR 63, Subpart R, National Emission Standards for Hazardous Air Pollutants.

**07-05001C: Appleton Papers, Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673) for installation of the foul condensate collection and treatment system at the Spring Mill Plant in Roaring Spring Borough, **Blair County**. The installation is intended to reduce HAP (primarily methanol) emissions from the kraft pulping process condensates in accordance with § 63.446 of 40 CFR Part 63, Subpart S—Standards of Performance for Hazardous Air Pollutants: Pulp and Paper Production. The pulping process condensates will be collected in a closed collection system and discharged below the liquid surface of the biological treatment system to reduce or destroy the total HAPs by at least 92% or more by

weight. The plan approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

**21-05042A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17104-3331) for modification to an existing hot mix asphalt plant at the Silver Spring Quarry in Silver Spring Township, **Cumberland County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commences After July 23, 1984.

**22-05034A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17104-3331) for modification to an existing hot mix asphalt plant at the Hummelstown Quarry in South Hanover Township, **Dauphin County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commences After July 23, 1984.

**36-03038: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) for construction of a cremation chamber in Upper Leacock Township, **Lancaster County**.

**38-05003B: Pennsylvania Lime, Inc.** (P. O. Box 160, Annville, PA 17003) for installation of a fabric filter to control conveyor belt emissions at the Millard Lime Plant in North Londonderry Township, **Lebanon County**.

**38-05023A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17104-3331) for modification to an existing hot mix asphalt plant at the Prescott Quarry in South Lebanon Township, **Lebanon County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commences After July 23, 1984.

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

**55-399-003A: Penn Lyon Homes, Inc.** (P. O. Box 27, Selinsgrove, PA 17870) for construction of a finishing (surface coating) operation in Monroe Township, **Snyder County**.

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

**63-909A: Ionics, Inc.** (P. O. Box 99, Bridgeville, PA 15017) for installation of surface coating operations at Ionics Canonsburg in Canonsburg Borough, **Washington County**.

**04-446C: AES BV Partners** (394 Frankfort Road, Monaca, PA 15061) for installation of CFB Boiler at the Beaver Valley Cogeneration in Potter Township, **Beaver County**.

**30-127B: MonTec Hydraulics, L.P.** (3 Paisley Industrial Park, Carmichaels, PA 15320) for installation of Electroplating at the Carmichaels Plant in Cumberland Township, **Greene County**.

## MINING

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

### Request for Comment and Notice of Public Meeting For the Proposed Total Maximum Daily Load (TMDL) for Drury Run Watershed

The Department of Environmental Protection (Department) is holding a public meeting on November 9, 2000 beginning at 7 p.m. at the Western Clinton Sportsman Association in Clinton County, to discuss and accept comments on a proposed TMDL, established in accordance with the requirements of the 1996 Section 303(d) of the Clean Water Act. Four stream segments in the Drury Run Watershed have been identified as impaired on the 1996 and 1998 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

Stream Code	Stream Name	Miles Degraded
23620	Drury Run	7.3
23621	Stony Run	1.3
23626	Sandy Run	1.0
23625	Woodley Draft	1.7

The proposed plan provides calculations of stream's total capacity to accept metals (aluminum, iron, manganese and acidity) and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

Parameter	Criterion value (mg/l)	Duration	Total Recoverable/Dissolved
Aluminum	0.1 of the 96 hour LC 50	Maximum one hour	Total recoverable
Iron	0.75	1 day average maximum	Total recoverable dissolved
	1.50		
Manganese	0.3	maximum	Total recoverable
	1.00		
pH	6—9	At all times	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined heavily for coal in the late 19th and to the mid 20th centuries. The effects of this are still present. All of the allocations made in the TMDL are load allocations (LA) which are made to nonpoint sources of pollution.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL. The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The field data used to establish this TMDL were collected over the past 34 years.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Dr. Charles E. Miller, Jr., Hydrogeologist, Hawk Run District Mining Office, Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200. E-mail will be received at miller.charles@



dep.state.pa.us. Directions to the Western Clinton Sportsman Association meeting place can also be obtained by contacting this address.

The TMDL can be viewed and printed on this Website.

Written comments will be accepted at the above address and must be postmarked by December 7, 2000. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, November 2, 2000. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

#### 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (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 such certification.

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

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

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

*McMurray District Office, 3913 Washington Road, McMurray, PA 15317.*

*Coal Mining Applications Received:*

**03901304. TJS Mining, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), to renew the permit for the Darmac #3 Deep Mine in Plumcreek Township, **Armstrong County** to renew the existing deep mine and NPDES permit, no additional discharges. Application received August 28, 2000.

**30841319. Consolidation Coal Co.** (4000 Brownsville Road, South Park, PA 15129), to renew the permit for the Blacksville No. 1 Mine in Wayne Township, **Greene County** to renew the permit, no additional discharges. Application received August 28, 2000.

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

**54850103R3. Michael Coal Company** (R. R. 1, Box 40A, Tower City, PA 17980), renewal of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 217.6 acres, receiving stream—Lower Rausch Creek and Good Spring Creek. Application received September 7, 2000.

**35813204R3. Dominick DeNaples** (400 Mill Street, Dunmore, PA 18512-2837), renewal of an existing coal reprocessing operation in Dunmore Borough, **Lackawanna County** affecting 14.3 acres, receiving stream—Roaring Brook Creek. Application received September 12, 2000.

**54850207T. International Anthracite Corporation** (213 S. 16th Street, Pottsville, PA 17901), transfer of an existing coal refuse reprocess/preparation plant operation from Harriman Coal Corporation in Hegins Township, **Schuylkill County** affecting 39.0 acres, receiving stream—East Branch Rausch Creek. Application received September 13, 2000.

**Northampton Fuel Supply Co., Inc.** (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814), renewal of an existing anthracite refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 124.0 acres, receiving stream—Nanticoke Creek. Application received September 18, 2000.

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

**16900113. Ancient Sun, Inc.** (P. O. Box 129, Shippenville, PA 16254) Renewal of an existing bituminous surface and auger operation in Redbank Township, **Clarion County** affecting 214.6 acres. Receiving streams: Two unnamed tributaries of Pine Creek. Application for reclamation only. Application received September 19, 2000.

**33980103. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous surface operation from Leonard Yenzi in Warsaw Township, **Jefferson County** affecting 74.3 acres. Re-



ceiving streams: Unnamed tributary to Mill Creek. Application received: April 10, 2000. Permit Issued: September 13, 2000.

*Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**56950110. Permit Renewal. Hardrock Coal Company** (275 Saddle Ridge Road, Berlin, PA 15530), for continued operation of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 163.6 acres, receiving stream unnamed tributary to/and Flag Run, unnamed tributary to/and Casselman River, Crab Run, application received September 21, 2000.

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

**03940101. TDK Coal Sales, Incorporated** (P. O. Box 259, Brockway, PA 15824). Application received to revise permit to conduct mining activities up to 50 feet of and construct erosion and sedimentation controls up to 25 feet of an unnamed tributary to Holder Run at a bituminous surface mining site located in Bradys Bend Township, **Armstrong County**, affecting 129.2 acres. Receiving streams: unnamed tributary to Holder Run and to Holder Run to Sugar Creek. Application received: September 18, 2000.

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

**17000108. Moravian Run Reclamation Company, Inc.** (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine permit in Ferguson Township, **Clearfield County** affecting 14.7 acres. Receiving streams: Gazzam Run and unnamed tributaries to Gazzam Run. Application received September 14, 2000.

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

*Noncoal Applications Received*

**7774SM2A1C4. Berks Products Corporation** (726 Spring Street, Reading, PA 19603), correction of an existing quarry operation to update NPDES Permit No. PA0594521 in Ontelaunee Township, **Berks County** affecting 152.0 acres, receiving stream—Maiden Creek. Application received September 7, 2000.

**09890303C5. Miller & Son Paving, Inc.** (P. O. Box 161, 1371 West Street Road, Warminster, PA 18974), renewal of NPDES Permit No. PA0594661 in Plumstead Township, **Bucks County**, receiving stream—North Branch Neshaminy Creek. Application received September 13, 2000.

**8074SM2C2. Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422-0465), correction to an existing quarry operation for an incidental boundary correction in Whitmarsh Township, **Montgomery County** affecting 345.2 acres, receiving stream—Lorraine Run. Application received September 15, 2000.

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

**16950306. Ancient Sun, Inc.** (P. O. Box 129, Shippenville, PA 16254). Renewal of an existing sand and gravel operation in Perry and Toby Townships, **Clarion County** affecting 58.0 acres. Receiving streams: Unnamed tributary to Black Fox Run. Renewal of NPDES Permit No. PA0227005. Application received: September 15, 2000.

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

**26950402. Pioneer Mid-Atlantic, Inc.** (400 Industrial Boulevard, New Kensington, PA 15068). NPDES renewal application received for continued operation and reclamation of a noncoal surface and underground mine located in Bullsken Township, **Fayette County**, affecting 360.0 acres. Receiving streams: Green Lick Run. Renewal application received: September 20, 2000.

## APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

### ENCROACHMENTS

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

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

**E09-809. Encroachment. Pennsylvania Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406. To operate, rehabilitate and maintain an existing six span masonry arch bridge on Forest Grove Road (S. R. 2097, Section 01S) over Mill Creek (WWF). The proposed rehabilitation will temporarily impact 0.03 acre of wetland for construction equipment access and 32 linear feet of watercourse associated with placement of scour protection. This site is located approximately 300 feet west of the junction of Mill Creek Road, Township Line Road and Forest Grove Road (Buckingham PA Quadrangle N: 5.8 inches; W: 2.9 inches) in Buckingham Township, **Bucks County**.

**E09-810. Encroachment. Metromedia Fiber Network Services, Inc.**, One North Lexington Avenue, 4th Floor, White Plains, NY 10601. To install and maintain a fiber optic utility line crossing, consisting of two 8-inch steel pipes attached to the north side of the Pennsylvania Canal Bridge by the use of existing brackets. The crossing spans the Pennsylvania Canal (a.k.a. Delaware Canal) (WWF/TSF) and is located where the Conrail tracks cross

the Canal (Trenton West Quadrangle N: 12.8 inches; W: 4.45 inches) in Morrisville Borough, **Bucks County**.

**E15-650.** Encroachment. **South Coventry Township**, 1002 Ridge Road, Pottstown, PA 19465. To construct an 8-inch sewer line, a raw sewage pump station and a four-inch sanitary force main across unnamed tributaries of French Creek (EV), its 100-year floodplain and adjacent wetlands (PEM). The sewer system will serve 181 proposed townhouses, 100 proposed assisted living units, a proposed 35,000 square foot office building and 50 existing parcels within the Pughtown Village area. The utility crossings are located approximately 1,500 feet south of Route 23 along Route 100, (Pottstown, PA USGS Quadrangle N: 7.5 inches; W: 5.8 inches) in South Coventry Township, **Chester County**.

**E46-873.** Encroachment. **Pennsylvania Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525 and **PA Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To place and maintain fill in and along the 100-year floodplain of Sandy Run (WWF) associated with roadway widening and the construction of a stormwater management facility along the eastbound lane of the PA—Turnpike for the purpose of SR 0309 Section 110 Road improvements. The site is located approximately 100 feet west of the PA Turnpike bridge crossing with SR 0309 (Ambler, PA Quadrangle N: 1.1 inches; W: 10.8 inches) in Whitemarsh and Upper Dublin Townships, **Montgomery County**.

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

**E54-279.** Encroachment, **Edward Hart**, Union Township Board of Supervisors, 113 Zion Grove Road, Ringtown, PA 17967-9702. To remove the existing bridge on Red Ridge Road over the Little Catawissa Creek (CWF) and to construct and maintain a box beam bridge having a clear span of 32.33 feet and a minimum underclearance of 5.51 feet. The project is located where Township Road T794 crosses Little Catawissa Creek (Ashland, PA Quadrangle N: 20.75 inches; W: 0.1 inch), Union Township, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

**E45-399.** Encroachment. **Milta Zeno**, 711 Amsterdam Avenue, No. 8B, New York, NY 10025. To place fill in a de minimis area of PFO wetlands equal to 0.04 acre and to construct and maintain a 2 inch sanitary sewer line lateral for the purpose of constructing a house and driveway crossing of a wetland and to construct and maintain a floating boat dock consisting of approximately 134 square feet. This project is located on Lot 2336 of Section H-II of Stillwater Lake Estates (Tobyhanna, PA Quadrangle N: 1.9 inches; W: 2.9 inches), Coolbaugh Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E14-380.** Encroachment. **Robert F. Herschell**, P. O. Box 181, Aaronsburg, PA 16820. To construct and maintain an out-of-scope dam with a 12-inch HDPE pipe inlet, a 12-inch HDPE outlet pipe and a R-4 outlet trench for an off-stream 2,995 square foot trout pond in the left floodway of an unnamed tributary to Pine Creek located 1,750 feet north of the Foxes Gap Road and Cemetery Road intersection (Millhiem, PA Quadrangle N: 8.7 inches; W: 0.8 inch) in Haines Township, **Centre**

**County**. This project proposes to indirectly impact the water quality of an unnamed tributary of Pine Creek, which is classified as a High Quality-Cold Water Fishery.

**E41-469.** Encroachment. **Cummings Township Supervisors**, P. O. Box 117, Waterville, PA 17776. The proposed application proposes to install thirteen 15-inch diameter cross culverts that will discharge into Dam Run. The proposed culverts are associated with numerous improvements to Dam Run Road and will also include the installation of 75 feet of riprap stream bank stabilization in two locations. This project is located 1.5 miles north on SR 4001 from the intersection with SR 44 (Waterville, PA Quadrangle N: 17 inches; W: 7.5 inches) Cummings Township, **Lycoming County**. This project proposes to effect 4 miles of roadway, which will minimize the amount of sedimentation to Dam Run, which is designated a High Quality-Cold Water Fishery. This project does not propose to impact any wetlands.

**E41-470.** Encroachment. **Lycoming County Commissioners**, Lycoming County Court House, Williamsport, PA 17701.

The permit application proposes to construct and maintain a 3,233-foot flood mitigation project in the town of Ralston. The project includes the following:

1. *Earthen Berm* will begin at SR 14 and travel along the south bank of Red Run to the confluence with Lycoming Creek then continue along the west bank of Lycoming Creek to the upstream side of the Rock Run bridge. The berm will consist of a 12 foot wide top and have 3 foot horizontal to 1 foot vertical side slopes and will vary between 3 feet and 6 feet. The total linear length of the berm will be 1,183 feet.

2. *Earth Fill* will be located between the Rock Run bridge and the railroad bridge. The fill will consist of borrow soil from another site and will be compacted, graded and seeded to comply with design standards. The fill will total 50,789 square feet and will vary in height between 6 feet and 12 feet.

3. *Removal of Existing Railroad Bridge* will consist of removing the deck, pier and northern abutment. The southern abutment and steel pile wall will remain as slope protection.

4. *Internal Drainage* will be incorporated through the mitigation project. A 12-inch and an 8-inch diameter pipe will be constructed to discharge stormwater that is collected on the landside of the project.

5. *Construction of County Bridge #105* will consist of a two span reinforced concrete spread box beam superstructure, reinforced concrete deck and abutments. The bridge will span 165 feet, a width of 36 feet and will carry two lanes for vehicular traffic along with one walkway.

6. *Storm Sewer* construction associated with the Green Street, Macadam Street and Holley Street reconstructions. The discharges will be directed into Lycoming Creek.

The centralized location of the project is on the Ralston, PA Quadrangle N: 1.12 inches, W: 10.65 inches) in McIntyre Township, **Lycoming County**. This project proposes to impact a total of 3,233 linear feet Lycoming Creek, which is designated as Cold Water Fishery and is on the PA Fish and Boat Commissions Wild Trout List. This project does not propose to impact any wetlands.

**E47-069.** Encroachment. **PA Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. The proposed application proposes to remove the existing bridge and

replace it with a single span concrete box beam structure. This project is located on SR 11 in the Village of Mechanicsville (Danville, PA Quadrangle N: 15.5 inches; W: 11.25 inches) Mahoning Township, **Montour County**. This project proposes to impact 100 lineal feet of Sechler Run, which is designated a Cold Water Fishery and this project does not impact any wetlands.

**E53-349.** Encroachment. **David G. Saulter**, Box 247 Baker Creek Rd., Coudersport, PA 16915. The applicant proposes to construct a single span private bridge 26 feet long with an underclearance of 4 feet. The structure will be built on precast concrete blocks measuring 6 feet long by 2 feet wide by 2 feet high. These blocks are constructed with a key way to enable them to be stacked in an interlocking fashion. The blocks area proposed to be stacked three high and three long to form an abutment measuring 12 feet long by 6 feet high. This project is located 1.2 miles south of Coneville on SR 44 (Oswayo, PA Quadrangle N: 2.25 inches; W: 5.5 inches) Hebron Township, **Potter County**. This project proposes to impact 25 lineal feet of the South Branch of Oswayo Creek, which is designated an Exceptional Value Fishery and is listed on the PA Fish and Boat Commission's Wild Trout Listing. This project does not propose to impact any wetlands.

**E59-398.** Encroachment. **Allen R. Mohler**, 168 Spring Hill Road, Kirkwood, PA 17536-9754. To construct, operate and maintain a minor road crossing Chaffee Run (High Quality Cold Water Fishery) to provide private property access. The minor road crossings shall be constructed with a 4-foot diameter by 20-foot long culvert pipe. The project will not impact wetlands while cumulatively impacting 20 feet of waterway. The project is located along the western right-of-way of T-316 approximately 3,200 feet west of T-304 and T-316 intersection (Marshlands, PA Quadrangle N: 9.7 inches; W: 7.3 inches) in Elk Township, **Tioga County**.

**E59-407.** Encroachment. **Stephen L. Copp**, R. R. 7, Box 312, Wellsboro, PA 16901. The application is for a maintenance permit for an existing footbridge. The bridge is a single span, 5-foot wide, 60-foot long structure over Asaph Run. This project is located 1/4 mile north on Asaph Road from the intersection with Marsh Creek Road, T-479 (Asaph, PA Quadrangle N: 4.6 inches; W: 4.7 inches) Shippen Township, **Tioga County**. This project impacted 15 lineal feet of Asaph Run which is designated a High Quality Cold Water Fishery and is listed on the PA Fish and Boat Commission's Wild Trout Listing. This project did not impact any wetlands.

**E60-145.** Encroachment. **Union County Commissioners**, 103 S. Second St., Lewisburg, PA 17837. The proposed application proposes to remove the existing left abutment and replace it with a reinforced concrete abutment. This project is located 1/4 mile east on T-357 from the intersection with T-394 (Mifflinburg, PA Quadrangle N: 12.3 inches; W: 10 inches) West Buffalo Township, **Union County**. This project proposes to impact 30 lineal feet of the N. Branch of Buffalo Creek which is designated a High Quality Cold Water Fishery and is listed on the PA Fish and Boat Commission's Wild Trout Listing. This project did not impact any wetlands.

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

**E26-269.** Encroachment. **Fay-Penn Economic Development Council**, 2 West Main Street, Suite 407, P. O. Box 2101, Uniontown, PA 15401. To construct and maintain a 1.0-foot depressed 10.0-foot × 6.5-foot concrete box culvert in an unnamed tributary to Redstone Creek

(WWF) and to relocate 175 feet of an unnamed tributary to Redstone Creek (WWF) as part of the development of Fayette Technology Park. The project is located off of S. R. 119 (Uniontown, PA Quadrangle N: 11.5 inches; W: 6.6 inches) in North Union Township, **Fayette County**. The project will impact 0.28 acre of wetlands.

**E26-272.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure, to construct and maintain two 78-inch concrete pipes in Stony Run (CWF), to repair an existing bridge across Indian Creek (CWF), and to place and maintain fill in a de minimis area of palustrine emergent wetlands equal to 0.001 acre as part of the S. R. 0653 resurfacing project. Also proposed is the construction and maintenance of two outfall structures each consisting of an 18-inch corrugated pipe along Stony Run at stations 25 + 84 and 26 + 00. The project extends between the S. R. 0381 and 0653 intersection and the Fayette-Somerset County line (Mill Run, PA Quadrangle N: 21.8 inches; W: 8.67 inches) in Springfield Township, **Fayette County**.

**E26-273.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 25.0 meters and an underclearance of 3.21 meters across Georges Creek (WWF) for the purpose of improving transportation safety and roadway standards. The applicant also proposes the placement and maintenance of R-6 riprap along 31.5 meters of an unnamed tributary to Georges Creek (WWF) and the construction and maintenance of an outfall channel and a 450 mm outfall pipe along Georges Creek (WWF). The project is located on S. R. 3003, Section B20 (Masontown, PA Quadrangle N: 4.0 inches; W: 2.7 inches) in Springhill and Nicholson Townships, **Fayette County**.

**E56-298.** Encroachment. **Thomas McClintock**, 174 Samuels Road, Somerset, PA 15501. To place and maintain fill in 0.1 acre of wetland located in an unnamed tributary to East Branch of Coxes Creek (WWF) for the purpose of extension of the existing Beacon Street. The project is located between Beacon Street and the former B&O Railroad (Somerset, PA Quadrangle N: 4.15 inches; W: 11.4 inches) in Somerset Borough, **Somerset County**.

**E02-1322.** Encroachment. **Associated Investors**, 800 Mutual Building, 816 Fifth Avenue, Pittsburgh, PA 15219-4755. To construct and maintain a 43 foot long retaining wall and to place and maintain fill along the right bank of Duff's Run and to operate and maintain the existing 15-inch diameter outfall structure along the right bank of said stream for the purpose of constructing the Purity Road Industrial Park located approximately 160 feet south from the intersection of Purity Road and Rodi Road (Braddock, PA Quadrangle N: 12.3 inches; W: 10.9 inches) in the Municipality of Penn Hills and Churchill Borough, **Allegheny County**. This project is being done in relation to Compliance Order File No. 000201.

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

**E10-319.** Encroachment. **Bosetti Properties, Inc.**, 2880-B Hammondville Road, Pompano Beach, FL 33069. To place fill on Lot. No. 12 of the existing Cranberry Industrial Park Plan No. 2 along a reach of approximately 750 feet along the left (east) and within the regulated floodway of a tributary to Brush Creek and a

total of 0.24 acre of adjoining wetland for construction of a parking area for vehicles serviced by the existing Penn-Detroit Diesel-Allison facility located on Lot No. 13 south of Progress Avenue approximately 800 feet west of S. R. 19 (Mars, PA Quadrangle N: 15.6 inches; W: 15.1 inches) in Cranberry Township, **Butler County**. This project proposes contribution to the Pennsylvania Wetland Replacement Fund for replacement of 0.24 acre of impacted wetlands.

**E20-490. Encroachment. PA Department of Transportation, District 1-0**, 255 Elm Street, Oil City, PA 16301. To remove the existing bridge and to install and maintain a precast reinforced concrete box culvert having a 19-foot-wide by 7-foot-high waterway opening in a tributary to Shirley Run (Morse Run) on S. R. 1032, Segment 0080, Offset 0000 approximately 0.5 mile east of S. R. 89 (Titusville North, PA Quadrangle N: 18.5 inches; W: 4.5 inches) in Rome Township, **Crawford County**.

#### WATER QUALITY CERTIFICATION

##### Requests for Certification under Section 401 of the Federal Water Pollution Control Act

The following requests have been made to the Department of Environmental Protection (Department) for certification under Section 401(a) of the 1972 amendments to the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions or objections that are submitted in writing 30 days of the date of this Notice. Comments should be submitted to the Department at the address indicated above each of the following requests for certification. All comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments/objections are addressed, and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

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

*Certification Request Initiated By: Dynamic Painting Corporation, 7 Willis Court, Hicksville, NY 11801.*

*Project Description/Location:* Project involves the power tool cleaning of 35,000 square feet and pressure washing and painting of approximately 200,000 square feet of the Tacony-Palmyra Bridge in Philadelphia, PA. Power tool cleaning will be done utilizing machines equipped with shrouds, hooked up to HEPA vacuums. Mesh tarps will be used to catch any chips that could come off the bridge while cleaning. Potable water and cleaner will be used for pressure washing. It is expected that most of the water will dissipate into a mist.

## 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.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board (Board) within 30 days of receipt of written notice of this action unless the appropriate statute provide a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

##### Permits Issued

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

**NPDES Permit No. PA0058050.** Sewage. **New Garden Township Sewer Authority**, 8934 Gap Newport Pike, Landenberg, PA 19350. Is authorized to discharge from a facility located at East End Wastewater Treatment Plant in New Garden Township, **Chester County** to an unnamed tributary to the west branch of the Red Clay Creek.

**NPDES Permit No. PA0026182.** Sewage. **Borough of Lansdale**, One Vine Street, Lansdale, PA 19446. Is authorized to discharge from a facility located in Lansdale Borough, **Montgomery County** to an unnamed tributary to the west branch of Neshaminy Creek.

**NPDES Permit No. PA0053716.** Sewage. **Jeffrey Allen and Lori Ann Scott**, 800 North Tower Road, Quakertown, PA 18951. Is authorized to discharge from a facility located in West Rockhill Township, **Bucks County** into an unnamed tributary to Butter Creek.

**NPDES Permit No. PA0026531 Amendment No. 2.** Sewage. **Downingtown Area Regional Authority**, P. O. Box 8, Exton, PA 19341-008. Applicant is granted approval for an amendment to revise the existing permit to

discharge from a facility located in East Caln Township, **Chester County** into the East Branch Brandywine Creek.

**NPDES Permit No. PA0025976 Amendment No. 2.** Sewage. **Upper Moreland-Hatboro Joint Sewer Authority**, P. O. Box 535, Willow Grove, PA 19090-0535. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in Upper Moreland Township, **Montgomery County** into Pennypack Creek and an unnamed tributary to Pennypack Creek.

**NPDES Permit No. PA0026867 Amendment No. 1.** Sewage. **Abington Township**, 1176 Old York Road, Abington, PA 19001. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in Abington Township, **Montgomery County** into Sandy Run.

**NPDES Permit No. PA0026018 Amendment No. 3.** Sewage. **Borough of West Chester**, 401 East Gay Street, West Chester, PA 19380. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in East Bradford Township, **Chester County** into Taylor Run.

**NPDES Permit No. PA0020460 Amendment No. 2.** Sewage. **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in West Rockhill Township, **Bucks County** into East Branch Perkiomen Creek.

**NPDES Permit No. PA9926603.** Sewage. **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in Upper Dublin Township, **Montgomery County** into Wisahickon Creek.

**NPDES Permit No. PA0028584 Amendment No. 3.** Sewage. **West Goshen Sewer Authority**, 520 Veronica Road, West Chester, PA 19380. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in West Goshen Township, **Chester County** into Chester Creek (Goose Creek).

**NPDES Permit No. PA0026166.** Sewage. **Warminster Municipal Authority**, 415 Gibson Avenue, P. O. Box 2279, Warminster, PA 18974-4163. Is authorized to discharge from a facility located at Log College WWTP in Warminster Township, **Bucks County** into Little Neshaminy Creek.

**NPDES Permit No. PA0011272 Amendment No. 1.** Sewage. **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in Doylestown Borough, **Bucks County** into Cooks Run.

**NPDES Permit No. PA0024121.** Sewage. **Borough of Media**, 301 North Jackson Street, P. O. Box A, Media, PA 19063. Applicant is granted approval for an amendment to revise the existing permit to discharge from a facility located in Upper Providence Township, **Delaware County** into Ridley Creek.

**WQM Permit No. 1500420.** Sewerage. **Chadds Ford Investment Company**, 514 McCue Road, Avondale, PA 19311. Applicant is granted approval for the addition of dechlorination of system to the existing Bowling Green of Brandywine STP located in New Garden Township, **Chester County**.

**WQM Permit No. 1500412.** Sewerage. **Wallace Township**, P. O. Box 96, Glenmoore, PA 19343. Applicant is granted approval for the construction and operation of a sodium liquid feed system at their existing Glenmoore WWTP located in Wallace Township, **Chester County**.

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

**Permit No. 4500403.** Sewerage. **Oaks Senior Community, L.P.**, P. O. Box 302, Cresco, PA 18326. Permit to construct a package sewage treatment facility and two elevated sand mounds for their proposed 32-apartment complex in Barrett Township, **Monroe County**.

**Permit No. 5400402.** Sewage. **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901. Permit to construct a sewer extension from the Schuylkill Highridge Business Park to the existing Schuylkill County Municipal Authority sewer system, located in Cass and Foster Townships, **Schuylkill County**.

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

**Permit No. PA0083887.** Sewerage. **Kenneth P. Secrest**, Secrest Mobile Home Park, P. O. Box 454, New Kingstown, PA 17072-0454 is authorized to discharge from a facility located in East Providence Township, **Bedford County** to the receiving waters named Brush Creek (Watershed 11-C—Dunning Creek).

**Permit No. 2378201 Amendment 00-1.** Sewerage. **Chester Water Authority**, P. O. Box 467, Chester, PA 19016-0467. This permit approves the modifications of Industrial Waste Treatment Facilities, Impoundment Clean-Out and Groundwater Monitoring Wells in Little Britain Township, **Lancaster County**.

**Permit No. 0599406.** Sewerage. **Kenneth P. Secrest**, Secrest Mobile Home Park, P. O. Box 454, New Kingstown, PA 17072-0454. This permit approves the construction of Sewage Treatment Facilities in East Providence Township, **Bedford County**.

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

**NPDES Permit No. PA0002593.** Industrial. **Dynamic Metal Forming, Inc.**, 7544 Route 18 North, Koppel, PA 16136-0617 is authorized to discharge from a facility located at Scottdale Plant, Borough of Scottdale, **Westmoreland County** to receiving waters named Stauffer Run.

**NPDES Permit No. PA0218553.** Industrial. **Beaver Concrete and Gravel Company** is authorized to discharge from a facility located at Beaver Concrete and Gravel Company, Rochester Borough, **Beaver County** to receiving waters named Ohio River.

**NPDES Permit No. PA0026255.** Sewage. **Allegheny Valley Joint Sewage Authority**, 2400 Freeport Road, P. O. Box 158, Chestwick, PA 15024 is authorized to discharge from a facility located at Allegheny Valley Joint Sewage Authority STP, Harmar Township, **Allegheny County** to receiving waters named Allegheny River.

**NPDES Permit No. PA0028657.** Sewage. **Nanty Glo Sanitary Sewer Authority**, 879 Wood Street, Nanty Glo, PA 15943 is authorized to discharge from a facility

located at the Nanty Glo Sewage Treatment Plant, Nanty Glo, **Cambria County** to receiving waters named South Branch Blacklick Creek.

**Permit No. 0200408.** Sewerage. **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. Construction of equalization tanks located in West Mifflin Borough, **Allegheny County** to serve Belmont Pump Station and Curry Hollow Pump Station.

**Permit No. 0200409.** Sewerage. **Borough of Lincoln**, 45 Abe's Way, Elizabeth, PA 15037. Construction of Sanitary Sewers and Pump Station located in Lincoln Borough, **Allegheny County** to serve Virginia Drive/Taylor Plan.

**Permit No. 6500406.** Sewage. **Greater Greensburg Sewage Authority**, P. O. Box 4248, Greensburg, PA 15601. Construction of interceptor sewer replacement located in Hempfield Township, **Westmoreland County** to serve Saybrook Area.

**Permit No. 6500408.** Sewerage. **Michael E. Mermigas**, 116 Howard Street, Charleroi, PA 15022. Construction and operation of a small flow sewage treatment plant located in Ligonier Township, **Westmoreland County** to serve the Mermigas residence.

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

**NPDES Permit No. PA0021589.** Industrial Waste. **Cardinal Home Products Corp.**, Tel-O-Post Facility, 32111 Aurora Road, Solon, OH 44139 is authorized to discharge from a facility located in Linesville Borough, **Crawford County** to Linesville Creek.

**NPDES Permit No. PA0210625.** Industrial Waste. **Bradford Forest Inc.**, 444 High Street, Bradford, PA 16701-0369 is authorized to discharge from a facility located in Bradford Borough, **McKean County** to the East Branch Tunungwant Creek, Rutherford Run and an unnamed tributary to wetlands.

**WQM Permit No. 2400401.** Sewerage. **Phillip Wingard SRSTP**, 353 Benzinger Rd., St. Marys, PA 15857. Construction of Phillip Wingard SRSTP located in City of St. Marys, **Elk County**.

**WQM Permit 6200411.** Sewerage, **Charles F. and Nancy J. Snyder SRSTP**, 2818 Arcadia Ave., Erie, PA 16506. Construction of Charles F. and Nancy J. Snyder SRSTP located in Columbus Township, **Warren County**.

**INDIVIDUAL PERMITS  
(PAS)**

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body or Water</i>
PAS10-G419	Eastern Shore Natural Gas 417 Bank Lane Dover, DE 19904	New London and Franklin Townships Chester County	West Branch White Clay Creek (HQ)
PAS10-G422	Realen Homes, LLC Lower Makefield Corporate Center 1040 Stoney Hill Rd. Suite 100 Yardley, PA 19067	South Coventry Township Chester County	French Creek (HQ-TSF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body or Water</i>
PAS10Q197	Del Markward 1628 North 8th Street Allentown, PA 18104	Lehigh County Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAS10U103	Charles F. Conroy 6835 Franklin Hill Rd. Bangor, PA 18013	Northampton County Plainfield Township	Bushkill Creek HQ-CWF
PAS10V028	The Dreher Group 102 Colliery Road Dickson City, PA 18519	Pike County Dingman Township	Dwarfs Kill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body or Water</i>
PAS100213R	Interforest Corporation 119 A.I.D. Drive Darlington, PA 16115	Beaver County Darlington Township	North Fork of Little Beaver Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body of Water</i>
PAS101023	Portage Borough Municipal Authority 606 Cambria Street Portage, PA 15946	Cambria County Portage Borough Portage Township Cassandra Borough	Bens Creek, HQ-CWF Little Conemaugh River CWF Spring Run, CWF
PAS10A090	Caste Real Estate P. O. Box 1036D	Allegheny County Whitehall Borough	Saw Mill Run—WWF

### INDIVIDUAL PERMITS

#### (PAR)

#### Notice of Intent (NOI) for Coverage under NPDES and/or Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface of the Commonwealth; (2) NOIs for coverage under General Permits 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 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.

#### List of NPDES

##### 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
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public 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
PAG-10	General Permit for Discharge Resulting From Hydrostatic Testing of Tanks and Pipelines
PAG-11	(TO BE ANNOUNCED)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

##### 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>
West Sadsbury/Sadsbury Townships Chester County	PAR10-G351	Wolfson Verrichia 621 East Germantown Pike Suite 305 Norristown, PA 19401	Brandywine Creek (TSF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Caln/West Whitelands Townships Chester County	PAR10-G377	Jeffrey D'ambrosio 1081 E. Lancaster Ave. Downingtown, PA	Unnamed Tributary Valley Creek (CWF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
City of Coatesville Chester County	PAR10-G381	Housing Authority of Chester County 30 West Bernard Street West Chester, PA	West Branch Brandywine Creek (WWF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Worcester Township Montgomery County	PAR10-T670	John Kim 5602 Constitution Court North Wales, PA	Towamencin Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Gwynedd Township Montgomery County	PAR10-T571	The Rosen Organization I Corporation 3625 Welsh Road Willow Grove, PA	Trewellyn Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
New Hanover Township Montgomery County	PAR100T655	Joseph and Eleanore Catarius 2106 Fox Holland Lane East Greenville, PA	Deep Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Scott Township Columbia County	PAR102145	Scott Elderly and Single-Family Housing Project Columbia County Housing Corp. 700 Sawmill Road Bloomsburg, PA 17815	Kinneys Run/Susquehanna River	Columbia County CD 702 Sawmill Rd. Suite 105 Bloomsburg, PA 17815 (570) 784-1310
Butler County Center Township	PAR10E130	North Main Street Christian School North Main Church of God 1201 North Main Street Ext. Butler, PA 16001	Unnamed Tributary of Little Connoquenessing Creek (CWF)	Butler Conservation District 122 McCune Drive Butler, PA 16001-6501 (724) 284-5270
<i>General Permit Type—PAG-3</i>				
<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>
Delaware County Darby Township	PAR600019	Ray's Truck Parts, Inc. 1040 Beverly Lane Newtown Square, PA 19073	Darby Creek	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6126
Lancaster County Providence Township	PAR203526	Buck County Incorporated Foundry 897 Lancaster Pike Quarryville, PA 17566	UNT to Fishing Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707



<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>
York County West Manchester Township	PAR143511	American Color Graphics, Inc. 215 North Zarfoss Drive York, PA 17404	UNT to Codorus Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Westmoreland County Hempfield Township	PAR326112	American Rock Salt Co., Inc. P. O. Box 190 Mt. Morris, NY 14510	Buffalo Run Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Frazier Township	PAR606161	Bastin Truck Parts 1716 Butler-Logan Rd. Tarentum, PA 15084	Unnamed Feeder to Tawney Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County Portage Township	PAR606163	Portage Auto Wreckers 3734 Portage St. Portage, PA 15946	Unnamed Tributary to Little Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County City of Johnstown	PAR806151	US Postal Service 300 S. Main St. Wilkes-Barre, PA 18701	Stony Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*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>
Blair County Allegheny Township	PAG043527	Michael A. Maher 1029 Mahers Lane Duncansville, PA 16635	UNT Blair Gap Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Perry County Greenwood Township	PAG043660	Donald L. Campbell, Sr. P. O. Box 260 Millerstown, PA 17062	UNT Juniata River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<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>
Bedford County Kimmel Township	PAG043525	Clair B. Glass 2944 Schellsburg Road Claysburg, PA 16625	UNT Beaverdam Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Westmoreland County Ligonier Township	PAG046213	Michael E. Mermigas 116 Howard Street Charleroi, PA 15022	Fourmile Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Columbus Township, Warren County	PAG048688	Charles F. and Nancy J. Snyder 2818 Arcadia Ave. Erie, PA 16506	Tamarack Swamp	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-5</i>				
<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>
Berks County Upper Bern Township	PAG053538	Kauffman's Mini Market 3696 Mountain Road Shartlesville, PA 19554	UNT to Wolf Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County Monroe Township	PAG053539	BP Exploration and Oil Inc. 1 West Pennsylvania Avenue, Suite 915 Towson, MD 21204-5027	Trindle Spring Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Snow Shoe Auto/Truck Stop Facility #14-08117 Snow Shoe Township Centre County	PAG054812	Nittany Oil Company 321 North Front Street Philipsburg, PA 16866	Little Sandy Run	Northcentral Regional Office Environmental Cleanup 208 W. Third St. Ste. 101 Williamsport, PA 17701-6448 (570) 321-6550
<i>General Permit Type—PAG-10</i>				
<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>
Chester County New London Township	PAG100005	Eastern Shore Natural Gas Company 417 Bank Lane Dover, DE 19904	West Branch of White Clay Creek	DEP—Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130

## SAFE DRINKING WATER

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

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

**Permit No. 4600507.** Public Water Supply. **Superior Water Company**, 2690 Skippack Pike, Worcester, PA 19490. A permit has been issued to Superior Water Company for the construction of a storage tank and booster station. The project includes construction of a 300,000 gallon concrete storage tank to replace the two existing 10,000 gallon hydropneumatic tanks. Expansion of the existing pump house. Installation of a backup generator and three 250 gpm booster pumps and all necessary piping, controls and appurtenant in Douglass Township, **Montgomery County**.

*Type of Facility:* Public Water Supply System

*Consulting Engineer:* Superior Environmental Management Corporation, 2960 Skippack Pike, Worcester, PA 19490

*Permit to Construct Issued:* September 11, 2000.

*Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.*

**Permit No. 5000501.** Public water supply. **Harry V. Pfautz**, Wheatfield Township, **Perry County**. *Responsible Official:* Harry V. Pfautz, 315 High St., Duncannon, PA 17020. *Type of Facility:* Construction Permit authorizing addition of disinfection and manganese sequestration for existing Well No. 3 and manganese sequestration at existing well No. 2. *Consulting Engineer:* W. Zeke Morrow, P.E., Morrow Engineering, Inc., R. R. 2, Box 542, New Bloomfield, PA 17068. *Permit to Construct Issued:* September 14, 2000.

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

**Permit No. Minor Amendment.** The Department issued an Operational Permit amendment to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**. The authority has requested a change in corrosion treatment chemicals to caustic soda as part of the purchase of the Ferguson Township Authority Water.

**Permit No. Minor Amendment.** The Department issued an Operational Permit to **Consumers Pennsylvania Water Company**, Susquehanna Division, 204 East Sunbury Street, Shamokin, PA 17872-4859, Sayre Borough, **Bradford County**. This permit authorizes operation of the public water supply modifications that were made at the well 19 pump house.

**Permit No. 4796-T2.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for the 20,000 gallon stone reservoir and distribution system.

**Permit No. 264-W-012-T1.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for operation of a 500,000 gallon steel raw water tank and the three springs originally approved under Public Water Supply Permits 4796 and 4796-T1.

**Permit No. 267-W-017-T1.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for operation of Well #5 with the existing treatment system.

**Permit No. 1469501-T1.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for operation of Well #4 with the existing treatment system.

**Permit No. 1485501-T1.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for operation of the Aqua Mag chemical feed system.

**Permit No. Minor Amendment Operational-T1.** The Department issued an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The permit was transferred for operation of the Hanna Pump Station and approximately 3,500 feet of distribution lines.

**Permit No. 266W016.** The Department denied an Operational Transfer Permit to **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, from Ferguson Township Authority, P. O. Box 340, Pine Grove Mills, PA 16868, Ferguson Township, Centre County. The Authority has requested a transfer of this permit as part of the purchase of the Ferguson Township Authority water system. The request for transfer of Well #1 was denied.

## 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 non-residential 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 Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Airport Business Center, Tinicum Township, Delaware County.** Susan L. Gordon, Farer Fersko, 600 South Avenue, P. O. Box 580, Westfield NJ 07091-0580 has submitted a Final Report concerning remediation of site soil contaminated with heavy metals, pesticides and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Glasgow Bridgeport Facility, Upper Merion Township, Montgomery County.** Christopher Orzechowski, RT Environmental Services, Inc., 214 W. Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Sunoco, Former No. 3 Tank Farm, Bethel Township, Delaware County.** James H. Mulry, Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**New Jersey Transit, Morrisville Yard, Falls Township, Bucks County.** Michael Gonshor, P.G., Roux Associates,

Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Romagano Residence, Bensalem Township, Bucks County.** Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Spector Residence, Bensalem Township, Bucks County.** Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**Dana Corporation—Building 93, Berwick Borough, Columbia County.** RMT, Inc., on behalf of its client Dana Corporation, 2424 West State Boulevard, Fort Wayne, IN 46808, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PHCs and PAHs. The report is intended to document remediation of the site to meet the Site-specific Standard.

**Abandoned Garnier Portfolio Site, City of Sunbury, Northumberland County.** Coca-Cola Enterprises, Inc., 2500 Windy Ridge Parkway, Suite 700, Atlanta, GA 30339 has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, solvents, and PAHs. 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 Remediations 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 Remediations 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, please contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a plan or 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 A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**PPL Distribution Pole #57904N46777 (Grandview Drive)**, Dunmore Borough, **Lackawanna County**. PPL Utilities, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found or suspected to have been contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on September 18, 2000.

**PPL Distribution Pole #56660N47766 (corner of Sanders and Pittston)**, City of Scranton **Lackawanna County**. PPL Utilities, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found or suspected to have been contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on September 18, 2000.

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

**East Penn Manufacturing Company Former Junk Battery Storage Area**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., P. O. Box 147, Lyon Station, PA 19536 and Earth Tech, Two Market Plaza Way, Mechanicsburg, PA 17055 have submitted a combined Remedial Investigation and Final Report concerning the remediation of site soils contaminated with lead and heavy metals. The report demonstrated attainment of a combination of the Statewide health and site specific standards, and was approved by the Department on September 21, 2000.

*Northcentral Regional Office, Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**Gregory Yocum Residence**, Coal Township, **Northumberland County**. Marshall Miller and Associates, on behalf of its client Gregory Yocum, 1511 West Arch Street, Coal Township, PA 17866, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 13, 2000.

## **SOLID AND HAZARDOUS WASTE**

### **LICENSE TO TRANSPORT HAZARDOUS WASTE**

**Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) 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.*

**South Windsor Metallurgical, Inc.**, 300 Rye Street, South Windsor, CT 06074; License No. **PA-AH 0605**; license terminated September 15, 2000.

### **BENEFICIAL USE DETERMINATIONS**

**Department initiated general permit 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 residual waste management regulations for a general permit to process or beneficially use residual waste.**

*Central Office: Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit No. WMGR064.** Beneficial use of natural gas well brines. The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, authorizes the beneficial use of natural gas well brines under General Permit No. WMGR064. This general permit authorizes use of natural gas well brines for wintertime antiskid/salt pre-wetting (brines mixed with antiskid materials prior to roadway application) and anti-icing (brines applied directly to the roadway/walkway surface) applications. This is a Statewide general permit. This general permit was issued in Central Office on September 22, 2000.

Under the terms and conditions of the general permit, persons who are permitted to beneficially use natural gas well brines will be required to meet, at a minimum, the following: compliance with The Clean Streams Law, compliance with the Solid Waste Management Act, conformance with PennDOT standards for the use of brines in roadway applications, conformance with brine quality standards, and maintenance of operating records.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and section 287.611 of the residual waste management regulations to issue general permits for any category of beneficial use or processing that results in the beneficial use of

residual waste on a regional or Statewide basis when the Department determines that such use will not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard permit conditions.

Persons requesting permit issuance to operate under the terms and conditions of the general permit will be required to register with the Department's Central Office at least 15 days prior to commencing activities authorized under the general permit. The following minimum information will be required in order to obtain the registration:

- (a) Name and address of registrant.
- (b) Name and location of generators of the natural gas well brines.
- (c) Number and title of the general permit.
- (d) Contact person of registrant.
- (e) Proof that proposed beneficial use activities are consistent with the general permit.
- (f) A signed statement accepting all conditions of the general permit.
- (g) Proof of identification of interests.
- (h) Compliance history information.
- (i) A \$250 registration fee.

Persons interested in obtaining further information or a copy of this general permit may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472 or by phone at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

#### Proposed action on an application for a permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste storage facility.

Persons wishing to comment on the proposed action are invited to submit a statement to the Regional Office indicated as the office responsible, within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer; and concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department 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.

*Intent to Issue Permit:*

*Regional Office: Regional Manager, Waste Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**PAD000736942. Calgon Carbon Corporation.** Operation of a hazardous and residual waste storage and treatment facility located in Neville Township, **Allegheny**

**County.** This application for a permit modification for storage and treatment of hazardous and residual waste facility was considered for intent to issue by the Regional Office on September 29, 2000.

#### Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

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

**Permit No. PAD049791098. Sunoco, Inc. (R&M),** 3001 Penrose Ave., Philadelphia, PA 19145. A permit was issued for the ten year renewal of Sunoco's RCRA Part B permit for their Philadelphia Refinery, Girard Point Processing Area. Operations reauthorized under this action include tank and container storage of captively generated hazardous waste. The permit was issued by the Southeast Regional Office on September 19, 2000.

#### 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.

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

**Permit No. 101631. Eldredge Companies, Inc.,** 898 Fern Hill Road, West Chester, PA 19380. A permit modification for an increase in maximum daily volume and associated facility improvements was approved for the construction and demolition waste transfer facility located in West Goshen Township, **Chester County**. Also included in this action was permit reissuance from Eldredge Wastewater Management, Inc. to Eldredge Companies, Inc., reflecting the change in corporate ownership of the facility. Permit was issued by the Southeast Regional Office on September 21, 2000.

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

**Permit ID No. 100594. Chambers Development Company, Inc.,** Westpointe Corporate Center I, Suite 200, 1550 Coraopolis Heights Road, Moon Township, PA 15108. Operation of a municipal waste landfill in the Municipality of Monroeville, **Allegheny County**. Permit renewal approving additional municipal waste operations at the site until October 5, 2010 issued in the Regional Office on September 19, 2000.

**Permit ID No. 300369,** was reissued with a change of ownership from **Allegheny Power** to Allegheny Energy Supply Company, LLC for the Armstrong Power Station Solid Waste Disposal Facility in Washington Township, **Armstrong County**. Permit reissued in the Regional Office on September 26, 2000.

#### 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.

Notice is hereby given that 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 receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the Department Regional Office within 30 days of the date of this notice, and must file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department 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 through 143, the Federal Clean Air Act and regulations adopted under the act.

### OPERATING PERMITS

#### **General Plan Approval and Operating Permit usage authorized 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.*

**GP3-06-3110: Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474) for construction/operation of a portable nonmetallic mineral crushing plant at the Pottstown Trap Rock Quarry in Douglass Township, **Berks County**.

**GP4-67-3095: Fox Pools, Inc.** (3490 Board Road, York, PA 17402) for construction/operation of one Natural Gas fired burnoff oven in Manchester Township, **York 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.**

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

**67-05027: York Wallcoverings, Inc.** (750 Linden Avenue, P. O. Box 5166, York, PA 17405-5166) for operation of a wallcovering printing facility in York City, **York County**.

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

**14-399-009F: Murata Electronics North America, Inc.** (1900 West College Avenue, State College, PA 16801-2799) on September 19, 2000, to incorporate conditions established for three ceramic capacitor kilns and associated air cleaning devices [three electrically-heated thermal afterburners] in Plan Approval 14-399-0009G as well as conditions established for five ceramic capacitor binder removal ovens and associated air cleaning devices [five electrically-heated thermal afterburners] in Ferguson Township, **Centre County**.

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**43-00170: Werner Co.** (93 Werner Road, Greenville, PA 16125) for their Title V Operating Permit issued on January 6, 2000, and amended on July 13, 2000, to include conditions from Plan Approval 43-170C (Construction of Homogenizing Furnace—3214) in Sugar Grove Township, **Mercer County**.

#### **Operating Permits Minor Modification 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.*

**67-05045: Glen Gery Corp.** (1090 East Boundary Street, York, PA 17405) on September 19, 2000, to modify the monitoring of visible emissions, fugitive visible emissions, and odorous emissions from a daily to a weekly requirement for the brick manufacturing operations in Spring Garden Township, **York County**.

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**43-00170: Werner Co.** (93 Werner Road, Greenville, PA 16125) for modification of their Title V Operating Permit issued on June 6, 2000, and amended on July 13, 2000, for inclusion of conditions from Plan Approval 43-170B (the construction of the third pultrusion line) in Sugar Grove Township, **Mercer County**. Plan Approval 43-170B conditions are as follows:

1. Styrene emissions from the pultrusion lines shall not exceed 38.03 tpy based on a consecutive 12-month period.
2. Styrene content of the resin mixture shall not exceed 35% by weight in any consecutive 12-month period.
3. Magnehelic gauges shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across each collector.

4. All sources shall comply with 24 Pa. Code §§ 123.13, 123.41, 123.1, and 123.31.

5. A report indicating the resin mixture usage and resin mixture styrene content shall be submitted to the Department on a quarterly basis. The report shall include the previous 12 months.

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

**46-00014: Knoll, Inc.** (1235 Water Street, P. O. Box 157, East Greenville, PA 18041) on September 18, 2000 for operation of a Facility Title V Operating Permit in Upper Hanover Township, **Montgomery County**.

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

**06-1040A: East Penn Mfg. Co., Inc.** (P. O. Box 147, Lyon Station, PA 19636) on September 21, 2000, for operation of a secondary lead smelter in Richmond Township, **Berks County**. These sources are subject to 40 CFR Part 60, Subpart L—Standard of Performance for Secondary Lead Smelter and 40 CFR Part 63, Subpart X—National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting.

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

**41-00003: PPL Martins Creek, LLC, Williamsport Combustion Turbine Site** (2 North Ninth Street, Allentown, PA 18101) issued a revised Title V Operating Permit on September 19, 2000, due to a transfer of ownership of the Williamsport Combustion Turbine Site in Williamsport, **Lycoming County**. The facility was previously owned and operated by PP&L, Inc.

**18-00003: PPL Martins Creek, LLC, Lock Haven Combustion Turbine Site** (2 North Ninth Street, Allentown, PA 18101) issued a revised Title V Operating Permit on September 19, 2000, due to a transfer of ownership of the Lock Haven Combustion Turbine Site in Bald Eagle Township, **Clinton County**. The facility was previously owned and operated by PP&L, Inc.

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

**26-00475: Amerikohl Mining, Inc.** (P. O. Box 427, Acme, PA 15610) on August 8, 2000, for a limestone crushing facility at the Jim Mountain Quarry in Springfield Township, **Fayette County**.

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**10-307-041A: Bear Metallurgical Corp.** (679 East Butler Road, Butler, PA 16001) on September 30, 2000, for operation of a thermite process in Summit Township, **Butler County**.

**16-130A: Eden, Inc.** (Route 338, P. O. Box Y, Knox, PA 16232) on September 30, 2000, for operation of two paint spray booths in Knox, **Clarion County**.

**43-308-008B: Cobra Metals, Inc.** (3rd Street and Brentwood Avenue, Transfer, PA 16154) issued September 30, 2000, for operation of a rotary furnace in Pymatuning Township, **Mercer 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.*

**23-0001E: Sunoco, Inc.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on September 21, 2000, for operation of a storage tank in Marcus Hook Borough, **Delaware County**.

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

**36-03117: DONSO, Inc.** (P. O. Box 2001, Wrightsville, PA 17368) on September 19, 2000, for installation of a surface coating operation in West Hempfield Township, **Lancaster 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.**

*Philadelphia Department of Public Health, Air Management Services, 321 University Ave., Philadelphia, PA 19104, (215) 685-7584.*

**98067: Sunoco, Inc., Frankford Plant** (Margaret and Bermuda Streets, Philadelphia, PA 19145) on September 18, 2000, to modify permit condition number six to add another compliance option of 40 CFR 63.113(a)(2). The additional compliance option added to permit condition six is a process vent outlet concentration of hazardous air pollutants to 20 parts per million by volume.

**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.*

**09-0035B: Coltec Industries** (23 Friends Lane, Newtown, PA 18940) on September 19, 2000, for operation of a PTFE Manufacturing Line Lubricant in Newtown Township, **Bucks County**.

**46-0043: Glasgow, Inc.** (Conshohocken Road, Conshohocken, PA 19428) on September 11, 2000, for operation of an asphalt plant and quarry in Plymouth Township, **Montgomery County**.

**46-0025E: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) on September 19, 2000, for operation of additional process equipment in Upper Merion Township, **Montgomery County**.

**15-0021: Glasgow, Inc.** (660 Morehall Road, Frazer, PA 19335) on September 21, 2000, for operation of an asphalt plant and quarry in East Whiteland Township, **Chester County**.

**46-301-259B: East Norriton-Plymouth Whippain JSA** (200 Ross Street, Norristown, PA 19401) on September 21, 2000 for operation of a Sludge Incinerator in Plymouth Township, **Montgomery County**.



**23-0032A: DELCORA** (3201 West Front Street, Chester, PA 19013) on September 21, 2000, for operation of two Eight-Stage Incinerators in City of Chester, **Delaware County**.

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

**60-0001A: Bucknell University** (Department of Physical Plant, Lewisburg, PA 17837) on September 15, 2000, to extend authorization to operate a Natural Gas/#2 Fuel Oil fired turbine, two Natural Gas/#2 Fuel Oil fired boilers and an emergency diesel generator on a temporary basis until January 13, 2001, in Lewisburg Borough, **Union County**.

**08-318-024A: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) on September 14, 2000, to extend authorization to operate a hardboard products surface coating operation (Coating II) on a temporary basis until January 12, 2001, in Wysox Township, **Bradford County**.

**08-316-013A: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) on September 14, 2000, to extend authorization to operate a hardboard press (Line 2/Trimboard) and associated air cleaning device (a scrubber) on a temporary basis until January 12, 2001, in Wysox Township, **Bradford County**.

**14-0007A: Cerro Metal Products Co.** (P. O. Box 388, Bellefonte, PA 16823) on September 21, 2000, to extend authorization to operate two brass billet furnaces on a temporary basis until January 19, 2001, in Spring Township, **Centre County**.

**17-305-042: DTE River Hill, LLC** (P. O. Box 8614, Ann Arbor, MI 48107), owner, and **Covol Technologies, Inc.** (3280 North Frontage Road, Lehi, UT 84043), operator, on September 22, 2000, to extend authorization to operate a coal fines agglomeration facility on a temporary basis until January 20, 2001, in Karthaus Township, **Clearfield County**.

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

**65-706A: Jeannette Specialty Glass** (P. O. Box 99, North Fourth Street, Jeannette, PA 15644) on September 18, 2000, for operation of continuous glass melting tank at the Jeannette Shade and Novelty in Jeannette, **Westmoreland County**.

*Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**10-021E: Indspec Chemical Corp.** (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on September 30, 2000, for a 9500 gallon resorcinol storage tank in Petrolia, **Butler County**.

**10-021F: Indspec Chemical Corp.** (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on September 30, 2000, for No. 3 and 4 Kilns in Petrolia, **Butler County**.

**10-079A: BNZ Materials, Inc.** (191 Front Street, Zelienople, PA 16063) on September 30, 2000, for an insulating fire brick process kiln in Zelienople, **Butler County**.

**10-285A: Waste Management Disposal Services of PA Inc.** (1436 West Sunbury Road, West Sunbury, PA 16061) on September 30, 2000, for a cell 4-A1 realignment in Clay Township, **Butler County**.

**61-004B: Electralloy, A GO Carlson Inc.** (175 Main Street, P. O. Box 381, Oil City, PA 16301) on September 30, 2000, for a granular metal process in Oil City, **Venango 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

*McMurray District Office, 3913 Washington Road, McMurray, PA 15317.*

#### Coal Mining Permits Issued:

**63743705. Beth Energy Mines, Inc.** (Martin Tower, 1170 8th Ave., Bethlehem, PA 18016), to renew the permit for the Marianne Mine no. 58, Refuse Disposal Area in West Bethlehem Township, **Washington County** for renewal for reclamation only, no additional discharges. Permit issued September 18, 2000.

**32840701. Tanoma Coal Company, Inc.** (600 Rayne Run Road, Marion Center, PA 15759-8004), to renew the permit for the No. 2 Refuse Area in Rayne Township, **Indiana County** to renew the coal refuse disposal permit which expires May 6, 2000, no additional discharges. Permit issued September 21, 2000.

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

**54850202R3. B-D Mining Co.,** (P. O. Box 423, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing/disposal operation in Mahanoy and West Mahanoy Townships and Gilberton and Shenandoah Borough, **Schuylkill County** affecting 1590.0 acres, receiving stream—Mahanoy Creek. Renewal issued September 19, 2000.

**54980103C. Gale Coal Company, Inc.** (1441 Oak Road, Pottsville, PA 17901), correction to an existing anthracite surface mine to add fly ash disposal in Frailey Township, **Schuylkill County** affecting 431.5 acres, receiving stream—none. Correction issued September 21, 2000.

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

**10930105. Rosebud Mining Company** (R. D. 9, Box 379A, Kittanning, PA 16201). Revision to an existing surface mining permit to change the post-mining land use from forestland to unmanaged natural habitat on the Donald S. Kelly property in Bruin Borough and Parker Township, **Butler County**. Receiving streams: Bear Creek, South Branch Bear Creek and unnamed tributaries of South Branch Bear Creek. Application received: July 19, 2000. Permit issued: September 13, 2000.

**16850116. Terry Coal Sales, Inc.** (P. O. Box 58, Dis-tant, PA 16223). Renewal of an existing bituminous strip, auger and coal ash disposal operation in Porter Township, **Clarion County** affecting 648.5 acres. This renewal is for reclamation only. Receiving streams: Unnamed tributary to Leisure Run. Application received: August 2, 2000. Permit issued: September 15, 2000.

**33980111. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Commencement, operation and restoration of a bituminous strip and auger operation in Perry Township, **Jefferson County** affecting 98.0 acres. Receiving streams: Unnamed tributaries of Rose Run. Application received: December 7, 1998. Permit issued: September 13, 2000.

**16713021. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous strip operation in Redbank, Clover and Beaver Townships, **Clarion and Jefferson Counties** affecting 135.0 acres. Receiving streams: Unnamed tributaries to Pine Creek and Pine Creek. Application received: May 25, 2000. Permit issued: September 13, 2000.

**16713021. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous strip operation from Alvin Gearhart in Redbank, Clover, and Beaver Townships, **Clarion and Jefferson Counties** affecting 135.0 acres. Receiving streams: Unnamed tributaries to Pine Creek and Pine Creek. Application received: February 10, 2000. Permit issued: September 13, 2000.

**33990109. Strishock Coal Company** (220 Hillcrest Drive, DuBois, PA 15801). Commencement, operation, and restoration of a bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 66.0 acres. Receiving streams: Two unnamed tributaries to Perryville Run. Application received: July 9, 1999. Permit issued: September 18, 2000.

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

**65950105. Mehlic Bros.** (1089 Sessi Road, Latrobe, PA 15650). Permit renewed for continued reclamation only of a bituminous surface/auger mine located in Mt. Pleasant Township, **Westmoreland County**, affecting 140 acres. Receiving streams: unnamed tributary to Welty Run, Welty Run to Sewickley Creek, and Sewickley Creek to the Youghiogheny River. Application received: August 7, 2000. Reclamation only renewal issued: September 19, 2000.

**03940102. B & B Coal Mining, Inc.** (R. D. 6, Friendship Plaza, Kittanning, PA 16201). Permit renewal issued for continued reclamation only of a bituminous surface mine located in Sugarcreek Township, **Armstrong County**, affecting 75.5 acres. Receiving streams: unnamed tributaries to Buffalo Creek, Buffalo Creek and unnamed tributary to Patterson Creek, Patterson Creek to Allegheny River. Application received: July 31, 2000. Reclamation only renewal issued: September 20, 2000.

**03930105. B & B Coal Mining, Inc.** (R. D. 6, Friendship Plaza, Kittanning, PA 16201). Permit renewal issued for continued reclamation only of a bituminous surface/auger mine located in Wayne Township, **Armstrong County**, affecting 128.8 acres. Receiving streams: two unnamed tributaries to the South Fork of Pine Creek. Application received: July 31, 2000. Reclamation only renewal issued: September 20, 2000.

**26980103. Purco Coal, Inc.** (22 Van Voorhis Lane, Monongahela, PA 15063). Permit issued for commence-

ment, operation, and reclamation of a bituminous surface mine located in Wharton and Stewart Townships, **Fayette County**, affecting 206 acres. Receiving streams: unnamed tributary to Meadow Run to the Youghiogheny River. Application received: October 2, 1998. Permit issued: September 22, 2000.

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

**17960114. Larry D. Baumgardner Coal Co., Inc.** (P. O. Box 127, Lanse, PA 16849), revision to an existing bituminous surface mine permit for a Change in Permit Acreage from 80.9 to 97.9 acres. The permit is located in Brady Township, **Clearfield County**. Receiving streams: unnamed tributaries to Luthersburg Branch. Application received June 20, 2000. Permit issued September 5, 2000.

**17000901. Junior Coal Contracting, Inc.** (R. R., Box 225A, Philipsburg, PA 16866), commencement, operation and restoration of an incidental coal extraction permit in Bradford Township, **Clearfield County** affecting 5.7 acres. Receiving streams: unnamed tributary to Roaring Run. Application received February 9, 2000. Permit issued September 8, 2000.

**17990116. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Goshen Township, **Clearfield County** affecting 62 acres. Receiving streams: Not applicable for treatment facilities and sediment ponds. The permittee will use non-discharge alternatives. Application received August 30, 1999. Permit issued September 8, 2000.

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

*Small Noncoal (Industrial Mineral) Permits Issued*

**58990834. Richard V. Weida** (R. R. 1, Box 1268, Nicholson, PA 18440), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County** affecting 1.0 acres, receiving stream—none. Permit issued September 18, 2000.

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

**25992807. Munsee Sand & Gravel** (927 W. Smith Street, Corry, PA 16407). Commencement, operation, and restoration of a small noncoal gravel operation in Wayne Township, **Erie County** affecting 5.0 acres. Receiving streams: Tributary to Spencer Creek. Application received: April 3, 2000. Permit issued: September 15, 2000.

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

*Noncoal (Industrial Minerals) Permits Issued*

**3374SM58T. Coolspring Mining, Inc.** (P. O. Box 1328, Uniontown, PA 15401). NPDES renewal issued for a large noncoal surface mine (limestone quarry) located in North Union Township, **Fayette County**, affecting 146.6 acres. Permit also revised to allow a stream encroachment of the unnamed tributary to Coolspring Run, and construction of a sediment pond within 100 feet of the unnamed tributary. Receiving streams: unnamed tributary to Coolspring Run and Coolspring Run to Shutes Run to Cove Run to Redstone Creek to the Monongahela River. Application received: July 27, 2000. NPDES renewal and revision issued: September 20, 2000.

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

*Noncoal Permits Issued*

**19810302T2. Sokol Quarries, Inc.** (P. O. Box 366, Bloomsburg, PA 17815), transfer of an existing quarry operation in Benton and Fishing Creek Townships and Benton Borough, **Columbia County** affecting 152.0 acres, receiving stream—none. Transfer issued September 19, 2000.

**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 permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**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).

*Permits Issued and Actions on 401 Certifications:*

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

**E15-643.** Encroachment Permit. **Pennsylvania Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525. To remove an existing deteriorated two-span, steel girder bridge which carries S. R. 3004 (State Route), Section 55 S over Big Elk Creek (WWF), and to construct and maintain a single span prestressed adjacent box beam bridge having a clear span of 74 feet and an average underclearance of 9.5 feet at the same location and the same horizontal alignment. Work also includes minor approach roadway work for a distance of 35 feet north and south of the bridge and associated stormwater management facilities and installation of a temporary causeway extending from the north bank. This work is located (Oxford, PA Quadrangle

N: 0.25 inch; W: 3.62 inches) in Elk and New London Townships, **Chester County**.

**E15-645.** Encroachment Permit. **Eastern Shore Natural Gas**, 417 Bank Lane, Dover, DE 19904. To construct and maintain Segment 1 of the Eastern Shore Natural Gas 2000 Expansion Project which consists of 2.1 miles of 16-inch pipeline along the existing pipeline right-of-way. The pipeline will cross 7 streams and adjacent wetlands as follows:

Four utility line crossings of the West Branch of the White Clay Creek (TSF) (Stream Crossing ID Nos. 9922-1, 9925-1, 9925-2, and 9927-1) and adjacent wetlands (Wetland Crossing ID Nos. 9922, 9925, and 9927).

Three utility line crossings of unnamed tributaries to the West Branch of White Clay Creek (TSF) (Stream Channel ID Nos. 9921-1, 9922-1, and 9926-1) and adjacent wetlands (Wetlands Crossing ID Nos. 9921 and 9926).

There will be a total of 0.26 acre of temporary impact to wetlands. This is a linear project which will begin at a point located approximately 200 feet east of the intersection of State Road and School Road in New London Township (West Grove PA-Del USGS Quadrangle, N: 8.75 inches, W: 15.25 inches) and extend south to a point located approximately 2,000 feet west of the intersection of S. R. 896 and Hess Mill Road in Franklin Township (West Grove PA-DEL USGS Quadrangle N: 3.5 inches, W: 13.25 inches) **Chester County**.

**E09-803.** Encroachment Permit. **Front Porch Farm**, 1720 Molasses Way, Quakertown, PA 18951. To construct and maintain a 1.15 acre impoundment area associated with an off-stream nonjurisdictional dam in the 100-year floodway of Cooks Creek (EV) and to install and maintain a 1-inch intake structure with a gate valve. Work will impact 0.14 acre of wetland (PEM). Project is located at the Front Porch Farm approximately 4,000 feet south of the intersection of State Road and Quakertown Road (Route 212) (Hellertown, PA Quadrangle N: 0.2 inch; W: 6.95 inches) in Springfield Township, **Bucks County**. The permittee is required to provide 0.24 acre (0.14 acre of meadow and 0.10 acre of emergent pond fringe) of replacement wetlands.

**E46-794.** Encroachment Permit. **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406. To amend the permit E46-794 to revise the alignment and location of the discharge pipe and outfall structure as follows:

To install a treatment plant discharge pipe beneath the 100 year floodplain and floodway fringe of Trout Creek (WWF) and the Schuylkill River (WWF-MF). The proposed pipe consists of 500 feet of 36-inch diameter ductile iron pipe from the plant site to Manhole (MH-3), 175 feet of 36-inch diameter reinforced concrete pipe will be jacked under the railroad from (MH-3) to the manhole chamber (MH-2) and 30 feet of twin 24-inch diameter ductile iron will carry the effluent from (MH-2) to a proposed gabion head wall outfall structure on the southern bank of the Schuylkill River. This structure will replace an existing sanitary sewer plant outfall structure located in Trout Run. The work is located approximately 40-feet downstream of the existing Catfish Dam lock along the southern bank of the river (Valley Forge, PA Quadrangle N: 20.1 inches; W: 4.6 inches) in Upper Merion Township, **Montgomery County**.

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

**E35-323.** Encroachment. **Keystone Property Associates, LLC**, 2 Heathcote, Avon, CT 06001. To place fill in a de minimis area of wetlands equal to 0.03 acre to facilitate commercial development on a 6-lot subdivision. The project is located northeast of the intersection of S. R. 0006 (Scranton-Carbondale Highway) and Commerce Boulevard (Scranton, PA Quadrangle N: 17.3 inches; W: 1.8 inches), in the Borough of Dickson City, **Lackawanna County**.

**E35-324.** Encroachment. **Master Halco**, 1275 North Keyser Avenue, Scranton, PA 18504. To maintain the existing building and to construct and maintain a 40-foot by 40-foot addition to the existing facility and an on-grade 9-foot by 26-foot concrete pad within the floodway of a tributary to Keyser Creek. The project is located at an existing manufacturing facility, formerly known as Allied Fence Company, on the north side of Keyser Avenue, approximately 0.6 mile south of S. R. 0307 (Scranton, PA Quadrangle N: 11.5 inches; W: 7.8 inches), in the City of Scranton, **Lackawanna County**.

**E39-385.** Encroachment. **Lehigh County**, 17 South Seventh Street, Room 522, Allentown, PA 18101-2400. To repair and maintain the existing prestressed, concrete box girder bridge, having four spans (52 feet, 9 inches; 92 feet, 9 inches; 92 feet, 9 inches; 79 feet, 3 inches) with an approximate underclearance of 32 feet over Jordan Creek. The project is known as the Hamilton Street Bridge over Jordan Creek (Allentown East, PA Quadrangle N: 18.9 inches; W: 12.5 inches), in the City of Allentown, **Lehigh County**.

**E45-395.** Encroachment. **Jerry and Lynn Rosenbloom**, 209 Remington Road, Broomall, PA 19008. To place fill in a de minimis area of wetlands less than or equal to 0.05 acre for the purpose of constructing a single family dwelling on Lot 31 of Lake Naomi Estates residential subdivision. The project is located on the north side of Split Rock Lane, approximately 800 feet southwest of its intersection with Tanglewood Drive (Pocono Pines, PA Quadrangle N: 20.4 inches; W: 9.3 inches) in Tobyhanna Township, **Monroe County**.

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

**E08-362.** Encroachment. **Sayre Area School District**, R. R. 1, Box 127B, Sayre, PA 18840-9512. To construct and maintain a 6 foot wide, 83 foot long footbridge constructed of telephone poles and decking with guide rails over Satterlee Creek approximately 1 mile south of Litchfield on the west side of Drake Hill Road (Litchfield, PA Quadrangle N: 14.5 inches; W: 7.8 inches) in Litchfield Township, **Bradford County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E59-401.** Encroachment. **Pennsylvania Department of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span multi-lane bridge with a clear span of 45 feet, a curb-to-curb width of 22 feet and an underclearance of 7.75 feet. This permit also authorizes the installation and removal/restoration of a temporary vehicular bypass causeway. The causeway will consist of four 5-foot diameter culvert pipes and associated clean fill. The structure will be constructed in such fashion to facilitate high water overtopping over the structure. The

retirement of the temporary structure will include restoration of all disturbed areas associated with the approaches and the structure to their preexisting condition or better. The project is located north on SR 4010 3 miles from the intersection with SR 4012 (Knoxville, PA Quadrangle N: 3.6 inches; W: 14.4 inches) Westfield Township, **Tioga County**. This permit also includes 401 Water Quality Certification.

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

**E02-1308.** Encroachment. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233-1080. To construct and maintain a retaining wall 200 meters long (656 feet) along the right bank of Saw Mill Run (WWF) and to place and maintain fill in 0.09 acre of wetlands (PEM/PSS) for the purpose of rebuilding the northern segment of the former Overbrook trolley line to modern light rail standards. The project starts at South Hills Junction and extends 2.4 km (1.5 mi.) ending at Denise Street (the project starts at Pittsburgh West, PA Quadrangle N: 8.4 inches; W: 0.9 inch and ends at Pittsburgh East, PA Quadrangle N: 4.3 inches; W: 17.3 inches) in the City of Pittsburgh, **Allegheny County**. The applicant has met the wetland replacement requirements by paying into the wetland replacement fund.

**E02-1311.** Encroachment. **Allegheny County Airport Authority**, Pittsburgh International Airport, P. O. Box 12370, Pittsburgh, PA 15231-0370. To remove existing structure; to construct and maintain an 84 inch diameter RCP stream enclosure for a distance of 885 feet in a tributary to McClarens Run (TSF); to construct and maintain a 66 inch diameter RCP stream enclosure for a distance of 361 feet in a tributary to Montour Run (TSF) (both culverts are to be depressed one foot) and to place and maintain fill in 0.29 acre of palustrine emergent wetlands for the purpose of constructing the Cargo Interchange (S. R. 3160 Section A03). The project is located on the northern side of the Pittsburgh International Airport along the Beaver Valley Expressway/Airport Service Road (Business Route 0060) (project begins at Ambridge, PA Quadrangle N: 0.4 inch; W: 14.3 inches and ends at Aliquippa, PA Quadrangle N: 3.3 inches; W: 3.1 inches) in Moon and Findlay Township, Allegheny County. Replacement wetlands have been constructed at the Mayview Wetland located along Chartiers Creek, South Fayette Township, **Allegheny County**.

**E02-1312.** Encroachment. **Township of O'Hara**, 325 Fox Chapel Road, Pittsburgh, PA 15238. To remove the existing structures and to relocate and maintain approximately 240 feet of the channel of Seitz Run (unnamed tributary to the Allegheny River) (WWF) for the purpose of stabilizing said stream and to prevent undercutting of the steep hillside and to construct and maintain gabion baskets on the left bank of said stream located on the east side of Lower Street, approximately 1,000 feet north from the intersection of Lower Street and Kittanning Pike (Glenshaw, PA Quadrangle N: 0.5 inch; W: 7.1 inches) in O'Hara Township, **Allegheny County**.

**E65-760.** Encroachment. **Borough of Derry**, 114 East Second Avenue, Derry, PA 15627. To remove the existing structure and to construct and maintain a 40-foot long, 13-foot by 5-foot R. C. box culvert in McGee Run (TSF) located on East First Avenue at a point approximately 300 feet northeast of S. R. 217 (Derry, PA Quadrangle N: 15.3 inches; W: 6.95 inches) in Derry Borough, **Westmoreland County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

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

**E37-131.** Encroachment. **North Lawrence Partners**, R. D. 5 Box 494, New Castle, PA 16105. To construct and maintain a 275-foot long precast concrete box culvert having a 12-foot wide by 8-foot high waterway opening in a tributary to Shenango River extending upstream from the existing concrete arch under S. R. 18 for expansion of the Field Club Commons Mall east of S. R. 18 approximately 0.5 mile south of Mitchell Road (New Castle North, PA Quadrangle N: 10.8 inches; W: 14.6 inches) in Neshannock Township, **Lawrence County**.

**E62-368.** Encroachment. **Sugar Grove Borough**, Borough Building, Box 321, Sugar Grove, PA 16350. To operate and maintain a steel truss pedestrian bridge having a clear span of 36 feet and an underclearance of 12 feet across Stillwater Creek on West Mill Street approximately 0.2 mile north of S. R. 957 (Sugar Grove, PA Quadrangle N: 19.8 inches; W: 13.0 inches) in Sugar Grove Borough, **Warren County**.

#### ENVIRONMENTAL ASSESSMENT

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

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

**D21-032EA.** Environmental Assessment. **Commonwealth of Pennsylvania**, Department of Environmental Protection, Bureau of Waterways Engineering (P. O. Box 8460, Harrisburg, PA 17105). To breach and remove the Good Hope Mill Dam across Conodoguinet Creek (WWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,300 feet south of the intersection of Good Hope Road and Creek View Road (Harrisburg West, PA Quadrangle N: 2.35 inches; W: 14.55 inches).

**EA59-012CO.** Environmental Assessment. **Sullivan Township** (R. R. 1 Box 73, Covington, PA 16917). To construct a nonjurisdictional dam in the watershed of Canoe Camp Creek (CWF) impacting 0.97 acre of wetland (PEM) for a farm pond. The proposed dam is located approximately 2,800 feet south-southeast of intersections of T475 and T818 (Mansfield, PA Quadrangle N: 0.50 inch; W: 2.45 inches).

*Northcentral Regional Office: Regional Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3574.*

**EA41-002NC.** Environmental Assessment. **Jersey Shore Borough**, 232 Smith Street, Jersey Shore, PA 17740. Stream Restoration. The project proposes to stabilize 900-feet of a degraded unnamed tributary to West Branch, Susquehanna River for the restoration of degraded stream banks, floodplain and wetlands. The restoration work shall consist of constructing 70 feet of low flow channel, a 30-foot wide floodplain and four wetland areas. The project is located along the eastern right-of-way of SR 0220 at the southern terminus of Wylis Street (Jersey Shore, PA Quadrangle N: 14.11 inches; W: 1.48 inches) in Jersey Shore Borough, **Lycoming County**. (Baltimore District—U. S. Army Corps of Engineers). Approval of an Environmental Assessment is requested in conjunction with Section 105.12(a)(16), Dam Safety and Waterways Management, regarding restoration activities.

#### WATER ALLOCATIONS

**Actions taken on permits issued under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 6631—641) relating to the acquisition of rights to divert waters of this Commonwealth.**

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

**WA 14-513A.** Succession to Water Rights. The Department has acknowledged that **State College Borough Water Authority**, 1201 West Branch Road, State College, PA 16801, Ferguson Township, **Centre County**, has given notice that it succeeded to all rights and obligations under the Water Allocation Permit No. WA 14-513A, issued to the former Ferguson Township Authority, Ferguson Township, Centre County on July 1, 2000.

#### STORAGE TANKS

##### SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permits under the authority of the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and 25 Pa. Code Chapter 245, Subchapter C have been issued by the Bureau of Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
00-06-003	Kim Legge Sunoco Inc. (R&M) 10 Penn Center 1801 Market St. Philadelphia, PA 19103-1699	Berks County Spring Township	1 AST storing Ethanol 168,000 gallons
00-21-003	Kim Legge Sunoco Inc. (R&M) 10 Penn Center 1801 Market St. Philadelphia, PA 19103-1699	Cumberland County Hampden Township	1 AST storing Ethanol 168,000 gallons

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
00-36-001	John Klepic Dart Container Corp. of PA 60 East Main St. Leola, PA 17540-0546	Lancaster County Upper Leacock Township	1 AST storing Styrene 30,000 gallons

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## SPECIAL NOTICES

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### Availability of Brownfields Inventory Grants under the Hazardous Sites Cleanup Act (HSCA)

The Department of Environmental Protection (Department) hereby announces the availability of Brownfields Inventory Grants under the Hazardous Sites Cleanup Act (HSCA). Under the Department 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 PA SiteFinder (formerly the Pennsylvania Brownfields Directory).

This is the fourth round of grants under the Department Brownfields Inventory Grant program. Under this round of grants the Department will consider grants to inventory brownfields sites in any county that was not covered by a grant under the previous three rounds and to fulfill the expiring round one grants. The following counties have not been addressed under the previous rounds of grants and will be considered under this fourth round: Bradford, Carbon, Clarion, Delaware, Fayette, Forest, Franklin, Jefferson, Lebanon, Monroe, Pike, Sullivan, Tioga, Venango, Warren, Wayne, Wyoming.

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 Land Recycling and Cleanup Program (717) 783-7816 or the application package can be downloaded from the Department internet web site at: [www.dep.state.pa.us](http://www.dep.state.pa.us). Grant applications for this round of grants must be received by the Department on or before November 15, 2000. If the grant is approved, the Grantee will be paid \$1,000 for each brownfield site that is identified and entered into the PA SiteFinder. 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—6020.1304). The Hazardous Sites Cleanup Act 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 the 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 Pennsylvania.

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.

### Certified Emission Reduction Credits in Pennsylvania's ERC Registry

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NO<sub>x</sub>), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SO<sub>x</sub>), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered, and certified ERCs in the ERC Registry are currently available for use as follows:

(1) To satisfy new source review (NSR) emission offset ratio requirements;

(2) To "net-out" of NSR at ERC-generating facilities;

(3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown below, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expire for use as offsets 10 years after the emission reduction occurs. ERCs generated by the overcontrol of emissions by an existing facility do not expire for use as offsets. However, credits in the registry which are not

used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency (EPA).

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
American National Can Company County: Lehigh, PA Ozone Nonattainment Status: Moderate Contact Person: R. M. Rivetna Telephone: (312) 399-3392	VOCs	166.7	11/06/2002	Trading
National Fuel Gas Supply Corp. Knox Compressor Station County: Jefferson, PA Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NO <sub>x</sub>	95.7	06/30/2002	Internal Use and Trading
National Fuel Gas Supply Corp. Roystone Compressor Station County: Warren, PA Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NO <sub>x</sub>	103.3	12/28/2002	Internal Use and Trading
U. S. Naval Hospital County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: Mark Donato Telephone: (215) 897-1809	NO <sub>x</sub>	30.5	3/31/2005	Trading
United States Steel Group County: Bucks Ozone Nonattainment Status: Severe Contact Person: Nancy Hirko Telephone: (412) 433-5914	NO <sub>x</sub>	805.7	8/01/2001	Trading
Lord Corporation Source: Two coal fired boilers County: Erie Ozone Nonattainment Status: Moderate Contact Person: Robert E. Nipper Telephone: (814) 868-0924	NO <sub>x</sub>	9.5	12/20/2004	Trading
Julian B. Slevin, Inc. Recipient/Holder: Ronald W. Lockhart Sandra S. Lockhart Source Location: Lansdowne County: Delaware Ozone Nonattainment Status: Severe Contact Person: Seth Cooley Telephone: (215) 979-1838	VOCs	85.22	12/20/2005	Trading
R. R. Donnelley & Sons Co. County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: David A. York Telephone: (717) 293-2056	VOCs	33.0		Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Kurz Hastings Inc. County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: Robert Wallace Telephone: (215) 632-2300	VOCs	323.0	ERCs will be proportionally reduced to comply with MACT standards for rotogravure and flexographic facilities	Trading
Pennsylvania Electric Company (Penelec) Source Location: Williamsburg Station County: Blair Ozone Nonattainment Status: Moderate Contact Person: Tim McKenzie Telephone: (814) 533-8670	NO <sub>x</sub> VOCs	452.0 3.0	1/18/2001	Trading
Sharon Steel Corp. Source Location: Farrell County: Mercer Ozone Nonattainment Status: Moderate Contact Person: Robert Trbovich Telephone: (412) 983-6161	VOCs	10.7	11/30/2002	Trading
Pennsylvania Power Company (PA Power) Source Location: New Castle Plant County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Donald R. Schneider Telephone: (412) 652-5531	NO <sub>x</sub>	214.0	4/02/2003	Trading
Ford New Holland, Inc. Source Location: Mountville County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: William E. Knight Telephone: (717) 355-4903	NO <sub>x</sub> VOCs	4.0 78.0	1/22/2003	Trading
Mercersburg Tanning Company Source Location: Mercersburg County: Franklin Ozone Nonattainment Status: Moderate Contact Person: David W. Warne Telephone: (717) 765-0746	VOCs	20.0	10/1/2004	Trading
I.H.F.P., Inc. Source Location: Milton Borough County: Northumberland Ozone Nonattainment Status: Moderate Contact Person: Michael West Telephone: (717) 742-6639	NO <sub>x</sub> VOCs	24.45 12.88	4/1/2006	Trading
3 M Minnesota Mining & Manufacturing Plant Location: Bristol County: Bucks Ozone Nonattainment Status: Severe Contact Person: Jeff Muffat Telephone: (651) 778-4450	VOCs	641.95	Varies from 4/16/2001 to 10/18/2001	Trading
Scranton-Altoona Terminal Corporation Source Location: Pittston Township County: Luzerne Ozone Nonattainment Status: Moderate Contact Person: John M. Arnold Telephone: (717) 939-0466	VOCs	18.36	1/1/2003	Trading



<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien Foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Martin Mueller Telephone: (412) 762-5263	VOCs	41.7	6/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Lori Burgess Telephone: (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources: Trichloroethylene Vapor Degreaser (151) Trichloroethylene Vapor Degreaser (152) Source Location: Spring Garden Township County: York Ozone Nonattainment Status: Moderate Contact Person: Garen Macdonald Telephone: (717) 771-7346	VOCs VOCs	12.2 2.7	06/01/2006 10/01/2005	Trading
Pennzoil Products Company Source Location: Rouseville County: Venango Ozone Nonattainment Status: Moderate Contact Person: Lee E. Wilson Telephone: (814) 678-4649	NO <sub>x</sub>	31.6	04/15/2002	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone Nonattainment Status: Moderate Contact Person: LeRoy H. Hinkle Telephone: (610) 916-4248	NO <sub>x</sub> SO <sub>x</sub>	9.42 51.05	11/22/2005	Trading
Avery Dennison Corporation Fasson Roll North America Source Location: Quakertown County: Bucks Ozone Nonattainment Status: Severe Contact Person: Roy R. Getz Telephone: (215) 538-6271	VOCs	73.02		Trading
ERC Generating Facility: Fasson Div. of Avery Dennison Corp. Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC-generating facility location: Quakertown County: Bucks Ozone Nonattainment Status: Severe Contact Person: Jesse Hackenberg Telephone: (570) 323-4430	VOCs	3.62		Internal Use/ Trading
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone Nonattainment Status: Moderate Contact Person: D. David Hancock, Jr. Telephone: (215) 777-7811	VOCs	18.0	7/28/2005	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Magee Rieter Automotive Systems Source Location: Bloomsburg County: Columbia Ozone Nonattainment Status: Moderate Contact Person: Tim Bergerstock Telephone: (717) 784-4100	NO <sub>x</sub> VOCs	0.39 0.02	4/17/2006	Internal Use
Congoleum Corporation Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: Theresa C. Garrod Telephone: (609) 584-3000	VOCs NO <sub>x</sub>	0.9 5.2		Trading
CNG Transmission Corporation Source Location: Leidy Township County: Clinton Ozone Nonattainment Status: Moderate Contact Person: Sean R. Sleight Telephone: (304) 623-8462	NO <sub>x</sub> VOCs	39.28 0.55	10/27/2004	Internal Use and Trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone: (610) 694-5104	NO <sub>x</sub> VOCs	1312.0 1011.8	Varies from 3/28/2008 to 6/19/2008	Trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone: (610) 694-5104	NO <sub>x</sub> VOCs	963.0 21.0	Varies from 11/18/2005 to 3/3/2007	Trading
Morgan Adhesives Company (MACTac) Source Location: Scranton County: Lackawanna Ozone Nonattainment Status: Moderate Contact Person: Tim Owens Telephone: (330) 688-1111	VOCs	75	6/30/2008	Trading
Pennsylvania Electric Company (Penelec) Source Location: Front St. Station County: Erie Ozone Nonattainment Status: Moderate Contact Person: Tim McKenzie Telephone: (814) 533-8670	NO <sub>x</sub>	1477.90	1/18/2001	Trading
SUPERPAC, INC. Source Location: Southampton County: Bucks Ozone Nonattainment Status: Severe Contact Person: Robert Stull Telephone: (215) 322-1010	VOCs	26.91	Varies from 3/29/2001 to 9/30/2003	Trading
ICI Paints North America Source Location: Reading, Glidden Plant County: Berks Ozone Nonattainment Status: Moderate Contact Person: Bruce F. Maco Telephone: (610) 376-8320	VOCs	35.0	12/18/2005	Trading
Meritor Heavy Vehicle Systems LLC Source Location: New Castle County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Harry Klodowski Telephone: (412) 281-7997	NO <sub>x</sub>	64.2	5/31/2003	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
National Fuel Gas Supply Corporation Sources: Generators, # 1 Source Location: Ellisburg Station County: Potter Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone: (814) 871-8657	NO <sub>x</sub> VOCs	16.14 1.80	2/1/2009	Internal Use
General Electric Company Source Location: Lawrence Park County: Erie Ozone Nonattainment Status: Moderate Contact Person: Scott Gowdy Telephone: (814) 875-2427	VOCs	44.2	Varies from 12/31/2003 to 12/31/2005	Internal Use/ Trading
Occidental Chemical Corp., Vinyls Division Source Location: Lower Pottsgrove Township County: Montgomery Ozone Nonattainment Status: Severe Contact Person: Bradley A. Okoniewski Telephone: (610) 327-6505	NO <sub>x</sub>	2	2/28/2007	Trading
Sun Company, Inc. Source: API Separator 10 & 1-F Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: John A. Rossi	VOCs	2.37	9/30/2004	Internal Use
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Ozone Nonattainment Status: Moderate Contact Person: David B. Orr Telephone: (412) 384-4259	NO <sub>x</sub> VOCs PM-10	0.30 0.02 0.24	11/6/2008	Trading

#### Quarterly Summary of ERC Transaction

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection, Commonwealth of Pennsylvania. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

##### ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Avery Dennison Corporation, Fasson Roll North America  
Sources: Presses QR1 and QR2  
Location of Source: 35 Pann-Am Drive, Quakertown, PA  
Certified ERCs (tpy): 133.02 tpy of VOCs  
Amount of VOC ERCs traded to Purchaser/Recipient: 60 tpy of VOCs  
Date of ERCs Transfer: 8/14/00  
ERCs available for future use: 73.02 tpy of VOCs

##### PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: FiberMark, Inc.  
Location of Source: Quakertown, Bucks County, PA  
Plan Approval Number: 09-0028C  
VOCs credits used: 0  
VOCs credits available for future use: 60 tpy

[Pa.B. Doc. No. 00-1725. Filed for public inspection October 6, 2000, 9:00 a.m.]

#### Availability of Technical Guidance

Technical guidance documents are on DEP's world wide web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the public participation center. The "July 2000 Inventory" heading is the Governor's list of nonregulatory guidance documents. 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 nonregulatory documents, as necessary, throughout 2000.

##### Ordering Paper Copies of DEP Technical Guidance

DEP encourages the use of the Internet to view guidance documents. When this option is not available, 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*

Following 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.

*Extension of Comment Period—Interim Policy*

*DEP ID: 012-0200-001 Title:* Interim Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure *Description:* DEP will seek to promote sound land use planning and development by considering comprehensive planning and zoning ordinances in our decision-making process on permits and approvals related to facilities and infrastructure. This guidance will provide direction to DEP staff for the implementation of Acts 67 and 68 of 2000 in the administration of current DEP programs to avoid or minimize conflict with local land use decisions. This guidance addresses how DEP will consider comprehensive planning and zoning ordinances in DEP's decision-making processes concerning facilities and infrastructure.

DEP will apply this policy where it has regulatory and decision-making discretion under legal authority and through the administration of DEP programs and regulations. This policy applies to DEP staff and applicants for DEP permits, approvals and funding. Specifically, it applies to facilities or infrastructure for proposed projects that involve changes to land use or new land development.

*Interim Effective Date:* Effective immediately, with 45-day comment period provided before issuance of final guidance. Extended Comment Period Ends: October 16, 2000 Contact: Policy Office, (717) 783-8727 or e-mail: growingsmarter@dep.state.pa.us.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-1726. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Notice of Extension of Pennsylvania General NPDES Permit for Stormwater Discharges Associated with Industrial Activities (PAG-3)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice issues a 9-month extension of its current General NPDES Permit for stormwater discharges associated with industrial activities (PAG-3) and related permit documents. The general permit was issued November 4, 1995, and is scheduled to expire on November 4, 2000. The extension is effective on November 5, 2000, and shall expire August 3, 2001. The current permit documents (the permit, the NOI, and the instructions) will continue to be in use until they are revised after public participation process.

The Department is reviewing the general permit documents in order to incorporate changes that have occurred since their issuance in 1995. This extension provides for the continuation of the use of the permit in the interim until final revisions are completed and posted on the Department's web site.

The current permit document package will continue to be available from the Department's Regional and Central Offices.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-1727. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Stream Redesignation Evaluation; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to public notice of receipt of evaluation or assessment of waters for High Quality (HQ) or Exceptional Value (EV) Waters redesignation) the Department of Environmental Protection (Department) hereby gives notice that an evaluation of all or portions of the stream listed will be conducted. Persons who have technical data concerning the water quality, instream habitat or biological condition of this stream are encouraged to make it available to the Department for consideration in the assessment. This assessment may lead to a recommendation to the Environmental Quality Board for redesignation.

Data should be submitted to Robert F. Frey, Division of Water Quality Assessment and Standards, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, e-mail frey.robert@dep.state.pa.us. Data should be submitted no later than November 15, 2000. Questions concerning this evaluation can be directed to Robert Frey at (717) 787-9637.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Furnace Run	Lebanon and Lancaster	Middle Creek

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Robert Frey directly at (717) 787-9637 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. 00-1728. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Plastic Surgery Center, Ltd. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Plastic Surgery Center, Ltd. has requested an exception to the requirements of 28 Pa. Code § 571.1 which requires compliance with minimum standards contained in the following publication "Guidelines for Design and Construction of Hospitals and Healthcare Facilities". Plastic Surgery Center, Ltd. requests exceptions to the following sections of the Guidelines: Section 9.5E3 Clean/Sterile Supplies, Section 9.5F4 Recovery Lounge, Section 9.5F5.a Control Station, Section 9.5F5.c Scrub Facilities, Section 9.5F5.f Anesthesia Storage, Section 9.5F5.g Medical Gas, Section

9.5.F5.H1.a Corridor widths, Section 9.5.F.H1.c Patient toilet room, Section 9.5.J Electrical, Section 9.5.L Mechanical.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from:

Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, Telephone: (717) 783-8980, FAX: (717) 772-2163, E-Mail Address: jinks@state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed above.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 {TT}.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-1729. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Governor's Council on Physical Fitness and Sports

The Governor's Council on Physical Fitness and Sports, will hold a public meeting on October 24, 2000 from 10 a.m. to 12:30 p.m. in Room 39, East Wing Capitol, Harrisburg, PA.

For additional information please contact Brian L. Wyant, Manager, Governor's Council on Physical Fitness and Sports, Department of Health, Room 1011 Health and Welfare Building, Harrisburg, PA, at (717) 787-2957.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Brian L. Wyant at (717) 787-2957. 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. 00-1730. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Pennsylvania Conservation Corps; Grants for Projects

Grants for projects related to conservation, recreation, historical preservation, graffiti removal, and the repair of

institutional vandalism will be available under the Pennsylvania Conservation Corps (PCC) program.

Agencies eligible to apply for Pennsylvania Conservation Corps (PCC) projects are:

- The Departments of Labor & Industry, Conservation & Natural Resources, Public Welfare, Corrections, Military & Veterans Affairs, Aging, Education, and Community & Economic Development
- The Pennsylvania Game, Fish & Boat, and Historical & Museum Commissions
- The Pennsylvania Emergency Management Agency
- Local political subdivisions (municipalities and school districts)
- Non-profit agencies in cities of the first class (for projects involving the removal of graffiti and the repair of institutional vandalism only)

The PCC program is designed to provide work experience and educational opportunities to unemployed young adults as they undertake needed projects on Pennsylvania's public lands. Funds available through the program may be used to purchase approved construction materials and contracted services (political subdivisions must provide a 25% cash match). The wages of corpsmembers and crewleaders are paid directly by the Department of Labor and Industry.

Applications for PCC projects will be accepted from political subdivisions and eligible non-profits through Friday, January 5, 2001. State agency applications will be accepted through Friday, February 2, 2001.

For more information, or to obtain a grant application packet, contact: Pennsylvania Conservation Corps, 1304 Labor & Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120, (717) 783-6385. E-mail inquiries may be directed to pcc@dli.state.pa.us.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 00-1731. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Payments to Nursing Facilities October 1, 2000 Proposed Rates

The purpose of this notice is to announce the proposed changes in payment rates based on case-mix index (CMI) adjustments only, for nursing facilities beginning October 1, 2000, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997 (P.L. No. 105-33), a state must use a public process when it proposes to make

changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department of Public Welfare (Department) is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187, relating to the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates based on CMI adjustments as required by the rate-setting methodology contained in its approved State Plan and regulations.

#### *Rates*

The proposed October 1, 2000 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout the Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2525.

#### *Methodology*

The methodology that the Department used to set the proposed rates based on CMI adjustments 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 the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2000-2001 is \$7.927 million (\$3.673 million in State funds).

Interested persons are invited to submit written comments only concerning case-mix index adjustments to the proposed 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, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (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-259. (1) General Fund; (2) Implementing Year 2000-01 is \$3.673 Million; (3) 1st Succeeding Year 2001-02 is \$4.007 Million; 2nd Succeeding Year 2002-03 is \$4.007 Million; 3rd Succeeding Year 2003-04 is \$4.007 Million; 4th Succeeding Year 2004-05 is \$4.007 Million; 5th Succeeding Year 2005-06 is \$4.007 Million; (4) 1999-00 Program—\$693.625 Million; 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; (7) Medical Assistance Long Term Care; (8) recommends adoption. Funds are available in the Department's budget to cover the cost increase caused by this proposed rate change.

[Pa.B. Doc. No. 00-1732. Filed for public inspection October 6, 2000, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Department-Authorized Messenger Services to Provide Decentralized Vehicle Titling and Registration Services by Means of Mainframe Connection; Correction

The Department of Transportation (Department), acting through its Office of Driver and Vehicle Program Services, wishes to correct two errors contained in the notice published in the September 16, 2000, issue of the *Pennsylvania Bulletin*. The notice, titled "Department-Authorized Messenger Services to Provide Decentralized Vehicle Titling and Registration Services via Mainframe Connection" and published at 30 Pa.B. 4861, should have omitted the word "Messenger" from the title; in addition, the date for selection of the first two providers published in the second paragraph as "October 16, 2001" should have read "October 16, 2000."

Any questions regarding this notice or the corrections should be directed to Driver and Vehicle Program Services, Attn: Program Administrator—Partnering Division, 1101 South Front Street, 4th Floor, Riverfront Office Center, Harrisburg, PA 17104 (717) 787-0489.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1733. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Retention of Engineering Firms

#### Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties Project References No. 08430AG2600

The Department previously advertised this Project Reference Number on September 2, 2000 to solicit Letters of Interest for the Department to retain an engineering firm for an Open-End Contract for various engineering and environmental services on traffic and maintenance type projects in Engineering District 8-0.

This re-advertisement deletes the section concerning architectural and architectural engineering services, which originally appeared in this advertisement.

The Department of Transportation will retain an engineering firm for an Open-End Contract for various engineering and environmental services on traffic and maintenance type projects located in Engineering District 8-0 that is Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties. The contract is expected to be for sixty (60) month period with projects assigned on an as needed basis. The maximum amount of the Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of the firm with emphasis on the firm's ability to handle projects of a diverse and complex nature. The firm's experience in traffic related design, including Intelligent Transportation System (ITS) implementation, safety and maintenance improvement projects and minor bridge or culvert design projects; the firm's ability to address critical environmental issues in a timely and cost effective manner; and the firm's ability to procure all necessary permits.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.

c. Location of consultant in respect to the Engineering District 8-0.

d. Use of Micro-station CADD compatible equipment.

e. Available staffing for this assignment. The selected firm could be assigned up to 20 concurrent work orders of a similar or diverse nature. Prompt turn-around time is expected.

f. Relative size of the team, to the size of projects that may be completed under this Contract.

The possibility exists that many different types of projects will be assigned under short term completion schedules which will encompass a wide range of traffic engineering projects, including, but not limited to, traffic signal and signal system design/analysis, traffic signing and sign structure designs and reviews, prepare/review maintenance and protection of traffic plans and preliminary field surveys.

Other areas of traffic engineering expertise associated with these projects may include, but are not limited to, developing and reviewing traffic signal permit drawings (new and revised), developing and/or reviewing traffic signal construction plans, data collection analysis (including preliminary field surveys and traffic counts), developing traffic signal coordination timing plans, analyzing and fine-tuning existing signal system timing plans to address any system deficiencies, observe on-street system operation during peak and off peak periods, adjust coordination timing parameters to optimize traffic flow, prepare lighting conversion plans, conducting traffic engineering studies in accordance with Title 67, Chapter 201, reviewing Highway Occupancy Permits (HOPs) in accordance with Title 67, Chapter 441 and Publication 170 for appropriate design criteria, review traffic impact studies, checking HOP plans and documentation for accuracy and compliance with current requirements and design standards, review for driveway applications as well as intersection improvements, conduct detailed field views for each permit review, review and evaluate traffic impact studies, drainage design, regulatory and warning signs, and pavement markings.

In addition, the selected firm may be required to perform engineering studies and design in support of the District's Maintenance Unit. These services could include, but are not limited to: drainage and hydraulic studies, storm water management, minor structural design, core borings and geotechnical investigations, PUC coordination, wetland delineation and mitigation design, preparation of categorical exclusion evaluations, preparation of erosion and sedimentation control plans, and preparation of GP-7 minor stream encroachment permit, applications for Penn DEP.

Provide survey data for in-house design projects, if needed. Survey information must be directly compatible with the District's in-house design capabilities. The District uses in-house software (available to the consultant) or TDS software with a DOS operating data collection.

Consultant shall be able to prepare subdivision and land development plans for Maintenance stockpiles and represent Department at municipal meetings where approval of subdivision and land development plans are necessary.

Areas of environmental study associated with these projects may include, but are not limited to: soils, geology; streams, rivers and watercourses, wetlands, floodplains, navigable waterways, surface water and groundwater resources, National and State Wild and Scenic Rivers and Streams; vegetation, wildlife and habitat, terrestrial and aquatic ecology, threatened and endangered species investigation, farmland, National Natural Landmarks, natural and wild areas, cultural resources, parks and recreation facilities, hazardous and residual waste including under ground storage tanks, air quality, noise, energy, vibration, public controversy on environmental grounds, aesthetic and other values including visual quality, and socioeconomic impacts. All environmental studies will be conducted in accordance with accepted analysis techniques and methodologies.

The selected firm may be required to perform any or all of the above in order to ensure a completed traffic engineering or maintenance investigation has been performed: provide all necessary engineering services, material and equipment necessary to collect, analyze and review data, prepare reports, and attend meetings with applicants and agencies.

The format and content of all documents, plans, and specifications will be consistent with applicable State and Federal regulations and guidelines. This is the general description of the work involved. A more specific and project related scope of work will be outlined for each individual work order developed under the Open-End Contract.

Project schedules will be maintained by the Department using Welcome "Open Plan" software. Consultant schedule software must be compatible.

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).

If you have already submitted a Letter of Interest for this Project Reference Number, no additional actions are required on your part. You may submit a new Letter of Interest or the Department will evaluate your first submission without consideration of any reference to the

architectural and architectural engineering services and if you resubmit a Letter of Interest your first submission will be discarded.

If you desire to submit/resubmit a Letter of Interest, the submissions shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer  
Engineering District 8-0  
2140 Herr Street  
Harrisburg, PA 17103-1699  
Attention: Mr. Glenn Rowe, 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 of this project should be directed to Mr. Glenn Rowe at (717) 783-3981.

**Lehigh County**  
**Project Reference No. 08430AG2617**

The Department will retain an engineering firm for a multi-phase, project specific agreement, to provide preliminary engineering, environmental documentation, final design, and construction services on S.R. 0145, Section 08S, S.R. 0145 Safety Project—Whitehall, Lehigh County.

This project involves the SAMI type betterment of S.R. 145 between just south of Mechanicsville Road (S.R. 1012) and just north of Municipal Drive in Whitehall Township, Lehigh County.

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 record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b) Available staffing for this assignment and the ability to meet the Department's needs.
- c) Specialized experience and technical competence of firm.
- d) Location of Consultant with respect to the District Office.
- e) Proposed project team composition.

The firm selected may be required to perform, but not limited to, the following services for this project:

1. All studies necessary for the preparation of a Categorical Exclusion Evaluation Level 1b and associated documents including: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys, etc.

2. Preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis; Type, Size, and Location drawings (if warranted for the reconstruction or rehabilitation of any structure(s) on S.R. 0145); 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.

3. Preparation of final roadway (and structure plans if warranted), including, but not limited to: roadway (and structure) borings; final design; and preparation of plans, specifications, and estimates.

4. Services during construction, including construction consultation and shop drawing review.

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).

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. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attn: Brian H. Graver

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 Brian H. Graver, phone number (610) 798-4322 or Amanda Leindecker, phone number (610) 798-4136, fax number (610) 798-4116.

**Berks County**  
**Project Reference No. 08430AG2618**

The Department will retain an engineering firm for a multi-phase, project specific agreement, to provide preliminary engineering, environmental documentation, final design, and services during construction on the following projects:

1. S.R. 0176, Section PM1, Berks County  
Local Name: I-176 Preventive Maintenance This project involves the design of various preventive maintenance measures for S.R. 0176 from approximate milepost 4.0 to milepost 7.4. The project is located in Cumru and Robeson Townships, Berks County.
2. S.R. 0176, Section 002, Berks County  
Local Name: I-176 Reconstruction & 176/724 Interchange This project involves the I4R type reconstruction of S.R. 176 from approximate milepost 7.4 north to just south of the interchange between S.R. 0176 and S.R.727 0422. This project does not include the interchange between S.R. 0176 and S.R. 0422, but does include the interchanges between S.R. 0176 and S.R. 0724 and southbound S.R. 0176 and S.R. 0010. The project is located in Cumru and Robeson Townships, Berks County.

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 record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b. Available staffing for this assignment and the ability to meet the Department's needs.



c. Specialized experience and technical competence of firm.

d. Location of Consultant with respect to the District Office.

e. Proposed project team composition.

The firm selected may be required to perform, but not limited to, the following services for this project:

1. As part of the I4R reconstruction project (S.R. 0176, Section 002), prepare of a Point of Access Study for the reconstruction of the interchange between S.R. 0176 and S.R. 0724 and southbound S.R. 0176 and S.R. 10.

2. Complete all studies necessary for the preparation of a Categorical Exclusion Evaluation Level 2 and associated documents including: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys, etc.

3. Perform preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis; Type, Size, and Location drawings (there are five (5) structures in the project area of S.R. 0176, Section PM1 and eight structures in the project area of S.R. 176, Section 002); 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 (and railroad companies if warranted).

4. Prepare of final roadway and structure plans, including, but not limited to: roadway and structure borings; and design; and preparation of plans, specifications, and estimates.

5. Services during construction, including construction consultation and shop drawing review.

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).

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. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attn: Brian H. Graver

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 Brian H. Graver, phone number (610) 798-4322, fax number (610) 798-4116.

#### **Berks County**

#### **Project Reference No. 08430AG2619**

The Department will retain an engineering firm for a multi-phase project specific agreement, to provide a corridor analysis on S.R. 0422, Section 31S, 422 Corridor Study, Berks County.

The selected consultant will undertake a corridor study of S.R. 0422. The project limits shall extend from the existing interchange between S.R. 0422 and I-176 east to the Montgomery County line (a distance of approximately 23.8 miles). This study will result in the preparation of a Comprehensive Transportation Needs Analysis Report.

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 record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.

b. Available staffing for this assignment and the ability to meet the Department's needs.

c. Specialized experience and technical competence of firm.

d. Location of Consultant with respect to the District Office.

e. Proposed project team composition.

The firm selected may be required to perform, but not limited to, the following services for this project: Research available roadway, traffic, demographic, and environmental data; Evaluate the corridor, identifying transportation system needs; Identify and evaluate improvement concepts for the Department to use in developing a prioritized list of recommendations; Prepare a Comprehensive Transportation Needs Analysis Report for District approval.

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).

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. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attn: Brian H. Graver

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 Brian H. Graver, phone number (610) 798-4322 or Stephen Caruano, P.E., phone number (610) 798-4226, fax number (610) 798-4116.

#### **Carbon County**

#### **Project Reference No. 08430AG2620**

The Department will retain an engineering firm for a multi-phase, project specific agreement, to provide preliminary engineering, environmental documentation, final design, and construction services on S.R. 0903, Section 03B, Jim Thorpe Bridge Replacement, Carbon County.

This project involves the replacement of the Jim Thorpe Bridge over the Lehigh River and the tracks of Norfolk Southern and the Carbon and Schuylkill Rail Authority, located in the Borough of Jim Thorpe, Carbon County.

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 record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b. Available staffing for this assignment and the ability to meet the Department's needs.
- c. Specialized experience and technical competence of firm.
- d. Location of Consultant with respect to the District Office.
- e. Project team composition.

The firm selected may be required to perform, but not limited to, the following services for this project:

1. Preparation of a feasibility study identifying replacement alternatives (including but not limited to replacement on existing alignment, replacement on an upstream alignment to improve roadway alignment, and any other alternative the consultant deems feasible). The study will evaluate each alternative based on factors developed in consultation with Department staff. The Department will recommend a preferred alternative.
2. All studies necessary for the preparation of an Environmental Assessment and associated documents including: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys, etc. (This task may require preparation of an Environmental Impact Statement as a result of the EA).
3. Preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis; Type, Size, 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 (and railroad companies if warranted).
4. 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.
5. Services during construction, including construction consultation and shop drawing review.

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).

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. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attn: Brian H. Graver

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 Brian H. Graver, phone number (610) 798-4322, fax number (610) 798-4116.

**Luzerne County  
Project Reference No. 08430AG2621**

The Department will retain an engineering firm for a multi-phase, specific project agreement to provide preliminary engineering, environmental studies, final design and construction services for S.R. 0115, Section 303, a new two-lane highway on a new alignment in Plains, Wilkes-Barre and Laurel Run Townships, Luzerne County. The estimated construction cost is \$10.9 million.

The project consists of designing a new two-lane highway approximately 2.5 miles long and evaluating alignments through a 2,000 ft wide corridor which crosses the Laurel Run Creek and connects Exit 46 of I-81 to the intersection of S.R. 0115 and East Mountain Boulevard. Work on Exit 46 consists of new ramps as well as modifying existing ramps and highway lighting. Work on Exit 47 consists of evaluating ramp lengths and highway lighting.

The selected firm may be required to provide a variety of services including the following:

*Monitor Water Quality:* Services include monitoring water quality and the Bentic community for portions of the project area before, during and after construction.

*Environmental Assessment:* Services include, but is not limited to: Design Location Study/Alternatives Analysis; the preparation and completion of all required documents which will begin as a Class 3 action (environment assessment as defined by Pub. 362, June 1999); wetland delineation-evaluation and mitigation; Phase 1 investigation for potential hazardous materials and report; Phase 1 archaeological survey and historical structures inventory and report; agency coordination meeting presentations; secondary impact analysis; terrestrial habitat investigation and threatened and endangered species analysis. The Department Environmental Unit will prepare section 106 study (i.e. Scope) requirements.

*Preliminary Engineering:* Services include, but is not limited to: field surveying; plot topography and cross sections; prepare Design Field View Submission; prepare submissions for utility verifications and relocation plans; develop erosion control plans-details and narratives; prepare Right-of-Way Plans; prepare hydraulic and hydrologic analysis including all required permit applications; prepare Type Size & Location Plans/Reports; prepare/administer/inspect core boring layouts and contracts; prepare foundation designs and reports; develop traffic control plans; conduct traffic counts; perform an origin and destination study; perform level of service studies and perform a point of access study.

*Final Design:* Services include, but is not limited to: Preparation of final roadway, structure, right of way, erosion & sediment control, soil profile sheets plans, specifications and estimates.

*Construction Services:* Services include, but is not limited to: Checking and approving shop drawings; resolving any design/construction conflicts and general consultation during construction.

The Department during the evaluation of firm's letters of interest will consider the following factors, listed in order of importance:

A) Presentation of firm's technical information in the Letter of interest:

- 1) Is the Project Reference number clearly shown?
- 2) Is firm's legal name clearly stated?
- 3) Is firm's federal identification number clearly shown?
- 4) Are excess resumes attached to Letter of Interest? Excessive resumes are defined as any resume already listed in an Annual Qualification Package.

B) Specialized experience and technical competence of the firm and their subconsultants (successful completion of similar projects).

C) Specialized experience and technical competence of the firm's personnel.

D) Specific individuals from the firm who are available to be assigned directly to this project for the duration of the agreement.

E) Method of controlling quality of products and submittals. Special consideration will be given to plans that have coordination between disciplines and subconsultants.

F) Location of the firm's working office in relationship to the Engineering District 4-0 Office.

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 for this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letters of interest shall be limited to a maximum of five (5) pages, an organizational chart and additional one-page resumes only of key personnel not included in Annual Qualifications Packages. All pages/attachments to letters of interest will be 8 1/2" x 11" and one sided. (See the General Requirements and Information Section for additional requirements)

The Letters of interest will be sent to:

Mr. Charles Mattei, P.E., District Engineer  
Engineering District 4-0  
O'Neill Highway  
Keystone Industrial Park  
Dunmore, Pa 18512

Attn: Mr. Bernard Walko, P.E.

The Letters of Interest Submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing local time, on the tenth (10th) day following the date of this notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Bernard Walko P.E., phone number (570) 963-4253, fax number (570) 963-4014.

**Adams, Cumberland, Franklin, York, Dauphin,  
Lancaster, Lebanon and Perry Counties  
Project Reference No. 08430AG2622**

The Department Of Transportation will retain an engineering or surveying firm to provide preliminary, final,

construction, and geodetic surveying services for various projects throughout the Engineering District 8-0 area. That is Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon, and Perry Counties. The contract will be for a period of thirty-six (36) months from the date of the notice to proceed.

The selected firm must be able to adequately staff a minimum of two (2) four-person survey crews and have adequate staff to provide two-person, three-person, four-person crews, and individual technicians when needed. The firm will be required to furnish each crew with all of the required materials, equipment, liability insurance and safety equipment necessary for the efficient, timely, and professional completion of various types of survey projects, such as geodetic, engineering, construction, and property surveys.

Preliminary highway surveys, using total station electronic surveying and data collection equipment must be compatible with "INTEGRAPH INROADS SURVEY" software. The selected firm will be responsible for providing the hardware configuration necessary to deliver an electronic raw data file that is comparable to the department's files and compatible with the Department's Micro Station CADD system. GPS survey equipment must be compatible to "Trimble Geomatics Office" software. The Department will provide the necessary feature tables and function code listings so that all fieldwork will be completed using linear and curvilinear features. Surveying procedures and levels of accuracy will adhere to Publication 122M and Form 442.

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 final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of personnel's resumes with emphasis on surveying capabilities and specialized experience in Highway/Route surveying.

b. Geographical location of consultant's office in relation to the engineering district. This does not include satellite offices.

c. Level of understanding of Department's procedures, requirements, policies, and specifications.

d. Ability to provide services on short(5-day minimum) notice.

e. Past Performance Ratings.

f. Ability to perform survey support functions.

The qualifications and experience required of the firm's personnel must meet or exceed the requirements of the Department's surveyor class specification. The description for these classifications can be obtained from the district contact person identified at the end of this solicitation.

The survey personnel and supporting resume information must be submitted with the letter of interest. There shall be no substitution or addition of personnel without first submitting resumes and receiving written approval by the Department.

The engineering or surveying firm must comply with the following requirements:

1. All field survey work shall be under the supervision of a Professional Land Surveyor, Licensed in the Commonwealth Of Pennsylvania.

2. Each two-person survey crew shall consist of a supervisor and a prism/rod person. Each three-person crew shall consist of a supervisor, an instrument person and a rod/prism person. Each four-person crew shall consist of a supervisor, an instrument person and two rod/prism persons.

3. Electronic equipment and procedures, as described above, must be utilized in completion of surveys unless otherwise directed by the Department.

4. Survey crew will provide suitable work zone maintenance and protection of traffic in accordance Department Publications.

5. Provisions will be included for railroad insurance and rental of arrow boards, if needed.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of (3) three pages, 8 1/2"x11", one-sided, plus an organizational chart (up to 11"x17" size) and additional resumes, if applicable. (See the General Requirements and Information Section for additional requirements)

The letter of interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer  
Engineering District 8-0  
2140 Herr Street  
Harrisburg, Pennsylvania 17103-1699  
Attn: Kenneth C. Quigley, P. L.S.

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 Kenneth C. Quigley, P. L.S., District 8-0, at phone (717) 787-6104, fax (717) 783-4788.

#### **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.

For District 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 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 Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

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.

By submitting a letter of interest for the projects that request 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. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

The letter of interest must include full disclosure of any potential conflict of interest by the prime or any subconsultant based on Engineering Involvement Restrictions Guidelines as established in Strike-off Letter No. 433-00-02 published March 27, 2000. If there are no potential conflicts you shall include the following statement: "I have reviewed Strike-off Letter No. 433-00-02 and determine that there are no potential conflicts of interest for anyone on this project team."

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 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).

Proposed 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.

Letters of Interest will be considered non-responsive and eliminated from further consideration for any of the following reasons:

1. Letters of Interest not received on time.
2. Project of interest is not identified.

3. An Annual Qualification Package for the prime consultant and all subconsultants is not on file with the organization receiving the Letter of Interest.

4. Conflict of Interest evaluation statement is not included.

5. A Disadvantaged Business Enterprise (DBE) participation goal is established for the Project Reference Number but no DBE/WBE is identified and no good faith effort is included.

6. Firm submitted a Letter of Interest on more than one (1) Joint Venture or a firm submitted a Letter of Interest as a prime and was also included as a subconsultant, to another firm. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm, or firms, involved.

In addition to the above reasons, a Letter of Interest for Construction Inspection Services will be considered non-responsive for any of the following reasons:

1. Prime consultant or any subconsultant does not have a Federal Acquisition Regulation (FAR) Audit Field Overhead Rate on file with the Department.

2. Using an individual's resume without including a letter granting the individual's approval for TCIS and higher positions.

3. Exceeding the maximum number of resumes in a payroll classification.

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. 00-1734. Filed for public inspection October 6, 2000, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**P. H. Glatfelter Company v. DEP; EHB Doc. No. 2000-194-L**

P. H. Glatfelter Company has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Spring Grove Borough, York County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under to 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 00-1735. Filed for public inspection October 6, 2000, 9:00 a.m.]

## FISH AND BOAT COMMISSION

**Application for a Draw Down Permit**

**Bradys Lake, Monroe County**

The Fish and Boat Commission (PFBC) is currently reviewing an application of the Game Commission (PGC) to draw off water from Bradys Lake Dam, Coolbaugh Township, Monroe County. The dam impounds 229 acres of water on Trout Creek with a maximum depth of 17.2 feet. Although the PGC owns the dam, the PFBC maintains public fishing and boating access facilities at the lake. The lake contains a warmwater fishery. It is not an approved trout water.

At this time, the Commission is soliciting public input concerning the PGC's application for a draw down permit. It should be noted that the PFBC's role in reviewing draw down permits is limited. The PFBC does not judge the merits of a particular project or the need for the proposed work. Those matters properly lie within the jurisdiction of the Department of Environmental Protection. Accordingly, all public comments should be limited to matters within the PFBC's jurisdiction and should relate to fisheries management issues in both the impoundment and downstream and to the impact on the receiving stream.

Persons with comments, objections or suggestions concerning the PGC's application for a draw down permit are invited to submit comments in writing to Executive Director, Pennsylvania Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically at "regulations@fish.state.pa.us." A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 00-1736. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Closure of Lake Wallenpaupak

The Fish and Boat Commission's (Commission) access area at Lake Wallenpaupak, Wayne County, is temporarily closed to all public use as of 12:01 a.m. on Sunday, October 1, 2000. The closure of the access area is being done in connection with the on-going partial draw down of Lake Wallenpaupak and the need for work at the access area. The regulatory authority for the closure of the access area is 58 Pa. Code § 53.4 (related to limiting access to Commission property and other restrictions). The closure of the Commission's Lake Wallenpaupak Access Area will be effective when posted at the site. The access area will be reopened as soon as conditions permit.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 00-1737. Filed for public inspection October 6, 2000, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (43 P.S. § 957(o)) (act) hereby announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act, in the following case:

*John H. Hudock v. Commonwealth of Pennsylvania, Department of Military Affairs*; Doc. No. E37727; (Pennsylvania Human Relations Commission, August 29, 2000)  
• Disability-based (heart by-pass surgery) discharge; Ruling for Respondent, 8-0 decision; 9 pages.

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 10¢ per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harrisburg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 00-1738. Filed for public inspection October 6, 2000, 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 21, 2000, and took the following actions:

#### *Regulations Approved:*

Municipal Police Officers' Education and Training Commission #17-62: Administration of the Program (amends 37 Pa. Code Chapter 203).

State Board of Education #6-261: College and University Security (amends 22 Pa. Code Chapter 33).

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
September 21, 2000

*Municipal Police Officers' Education and Training Commission—Administration of the Program; Regulation No. 17-62*

On June 15, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Municipal Police Officers' Education and Training Commission (Training Commission). This rule-making amends 37 Pa. Code Chapter 203. The proposed regulation was published in the June 27, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 19, 2000. On August 8, 2000, the Training Commission tolled the review period to correct an inconsistency in the final-form regulation between the psychological examination requirements for municipal police officers and Pennsylvania State Police officers. On September 6, 2000, the Training Commission submitted a revised final-form regulation to the Commission.

This regulation clarifies existing requirements for officer qualifications, school standards and nonmandatory in-service training programs. The revisions also include an exemption from certain qualifications for applicants who have been employed as a municipal police officer or a Pennsylvania State Police officer within 2 years from the application date.

We have determined this regulation is consistent with the statutory authority of the Training Commission (53 Pa.C.S.A. §§ 2161—2171) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this revised regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
September 21, 2000

*State Board of Education—College and University Security; Regulation No. 6-261*

On July 9, 1998, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Education. This rulemaking amends 22 Pa. Code Chapter 33. The proposed regulation was published in the July 25, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 22, 2000.

This regulation clarifies requirements for colleges and universities to develop and maintain crime logs, and to ensure public access to crime statistics and crime logs as required by Act 87 of 1994. It will make reporting consistent among colleges and universities.

We have determined this regulation is consistent with the statutory authority of the State Board of Education (24 P. S. §§ 2502-1—2502-5) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 00-1739. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Notice of Comments Issued

Sections 5(d) and 5(g) of the Regulatory Review Act (71 P. S. §§ 745.5(d) and 745.5(g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (75 P. S. §§ 745.5a(h) and 745.5a(i)).

The Commission issued Comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

Reg. No.	Agency/Title	Final-Form	
		Issued	Deadline
2-132	Department of Agriculture Dog Shelters	9/21/00	8/21/02

#### Department of Agriculture Regulation No. 2-132 Dog Shelters September 21, 2000

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)), which has not been met. The Depart-

ment of Agriculture must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by August 21, 2002, the regulation will be deemed withdrawn.

#### 1. Section 21.24. Shelters.—Reasonableness; Consistency with existing regulations, Clarity.

*Minimum standards for wire flooring.*

There are six concerns related to the proposed requirements for wire flooring.

First, the proposed regulation requires the use of vinyl-coated wire flooring in primary enclosures if a kennel removes rest boards. Existing Federal regulations at 9 CFR 3.6 already allow for the removal of rest boards. Subsection 3.6(a)(2) of the Federal regulations requires that the flooring be "constructed of metal strands greater than 1/8 of an inch in diameter (9 gauge) *or* coated with a material such as plastic or fiberglass" (emphasis added). Rather than write a different regulation that does not provide both options, the Department should consider incorporating the Federal regulations by reference.

Second, four commentators recommended that the regulation include a minimum standard of greater than 1/8 of an inch in diameter for vinyl-coated metal strands. Such a standard would exceed the Federal regulations, which does not require a coating for strands greater than 1/8 of an inch in diameter. The Department should determine whether there is a compelling reason that justifies exceeding the minimum standards of the Federal regulations.

Third, subsection 21.24(d) is a long paragraph with seven sentences. Four sentences contain requirements relating to metal strand flooring. These requirements include:

- The metal strand flooring must be coated with a vinyl-type coating.
- The vinyl-coated metal strand flooring must be kept in good repair.
- The vinyl-coated metal strand flooring shall be made of mesh construction that does not allow the dog's feet to pass through any opening in the floor and does not otherwise cause injury to the dog.
- The vinyl-coated metal strands shall be constructed of sufficient diameter (gauge) to provide a rigid floor area sufficient to support the weight of the dogs housed in the enclosure.
- The vinyl-coated metal strand flooring must not bend or sag from the weight of the dogs.
- Enclosures with vinyl-coated metal strand flooring shall include a draft free area large enough to hold all dogs in the primary enclosure comfortably.

These requirements would be easier to understand if they were set forth clearly as a list in the proposed regulation. Chapter 7 of the *Pennsylvania Code & Bulletin Style Manual* contains guidelines for "enumerations" and the use of lists. If these requirements are retained in the final-form regulation, they should be enumerated in a list format.

Fourth, this subsection states that the metal strand flooring must provide a "rigid floor area" that "does not bend or sag." Does any deviation from a straight line constitute a "sag" in a metal strand floor? Must the floor be completely rigid, or is a certain degree of variation or flex allowable? The Department should explain its intent.

Fifth, the requirement for a “draft free” area is unclear. It is our understanding that this provision does not apply to the entire primary enclosure. Only part of the enclosure area or an attached area accessible to the dogs must be draft free. The Department should clarify this requirement.

Sixth, the regulation should be consistent with the Federal regulations and use the words “metal strands” instead of “wire.”

*Optional rest boards.*

The optional “rest board” requirement states: “the solid resting surface shall be constructed of impervious material.” This provision lacks sufficient detail in two ways. First, Subsection 21.24(d) should require that rest boards, if used, must be kept sanitized. As an alternative, the subsection could include or reference the sanitation requirements in section 21.29.

Second, what types of material are considered to be “impervious”? The Department should amend the regulation to provide examples of impervious materials. It could also include or reference the definition of “impervious surface” in the Federal regulations at 9 CFR 1.1.

*Mandatory rest boards.*

Four commentators recommended that the regulation continue to require a rest board to ensure adequate protection for small dogs, puppies and toy breeds. For these commentators, the rest boards are a guarantee of comfort and a safe place to walk or stand for small dogs. Is there a certain type of mesh construction for vinyl-coated metal strand flooring that will provide the same or similar protection as a rest board? If there is, should the regulation specifically require this type of metal strand flooring for enclosures that house small breeds or breeding dogs and their offspring? If not, should the regulation continue to require rest boards in the enclosures for these dogs?

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-1740. Filed for public inspection October 6, 2000, 9:00 a.m.]

*Final-Form*

16A-556	State Board of Accountancy Peer Review	9/25/00
57-209	Pennsylvania Public Utility Commission Updating and Revising Existing Filing Requirement	9/26/00

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-1741. Filed for public inspection October 6, 2000, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Exchange Shares of T. A. Title Insurance Company

T. A. Title Insurance Company has filed an application to exchange shares of T. A. Title Insurance Company, a domestic title insurance company, for shares of T. A. Holdings, Inc., a Pennsylvania domiciled insurance holding company. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P. S. § 991.1402, et seq. and the Business Corporation Law of 1988, 15 Pa.C.S. § 1931 and 15 P. S. §§ 21205—21207. Persons wishing to comment on the exchange are invited to submit a written statement to the Pennsylvania Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1742. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its Website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-204	Pennsylvania Public Utility Commission Cramming and Slamming	9/21/00
7-340	Environmental Quality Board Municipal Waste	9/22/00
16A-560	State Real Estate Commission General Provisions	9/25/00
16A-5113	State Board of Nursing Biennial Renewal Fees	9/25/00

### Application for Merger

An Application has been received requesting approval of the merger of Reliance Insurance Company of Illinois, an eligible surplus lines insurer organized under the laws of the State of Illinois, with and into Reliance Insurance Company, a stock property insurance company organized under the laws of the Commonwealth of Pennsylvania. The initial filing was received on September 25, 2000, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 15 P. S. §§ 21205—21207. Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Pennsylvania Insurance Department within 15 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the state-



ment is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; email cbybee@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1743. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Compliance Date; No. 2000-08

The Insurance Department has issued this Notice in order to provide guidance for all insurers authorized to do business in the Commonwealth of Pennsylvania in regard to the compliance date for the privacy provisions of the Gramm-Leach-Bliley Act (GLBA or Act) (Public Law 106-102).

Under the Insurance Department Act, 40 P. S. §§ 1 et seq., and the Insurance Company Law, 40 P. S. §§ 341 et seq., the Insurance Commissioner and the Pennsylvania Insurance Department are charged with the regulation and oversight of insurers and insurance producers within the Commonwealth of Pennsylvania. 40 P. S. §§ 1, 341; 71 P. S. § 66, 186, 411, 412. The GLBA recognizes the Pennsylvania Insurance Department's jurisdiction by reaffirming the McCarran-Ferguson Act, 15 U.S.C. §§ 1011 et seq., which provides for the functional regulation of insurance by the states. GLBA § 301.

A major component of the GLBA is contained in Title V of the Act, which provides for the protection of customer privacy. Specifically, Section 501 of the GLBA indicates that "financial institutions" have an affirmative duty to respect the privacy of its customers and to protect the security and confidentiality of those customers' non-public personal information. The term "financial institution" is statutorily defined in Section 509(3) of the GLBA by reference to any institution engaging in "financial activities." For the purpose of the Act, "financial activities" include "[i]nsuring, guaranteeing, or indemnifying against loss, harm, damage, illness, disability, or death, or providing and issuing annuities, and acting as principal, agent, or broker for purposes of the foregoing." Therefore, the statutory privacy requirements of the GLBA extend to all insurers and insurance producers, regardless of any involvement or affiliation with a banking or securities entity.

Once again recognizing that states are the functional regulators of the insurance industry, Section 505(a)(6) of the GLBA directs state insurance regulators to establish "appropriate standards" for the disclosure of non-public personal information in order to provide guidance to insurers and insurance producers as to the implementation of the Act's statutory privacy protection requirements. State insurance regulators are also charged with the duty of enforcing the customer privacy requirements contained in the Federal statute. Although there is no requirement that state insurance regulators promulgate "appropriate standards" prior to a specific date, the Act's statutory privacy requirements will become effective on November 12, 2000. GLBA § 510. However, because enforcement of the GLBA's statutory privacy provisions is within the jurisdiction of state insurance regulators, the Pennsylvania Insurance Department may extend the date

on which all insurers and insurance producers within the Department's jurisdiction must comply with the Act's statutory privacy requirements.

While enforcement of the GLBA's statutory privacy requirements for insurers and insurance producers is within the jurisdiction of the state insurance regulators, enforcement for banking entities is within the jurisdiction of the Federal banking agencies. GLBA §§ 504, 505. Like the state insurance regulators, the Federal banking agencies are authorized to extend the compliance date for enforcement of the Act's statutory privacy requirements. However, unlike the state insurance regulators, the Federal banking agencies were required to develop their "appropriate standards" in the form of a final regulation by May 12, 2000. In this regulation, the Federal banking agencies determined that the compliance date should be extended to July 1, 2001 in order to permit financial institutions to adequately implement the statutory privacy requirements.

The Pennsylvania Insurance Department has been actively involved through the NAIC in the development of a model privacy regulation for adoption by the states. Also, the Pennsylvania Insurance Department joined other members of the NAIC in a June 11, 2000 resolution which details that it is the intent of state insurance regulators to extend the GLBA privacy requirements compliance date to July 1, 2001 for insurers and insurance producers.

Therefore, under its regulatory authority under the Insurance Department Act and the Insurance Company Law, as recognized by the Section 505 of GLBA, the Pennsylvania Insurance Department has determined that the compliance date for the GLBA's statutory privacy requirements as they apply to insurers and insurance producers shall be extended until July 1, 2001. Prior to this date, no action to enforce the Act's statutory privacy requirements will be taken against an insurer or insurance producer subject to the Department's jurisdiction. Any questions concerning this Notice may be directed to Timothy L. Knapp, Deputy Insurance Commissioner, Office of Policy, Enforcement and Administration, Pennsylvania Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120; (717) 787-0636.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1744. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Liberty Mutual Fire Insurance Company; Homeowners

On September 22, 2000, the Insurance Department received from Liberty Mutual Fire Insurance Company a filing for a proposed rate level changes for homeowners insurance.

The company requests an overall 6.5% increase amounting to \$1,547,000 annually, to be effective December 18, 2000.

Unless formal administrative action is taken prior to November 21, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (E-mail: xlu@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 00-1745. Filed for public inspection October 6, 2000, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Lancaster County, Wine and Spirits Shoppe # 3604, 31 West Main Street, Ephrata, PA 17522-2010.

*Lease Expiration Date:* September 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,418 net useable square feet of new or existing retail commercial space on Main Street within the Borough of Ephrata.

*Proposals due:* October 27, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Allegheny County, Wine and Spirits Shoppe # 0270, 3643 California Avenue, Pittsburgh, PA 15212-1869.

*Lease Expiration Date:* September 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space along California Avenue or Brighton Road, serving the Brighton Heights section of the City of Pittsburgh.

*Proposals due:* October 27, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Philadelphia County, Wine and Spirits Shoppe # 5149, 4049 Market Street, Philadelphia, PA 19104-3031.

*Lease Expiration Date:* June 30, 2001

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 within a half-mile radius of 40th and Market Streets, Philadelphia.

*Proposals due:* October 27, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9672

Tioga County, Wine and Spirits Shoppe # 5904, 126 West Main Street, Westfield, PA 16950-1522.

*Lease Expiration Date:* November 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,100 to 1,500 net useable square feet of new or existing retail commercial space within the Borough of Westfield or surrounding portions of Westfield Township.

*Proposals due:* November 17, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Ronald Hancher, Jr., (717) 657-4228

JOHN E. JONES, III,  
Chairperson

[Pa.B. Doc. No. 00-1746. Filed for public inspection October 6, 2000, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service Without Hearing

**A-120700 F2006. Columbia Gas of Pennsylvania.** Application of Columbia Gas of Pennsylvania for approval to abandon natural gas service to 652 Narrows Run Road, Coraopolis, PA 15108.

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 23, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Columbia Gas of PA

*Through and By Counsel:* Mark R. Kempic, Senior Attorney, 650 Washington Road, Pittsburgh, PA 15228-2703.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 00-1747. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Gas Service Without Hearing

**A-120007 F0004. Nido's Ltd., Inc., t/a Kaylor Gas Distribution.** Application of Nido's Ltd., Inc., t/a Kaylor Gas Distribution for approval to offer, render, furnish or supply service to the public in portions of the townships of Scrubgrass, Clinton and Irwin, Venango 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 23, 2000, under 52 Pa. Code (relating to public inspection).

*Applicant:* Nido's Ltd., Inc. t/a Kaylor Gas Distribution

*Through and By Counsel:* Kathleen J. Foley, President, P. O. Box 24, Meridian Branch, Butler 16001.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1748. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Telecommunications

**A-310886F0002. Verizon Pennsylvania Inc. and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, Inc.** Joint Petition of Verizon Pennsylvania Inc. and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, Inc. for approval of an interconnection agreement under section 252(e) of The Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, Inc., by its counsel, filed on September 21, 2000, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1749. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Telecommunications

**A-310957F0002. Verizon Pennsylvania, Inc. and KMC Telecom V, Inc.** Joint Petition of Verizon Pennsylvania, Inc. and KMC Telecom V, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and KMC Telecom V, Inc., by its counsel, filed on September 20, 2000, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the

Verizon Pennsylvania Inc. and KMC Telecom V, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1750. Filed for public inspection October 6, 2000, 9:00 a.m.]

### Transfer of Control Without Hearing

**A-310581 F0004. OnePoint Communications Corporation and Bell Atlantic Corporation d/b/a Verizon Communications.** Joint Application of OnePoint Communications Corporation and Bell Atlantic Corporation, d/b/a Verizon Communications, for approval of the Transfer of Control of OnePoint's Pennsylvania Operating Subsidiary, VIC-RMTS-DC, LLC.

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 23, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* OnePoint Communications Corporation, Bell Atlantic Corporation t/a Verizon Communications

*Through and By Counsel:* Richard P. Kolb, Vice President—Regulatory, Two Conway Park, 150 Field Drive, Suite 300, Lake Forest, Illinois 60045 and Julia A. Conover, Esquire, 1717 Arch Street, 32nd Floor, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1751. Filed for public inspection October 6, 2000, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

**Commonwealth of Pennsylvania v. Jay A. Bramlett;  
Doc. No. 00135-56-99; File No. 98-56-00407**

By order of the State Real Estate Commission pursuant to 1 Pa. Code § 33.31, 231 Pa. Code § 430, and Rule 430, Pa.R.C.P., Jay A. Bramlett is hereby given notice as follows:

On February 26, 1999, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, instituted against you, with respect to your license to practice real estate as a real estate broker, a formal administrative disciplinary action before the State Real Estate Commission upon the filing and issuance of an Order to Show Cause alleging that you have violated certain provisions of the Real Estate Licensing and Registration Act. A copy of the Order to Show Cause at Docket No. 00135-56-99, File No. 98-56-00407, is on file with and available through the prothonotary at the address indicated below. Read this document carefully. *You*

may lose licenses, certificates, registrations or permits which may be important to your practice of your profession, trade or occupation. Also you may be subject to the levying of civil penalties of up to \$1,000 per violation.

If you wish to defend against the allegations in this Order to Show Cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the Order to Show Cause. All proceedings are conducted in accordance with the administrative procedure. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. If you do not have an attorney or cannot afford one, contact the office set forth below to find out where you can get legal help: Lawyer Referral Service, Dauphin County Bar Association, 213 North Front Street, Harrisburg, Pa 17101, (717) 232-7536.

You are directed to respond by filing an answer in writing within thirty (30) days of the date of the Order to Show Cause. An original and two copies must be submitted. Also, you must send a separate copy of the answer, and any other pleadings or documents, to the Prosecuting Attorney named in this document. If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with and questions and any other inquiries should be directed to: Deanna S. Walton, Prothonotary, Bureau of Professional and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

JOSEPH TARANTINO,  
Chairperson

[Pa.B. Doc. No. 00-1752. Filed for public inspection October 6, 2000, 9:00 a.m.]

If you wish to defend against the allegations in this order to show cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the order to show cause. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. All proceedings are conducted in accordance with the Administrative Agency Law and the General Rules of Administrative Practice and Procedure. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. If you do not have an attorney or cannot afford one, contact the office set forth below to find out where you can get legal help:

Lawyer Referral Service, Philadelphia Bar Association, One Reading Center, Philadelphia, PA 19107, (215) 238-6300.

You are directed to respond by filing an answer in writing within thirty (30) days of the date of this notice. An original and two copies must be submitted. Also, you must send a separate copy of the answer, and any other pleadings or documents, to the prosecuting attorney named in this document. If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with Deanna S. Walton, Prothonotary, Bureau of Professional and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

JOSEPH TARANTINO, Jr.,  
Chairperson

[Pa.B. Doc. No. 00-1753. Filed for public inspection October 6, 2000, 9:00 a.m.]

**Commonwealth of Pennsylvania v. Renee Y. Jefferson; Doc. No. 0519-56-99, File Nos. 98-56-00040 and 98-56-00564**

By order of the State Real Estate Commission, 1 Pa. Code § 33.31, 231 Pa. Code § 430, and Rule 430, Pa.R.C.P. *Renee Y. Jefferson*, is hereby given notice as follows:

On August 6, 1999, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, instituted against you, with respect to your license to practice real estate, a formal administrative disciplinary action before the State Real Estate Commission upon the filing and issuance of an order to show cause alleging that you have violated certain provisions of the Real Estate Licensing and Registration Act. A copy of the order to show cause at Doc. No. 0519-56-99, File Nos. 98-56-00040 and 98-56-00564 is on file with and available through the Prothonotary at the address indicated. Read this document carefully. You may lose licenses, certificates, registrations or permits which may be important to your practice of your profession, trade or occupation. Also you may be subject to the levying of civil penalties of up to \$1000 per violation.

## TURNPIKE COMMISSION

### Retention of Two Engineering Firms

#### Open End Contracts to Provide Engineering Design Services

#### Reference No. 3-134

The Turnpike Commission will retain two engineering firms for Open End Contracts to provide engineering design services on various projects located on the entire length of the Turnpike system.

The services will encompass a wide range of design efforts with the possibility of several different types of projects being designed under short completion schedules. The anticipated types of projects include bridge replacements or bridge rehabilitation with minor approach work; roadway rehabilitation or resurfacing projects; capital improvement projects (bridges or roadway); minor location studies, traffic studies, or any other engineering-related activity as determined by the Engineering Department to expedite a project. Each contract will be for a maximum cost of \$500,000, or for a period of 2 years, whichever occurs first.

Each firm may be required to: perform field surveys; plot topography and cross sections; prepare submissions for utility verification and relocation engineering; prepare submissions for field view meetings; prepare all pertinent submissions and material necessary for the Commission to prepare the application to the Pennsylvania Public Utility Commission (PUC) and for a PUC field conference; attend and supply any required information for all PUC meetings during the design of a project; develop erosion control details and narrative; develop right-of-way plans; prepare hydraulic report for waterway approvals; prepare type, size, and location report; prepare structure drawings, including culverts, bridges and sign supports, for repair, rehabilitation or replacement; prepare traffic control plans with narrative; provide soil and foundation engineering reports; investigate utility and property involvements; perform traffic counts and speed and delay studies; and prepare construction plans, specifications and estimates.

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.

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. A three page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each 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 subconsultant's 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 Department of Transportation and Turnpike Commission projects.

5. An Annual Qualification Package similar to the one submitted to the 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 and 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 the 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 Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-0779. (FedEx address: 176 Kost Road, Carlisle, PA 17013-0779) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 p.m. (noon), Friday, October 27, 2000. Any 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 these solicitations, two firms will be selected, one for each contract. The order of preference will be established by the Technical Review Committee and approved by the Commission. The first two firms identified by the Commission will be selected. 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.

BRADLEY L. MALLORY,  
*Chairperson*

[Pa.B. Doc. No. 00-1754. Filed for public inspection October 6, 2000, 9:00 a.m.]

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# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". 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

⑦

⑤ Location

(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

⑥ Duration

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

### Commodities

**E5890** 9mm Smith & Wesson Model 3913 TSW Handguns. Each weapon shall be furnished with three eight round capacity magazines, Smith & Wesson Model #104008. Holster-Gould & Goodrich Model B721A Security-Plus duty holster, Holster-Uncle Mike's Model Level III Security Duty Holster, Magazine Pouch Gould & Goodrich Model B627, and Magazine Pouch-Blanchi "Accumold" Model #18472.

**Department:** Conservation and Natural Resources  
**Location:** Harrisburg, PA  
**Duration:** One time purchase  
**Contact:** Pamela Stouffer, (717) 783-0760

**CLDJAC-10-00** Windproof Raid Jacket—jacket shall be a windbreaker style with a laydown collar, raglan sleeves, snap closure front, two slash pockets, elastic wrist bands, cape front and back concealing pull down panels and per bid specifications.

**Department:** Attorney General  
**Location:** OAG—Statewide  
**Duration:** N/A  
**Contact:** Michelle Anderson, (717) 783-6275

**#2449** #10 Double Window Envelope with Poly-klear window patch. 24# white wove—recycled. Print in black ink on one side. Quantity—800,000 ea. To be delivered to Skokie, IL by first week in December 2000.

**Department:** Revenue  
**Location:** Bureau of Administrative Services, Procurement Section, 12th Floor, Strawberry Square, Harrisburg, PA 17128-1200  
**Duration:** Indeterminate 2000—2001  
**Contact:** (Supply) Carol Kirkpatrick, (717) 772-0506

**SO-212** The State Correctional Institution at Somerset will be issuing bid proposals for plumbing repair parts. These parts must be Sloan Brand to work with existing plumbing fixtures at the institution. Vendors interested in bidding should contact the institution directly for bid package.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 10/09/00 through 01/01/01  
**Contact:** Jackie Albright, Purchasing Agent, (814) 443-8100 Ext. 313

**#ADV-94** Indiana University of Pennsylvania (IUP) is seeking bids on a multi-year contract for ready-mix concrete to be supplied on as needed basis for a period of 3 years beginning October 2000 through June 30, 2003. Request for copies of bid package should be made in writing referencing #ADV-94 and directed to Roxie M. Johnson, Purchasing Agent, IUP, 650 S. 13th Street, Indiana, PA 15705; Fax (724) 357-2670; Email:rmjohnson@grove.iup.edu. Requests for bid package will be accepted until October 13, 2000. The University encourages responses from small and disadvantaged minority, and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705  
**Duration:** Indeterminate 2000—2001  
**Contact:** Roxie M. Johnson, (724) 357-3077

**1107110** Electronic name weaving jacquardette "Name-Jac" intended for weaving in of name and small patterns in dobby weave fabrics in the warp direction. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Graterford, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1130040** Four Wheel Drive Stake Body Truck, 17,500 GVWR. For a copy of bid package fax request to (717) 787-0725.

**Department:** Agriculture  
**Location:** Harrisburg, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**8252540** Truck, Crew Cab, Towing Vehicle, 26,000 GVWR. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1165110** Twill, Width: 63", 6.50 oz. type. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Huntingdon, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1131350** Bottled Drinking Water—1 Gallon Plastic Bottles—4 per case. For a copy of bid package fax request to (717) 787-0725.

**Department:** Environmental Protection  
**Location:** Wilkes-Barre, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1177120** Unemployment Compensation Checks. For a copy of bid package fax request to (717) 787-0725.

**Department:** Labor and Industry  
**Location:** Harrisburg, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1163230** Coat: Waist Length; Winter Blauer Style 9010ZS—No Substitute. For a copy of bid package fax request to (717) 787-0725.

**Department:** Game Commission  
**Location:** Harrisburg, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199

**1093110** Crimsco Brand Ambient Tray Delivery Cart, Model #USTC-HA or an approved equal. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Pittsburgh, PA  
**Duration:** FY 2000—01  
**Contact:** Vendor Services, (717) 787-2199



# SERVICES

## Construction—09

**PGC 2661** Construction of a new pole building on State Game Lands No. 242 in York Co., PA located 5 miles South of Dillsburg on Rossville Road, Dillsburg, PA. Pole building to be 80' x 32' x 14' with a gable roof. Building specifications and instructions available with bid package.

**Department:** Game Commission, State Game Lands No. 242, Rossville Road, Dillsburg, PA 17019  
**Duration:** Indeterminate 2000—2001  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

**ITQ 359002** PennDOT is soliciting contractors to qualify for a "Facility Design, Construction, Renovation, and Inspections Services" contract. This Invitation to Qualify (ITQ) will allow contractors to indicate the type of service and the county in which they wish to perform the work. Work will be bid out on an as-needed basis. All contractors who meet pre-qualification requirements will be awarded a Contract, award of a contract does not guarantee work. Types of services include Architectural, Mechanical, Electrical, and Structural such as General Construction, HVAC, Fuel Tanks, Asbestos Removal, doors, windows, etc. To request an ITQ package, fax your company's name, contact person, address, and phone number to the contact person listed below at (717) 783-7971.

**Department:** Transportation  
**Location:** Statewide  
**Duration:** Contract Expires on December 31, 2005  
**Contact:** Joseph DeSantis, (717) 787-9213

**1100** Provide all labor, materials and equipment to relocate the existing roof drain at the National Guard Armory in Allentown. To obtain a copy of the bid you may fax your request to (717) 861-2923. The bid opening date will be Wednesday, November 1, 2000 at 2 p.m.

**Department:** Military Affairs  
**Location:** National Guard Armory, 1501 Allen St., Allentown, PA 18102  
**Duration:** November 13, 2000—June 30, 2001  
**Contact:** Brenda Lower, (717) 861-2118

**1106300003** Furnish and install flashing pedestrian crossing sign warning device to include 30-foot mast arm, pedestal, vehicular signal head, sign, pedestrian push button, controller assembly, junction box, conduit, electrical service Type B modified, trench and backfill, 14AWG signal cable. Department of Transportation Flashing Warning Permit issued 03/23/00.

**Department:** Corrections  
**Location:** Quahanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** Anticipated dates of service: October 15, 2000—June 30, 2001  
**Contact:** Janine E. Packard, Pur. Agt. I, (814) 263-4125, Ext. 3235

**DGSA1570-20** Project Title: New Floor Kitchen Area. Brief Description: Replace the kitchen floor with a liquid applied floor to match existing prep/serving and dish wash areas. Replace the dining room floor with new sheet rubber flooring. Cover bases to be integral with each system. Estimated Range: \$100,000 to \$500,000. Plans Deposit: \$25 per set payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, Tel: (717) 787-3923. Bid Date: Wednesday, November 1, 2000 at 11 a.m. A Prebid conference has been scheduled for Tuesday, October 17, 2000 at 1 p.m. at the State Correctional Institution in the Personnel Office, Greensburg, PA. Contact: Paul Wible, Tel: (724) 837-4397. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference.

**Department:** General Services  
**Location:** State Correctional Institution, Greensburg, Westmoreland County, PA  
**Duration:** 90 Calendar days from date of initial job conference  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**SP1345001020** Furnish and install new 7-1/2" curtain wall system. Also included will be the removal of the existing wall. For further job information please call Tom Schmidt, Maintenance Manager, at (610) 948-2430. For copies of the bid specifications (when available), please fax your request to Theresa Barthel, P. A. at (610) 948-2461.

**Department:** Military Affairs  
**Location:** Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475  
**Duration:** January 1, 2001 through March 30, 2001  
**Contact:** Theresa Barthel, P. A., (610) 948-2493

**1106300002** Furnish and install community alert siren, 240 volt, 127 db at 100 ft., 5,200 ft. radius, to include 50-foot class 2 pole, operating system hardware/software programming and installation, receiver with antenna, encoder connected to radio base station, conduit, wire, circuit breakers, enclosures and fittings.

**Department:** Corrections  
**Location:** Quahanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** Estimated term of contract: 10/15/00—06/30/01  
**Contact:** Janine E. Packard, Pur. Agt. I, (814) 263-4125, Ext. 3235

**PGC-2660** Provide and erect one 30'W x 70'L x 10'H metal frame, sided and roofed storage building that is fully insulated and capable of accepting a climate control system, which will be installed by the Pennsylvania Game Commission. This building will be erected at the Pennsylvania Game Commission's Southeast Regional Office in Reading, Pennsylvania.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission, Automotive and Procurement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
**Duration:** Indeterminate 2000—2001  
**Contact:** Linda Beaver or Diane Shultz, (717) 787-6594

**00674-000-00-AS-3** Construction of 16' x 20' Pole Building on site, with wood siding, wood flooring and metal roof. For directions to the site contact the Project Manager, Joe Lauver, at (717) 787-6242. All interested bidders should submit a \$25 (nonrefundable) check and a request for a bid package in writing to: PA Historical & Museum Commission, Division of Architecture, Room 526, 300 North Street, Harrisburg, PA 17120—Attention: Judi Yingling Fax (717) 783-1073 or phone (717) 772-2401. All proposals are due on Thursday, October 19, 2000 at 11:45 a.m. Bid opening will be held in the Division of Architecture, Plaza Level, Commonwealth Keystone Building, 400 North Streets, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** Daniel Boone Homestead, 400 Daniel Boone Road, Birdsboro, PA 11-1-00  
**Duration:** 11-1-00  
**Contact:** Judi Yingling, (717) 772-2401

**FDC-425-756** Rehabilitate bridges, drainage structures and bank stabilization at Tyler State Park in Bucks County. Work includes selective demolition; riprap slope walls and ditches; concrete and gunite work; and rough carpentry. Note: Requests for Bid Documents will be taken on or after October 11, 2000.

**Department:** Conservation and Natural Resources  
**Location:** Northampton Township  
**Duration:** 90 days  
**Contact:** Construction Management Section, (717) 787-5055

**SP3800124** Conversion of waste tires into tire bales, which is made of compacted scrap tires.

**Department:** Conservation and Natural Resources  
**Location:** Bradford County  
**Duration:** Upon Completion  
**Contact:** Pamela Stouffer, (717) 783-0760

**1106300004** Bituminous pavement resurfacing.

**Department:** Corrections  
**Location:** Quahanna Boot Camp, H-C Box 32, State Route 1011, Karthaus, PA 16845  
**Duration:** Anticipated dates of service: 10/15/00—06/30/01  
**Contact:** Janine E. Packard, Pur. Agt. I, (814) 263-4125, Ext. 3235

**IN-811.1** Window Replacement Campus and University Towers. Work included under this project consists of Window Replacement, Campus and University Towers consisting of removing existing curtain rods, blinds, screens, windows, air conditioning units, etc., to furnish and install new windows, insulated aluminum panels, joint sealants, insect screens, etc. Notice to Contractors may be requested from IUP. Phone: (724) 357-2289 Fax: (724) 357-6480 Internet: <http://www.iup.edu/engcons>.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705-1087  
**Duration:** Six months  
**Contact:** Ronald E. Wolf, Procurement Specialist, (724) 357-4851

## Engineering Services—14

**08430AG2618** A multi-phase project specific agreement to provide preliminary engineering, environmental documentation, final design and services during construction for S. R. 0176, Sections PM1 and 002, Berks County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty days after construction completion  
**Contact:** N/A

**08430AG2619** A multi-phase project specific agreement to provide a corridor analysis on S. R. 0422, Section 31S, Berks County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Twelve Months  
**Contact:** N/A

**08430AG2620** A multi-phase project specific agreement to provide, preliminary engineering, environmental documentation, final design and services during construction for project S. R. 0903, Section 03B, Carbon County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty days after construction completion  
**Contact:** N/A

**08430AG2621** A multi-phase agreement to provide, preliminary engineering, environmental studies, final design and services during construction for project S. R. 0115, Section 303, in Luzerne County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 4-0  
**Duration:** Thirty days after construction completion  
**Contact:** N/A

**08430AG2622** An engineering or surveying firm to provide preliminary, final, construction and geodetic surveying for various projects in Engineering District 8-0. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 8-0  
**Duration:** Thirty-six months  
**Contact:** N/A

**BWE 00:2** Retain an engineering firm to provide design professional services for the design of levee and floodwall closure structures at local flood protection projects. Two contracts will be issued, one for the design of 26 closure structures in 14 municipalities in western Pennsylvania and one for the design of 18 closure structures in 6 municipalities in eastern Pennsylvania.

**Department:** Environmental Protection  
**Location:** Western PA: Bedford, Cambria, Centre, Clearfield, Huntingdon, Indiana, Jefferson, Somerset, Warren and Westmoreland Counties. Eastern PA: Lackawanna, Luzerne, Montour, Wayne & Tioga Counties.  
**Duration:** Through June 2004  
**Contact:** Gary Barone, (717) 783-7928

**08430AG2617** A multi-phase project specific agreement to provide preliminary engineering, environmental documentation, final design and services during construction for S. R. 0145, Section 08S, Lehigh County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or [www.statecontracts.com](http://www.statecontracts.com) under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty days after construction completion  
**Contact:** N/A

## Hazardous Materials—21

**404071** Infectious Waste Removal Services

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** 03/15/01—03/14/04  
**Contact:** John D. Sample, PA I, (814) 726-4448

**SBC01721001** Recycling of waste lamps—Vendor is responsible to pick-up, handle, load, transport, and dispose of waste bulbs for DPW sites Statewide in accordance with bid specifications. Copies of the bid can be obtained by facsimile at (717) 787-3560.

**Department:** Public Welfare  
**Location:** DPW Sites Statewide  
**Duration:** Anticipated term—1/1/01 through 12/31/02 with two 1 year renewals  
**Contact:** Kathy A. King-McCarthy, (717) 705-3878

## HVAC—22

**APR #304-07506** Contractor shall provide the necessary materials, labor and equipment to completely dismantle and manufacture two York Y-53 central air conditioning compressors in the Finance Building. Compressors one and three have to be torn down and parts will have to be repaired, or replaced according to the amount of damage incurred during the 2000 cooling season. It is imperative that the compressors be checked for refrigerant leaks.

**Department:** General Services  
**Location:** Finance State Office Building, Commonwealth Avenue & North Street, Harrisburg, PA 17125  
**Duration:** November 15, 2000 through June 30, 2001  
**Contact:** Tom Frisby, (717) 787-5273

## Lodging/Meeting—27

**SP3500012212—Rebid 1** Provide lodging, meeting rooms and meals for one, 3-day conference for the Department of Environmental Protection, Bureau of Land Recycling and Waste Management for approximately 225 attendees.

**Department:** Environmental Protection  
**Location:** Within a 25 mile radius of the Capitol Complex, downtown, Harrisburg, PA.  
**Duration:** The conference shall be held between April and June, 2001.  
**Contact:** Sharon Peterson, (717) 787-2471

## Medical Services—29

**SP 00781019** Mobile X-Ray Services. For detailed information, contact the Purchasing Office, Wernersville State Hospital, Wernersville, PA

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422, Berks County, P. O. Box 300, Wernersville, PA 19565-0300  
**Duration:** Anticipated Start Date: February 1, 2001  
**Contact:** Nancy Deininger, Purchasing Agent, (610) 670-4129

**Property Maintenance—33**

**Inquiry #090002** Furnish/install approximately 733.33 sq. yd. carpeting in hallways at Altoona Center, 1515 Fourth St., Altoona, PA 16601. Although carpeting will be installed at the Altoona Center, the bid proposal will be processed at the Ebensburg Center.

**Department:** Public Welfare  
**Location:** To receive bid proposal: Ebensburg Center, DPW, Rt. 22 West, P. O. Box 600, Ebensburg, PA 15931  
**Duration:** Thirty days after receipt of purchase document  
**Contact:** Cora Davis, Purchasing Agent, (814) 472-0288

**063011** This contract is for the removal of graffiti and the application of an anti-graffiti coating at various locations within Delaware County. Bidding packages may be obtained by faxing a request to PennDot at (610) 566-0972 Attn Bob Kennedy.

**Department:** Transportation  
**Location:** Various sites within Delaware County.  
**Duration:** This contract is for a 3 year period.  
**Contact:** Bob Kennedy, (610) 566-0972

**MS00-168** Replace roof on Building #21, Little Store (Bowling Alley). Work shall include the following: Furnish and install new shingle and EPDM roofing, flashings, insulation, drain inserts, repair decking and cupolas. The scope of work for this project covers the supplying of all labor, tools, materials, equipment, services and appurtenances to accomplish this work.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017  
**Duration:** 11/01/00 through 06/30/01 (exact dates to be announced)  
**Contact:** Frederick R. Molisee, P. A., (412) 257-6215

**09-F-00** Snow/Ice Removal to be provided for the parking lot and sidewalks on an as needed basis for the Philadelphia Downtown Job Center, 930 Washington Avenue. Please call (717) 787-2877 or fax (717) 787-0688 for a bid request.

**Department:** Labor and Industry  
**Location:** Department of Labor and Industry, Downtown Job Center, 930 Washington Avenue, Philadelphia, PA 19147  
**Duration:** 11/01/00 through 10/30/01 this is a 1 year contract with three 1 year renewal options.  
**Contact:** Cherianita Thomas/BF, (717) 787-2877

**SP1345001021** Remove two steel entry doors, frames, hardware. Remove top aluminum and glass windows. Saw cut concrete center pier, ledge to create one large opening. Drop top opening in brick to obtain finished opening of approximately 9' x 9'. Supply and install one Atlas Rollong Steel Insulated Door, H5011 electric operator, inside three button control. For copies of job specs (when available) please fax requests to Theresa Barthel, P. A., (610) 948-2461. For more technical information, please call Tom Schmidt, Maintenance Supervisor, (610) 948-2430.

**Department:** Military Affairs  
**Location:** Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475  
**Duration:** December 1, 2000 through January 31, 2001  
**Contact:** Theresa Barthel, P. A., (610) 948-2493

**Railroad/Airlines—34**

**350A02** The Department of Transportation (PennDOT) is issuing an "Invitation to Qualify" (ITQ) to prequalify contractors interested in providing Aircraft Charter Services for all Commonwealth agencies including the Governor's Office and General Assembly. The initial enrollment period will close on October 27, 2000. However, contractors may submit an application after October 27, 2000, but are encouraged to request an application now in order to meet that original enrollment date. All contractors must complete an application to be considered for future work with the Department. Interested contractors may request a copy of the ITQ by Faxing their name, company name, address, telephone number, and Fax number to Vikki Mahoney at (717) 783-7971. Please reference ITQ #350A02 on your request.

**Department:** Transportation  
**Location:** Throughout the United States  
**Duration:** 5 years  
**Contact:** Darlene Greenawald, (717) 705-6476

**Sanitation—36**

**050-324** Removal and disposal of trash at Roadside rests in Monroe County along I-80

**Department:** Transportation  
**Location:** Monroe County: Both sites along I-80; Site F last exit in PA (Delaware Water Gap), Site 41 1 mile east of I-80 and I-380 junction  
**Duration:** One year contract with 4 renewals  
**Contact:** Tim Kaercher, (610) 798-1489

**Miscellaneous—39**

**PGC-2659** Remove and replace old roofing on 11 buildings consisting of approximately 27,000 sq. ft. of roof area, located at Howard Nursery, 197 Nursery Road, Howard, PA 16841. Replace with 30 year warranted shingles, or better. Three of these buildings, SB-194, SB-196, and CD 26 (totaling approximately 5,700 sq. ft. need to be repaired before December 1, 2000. The other eight buildings must be repaired by June 30, 2001. Five of the buildings have a roof pitch of 5/12 or less (approx. 8,400 sq. ft). Six of the buildings have a roof pitch of 6/12 or greater (approx. 18,600 sq. ft). Approximately 32 feet of ridge vent is also needed for one of the buildings (CD-26). Howard Nursery is located 3 miles southeast of Howard, PA, Center County. Maps, drawings and instructions available with bid package.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission, Jim Bowers, Superintendent, Howard Nursery, 197 Nursery Road, Howard, PA 16841  
**Duration:** Three roofs need to be replaced by December 1, 2000. Eight roofs need to be replaced by June 30, 2001.  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

**RFI20000921** Request for Information 20000921—The PLCB desires information from vendors that are capable of providing in-store music programming to approximately 16 Wine & Spirits Shoppes located throughout the Commonwealth. Please provide information on the number of channels, types of music, ability to insert PLCB specific sales and editorial information into the broadcast, ability to limit advertising and editorial comment to PLCB approved copy, means of broadcast, installation requirements, and cost. Please provide the requested information by letter to: PLCB, Nelson McCormick, Procurement Division, Room 413, Northwest Office Building, Harrisburg, PA 17124-0001.

**Department:** Liquor Control Board  
**Location:** Wine and Spirits Shoppes throughout the Commonwealth  
**Duration:** Possible 3 year contract  
**Contact:** Nelson A. McCormick, (717) 787-9851

**SP 1106000-006** Contractor shall provide spot patching, general and/or major repairs to eleven roofs throughout the institution.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Ave., P. O. Box 99901, Pittsburgh, PA 15233  
**Duration:** January 2, 2001 to June 30, 2001  
**Contact:** Carol Schaeffer/Purchasing Agent, (412) 761-1955, Ext. 291

**RFP #2000-09** The State System of Higher Education, Office of the Chancellor, is soliciting proposals from vendors to provide a digital infrastructure to support distributed learning environments between and among the State System institutions and their partners. Proposals must be submitted by November 3, 2000; 3 p.m. A pre-proposal conference will be held on October 19, 2000 at the Dixon University Center, Administration Building, Board Room, from 10–12 p.m. Attendance at this conference is not mandatory, although it is encouraged. Participation by Minority/Women Business Enterprises is encouraged. Interested vendors may obtain a copy of the RFP by contacting Linda Venneri, Procurement Manager, at lvenneri@sshechan.edu. or go to <http://www.sshechan.edu/Procurement/oppportpage.htm> or call (717) 720-4135.

**Department:** State System of Higher Education  
**Location:** Harrisburg, PA  
**Duration:** Contract Period: 1/1/01–6/30/06  
**Contact:** Linda Venneri, (717) 720-4135

**SP388109001** Provide materials and installation of Woven Wire Deer Fencing as follows: Three fences in the Moshannon State Forest: (1) Woodward Dam, approximately 6,800 lineal feet on Timber Sale 09-98BC07 in Huston Township, Clearfield County; (1) Ginger Whiskey A, approximately 7,100 Lineal Feet on Timber Sale 09-95BC02 in Benezette Township, Elk County and Goshen Township, Clearfield County; (1) Ginger Whiskey B, approximately 7,100 Lineal Feet on Timber Sale 09-95BC02 in Goshen Township, Clearfield County. Each area will be Lineal Feet Perimeters. There will be 1 drive through and 4 walk through gates located on the Woodward Dam Project; 2 walk through gates only on both the Ginger Whiskey A and Ginger Whiskey B projects. All gates will be primed and painted yellow. Mandatory site inspection will be on 10/13/2000 at 8 a.m., District Office at R. R. 1, Box 194; Penfield, PA 15849. Bid opening is 10/25/2000 at 2 p.m.

**Department:** Conservation and Natural Resources  
**Location:** Pine Township, Clearfield County, Moshannon State Forest—District 09; R. R. 1, Box 184; Penfield, PA 15849  
**Duration:** September 30, 2001  
**Contact:** Robert G. Merrill, Jr., District Forester, (814) 765-0821

[Pa.B. Doc. No. 00-1755. Filed for public inspection October 6, 2000, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
3930-01	10/01/00	Forklifts Inc.	165,000.00
3930-01	10/01/00	Manchester Industries Inc.	165,000.00
3930-01	10/01/00	Modern Handling Equipment	165,000.00
5625-01	10/01/00	Whiteco Supply Co.	32,862.50
5810-03 rip #6/sup #6	09/29/00	Eastman Software Inc.	5,000.00
5810-03 rip #6/sup #6	09/29/00	Commonwealth Office Systems Inc.	5,000.00
5810-03 rip #6/sup #6	09/29/00	Federal Data Corp.	5,000.00
5810-03 rip #6/sup #6	09/29/00	Intellimark PA	10,000.00

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
9110-04	09/25/00	Standard Laboratories Inc.	27,044.65
9155-01	10/01/00	Ochs Forestry Consulting	287,000.00
1060350-01	09/26/00	Advanced Pollution Instrumentation Inc.	52,487.75
1106110-01	09/26/00	Allegheny Fence Const. Co. Inc.	16,150.00
1147810-01	09/26/00	Documentum Inc.	479,053.00
8252020-02	09/26/00	Five Star International LLC	369,152.74
8252520-01	09/26/00	Lincoln Supply & Equipment Co. Inc.	258,320.00

GARY E. CROWELL,  
*Secretary*

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