



Volume 29 (1999)

Pennsylvania Bulletin
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November 13, 1999 (Pages 5809-5904)

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PENNSYLVANIA BULLETIN

Volume 29 Number 46
Saturday, November 13, 1999 • Harrisburg, Pa.
Pages 5809—5904

Agencies in this issue:

The Courts
Department of Banking
Department of Education
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Transportation
Environmental Quality Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Pennsylvania Public Utility Commission
State Athletic Commission
State Board for Certification of Sewage
Enforcement Officers

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

No. 300, November 1999

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

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

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

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ISBN 0-8182-0004-9

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

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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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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1940]

Promulgation of Rules Relating to Voluntary Mediation in Custody Actions; No. 324; Civil Procedural Rules Doc. No. 5

Order

Per Curiam:

And Now, this 28th day of October, 1999, new Rules 1940.1, 1940.2, 1940.3, 1940.4, 1940.5, 1940.6, 1940.7, and 1940.8 of the Pennsylvania Rules of Civil Procedure are promulgated as follows.

This order shall be processed in accordance with Rule of Judicial Administration 103(b) and shall be effective immediately.

VOLUNTARY MEDIATION IN CUSTODY ACTIONS

Explanatory Comment

Introduction

In recent years, the use of mediation as a means for alternative dispute resolution of custody and visitation cases has received widespread attention from legislators, judges, attorneys and mental health professionals. As two noted mediation experts observed: “[c]ourts are ill-equipped to mandate particular visitation schedules and custodial arrangements, the wisdom of which depend on the situations of the parents and children rather than on legal rules.” Nancy G. Rogers & Craig A. McEwen, *Mediation Law Policy Practice* 230 (1989). Many share this frustration with the adversarial system and a growing body of research suggests that mediation may be the more satisfactory and desirable means of conflict resolution in these cases. Mediation offers more flexibility both in terms of the subject matter that may be discussed during mediation and the range of solutions available to the parties. Effective mediation also assists the parties in shaping their own framework for future discussion and resolution of conflicts that arise following separation and divorce.

In 1996, the Pennsylvania legislature amended the Divorce Code, Act No. 20-1996, § 2, codified at 23 Pa.C.S. §§ 3901—3904, to encourage local courts to establish voluntary mediation programs for divorce and custody cases. The following Rules of Civil Procedure are intended to govern custody cases only. They set forth the procedures for referring cases to mediation, minimum mediator qualifications, the duties of the mediator, the procedures for terminating mediation as well as sanctions for non-compliance with these rules. These are all areas in which statewide uniformity of practice and procedure is essential to successful mediation in Pennsylvania. These rules are flexibly designed to encourage the establishment of mediation programs.

Pursuant to 23 Pa.C.S. § 3903, the Supreme Court is directed to monitor and evaluate the overall effectiveness of mediation programs statewide. At present, the Domestic Relations Procedural Rules Committee is working on the development of uniform statewide reporting require-

ments and evaluation forms. Reporting is necessary to assess the overall effectiveness of mediation as an alternative to litigation and it will eventually be required. The current lack of reporting requirements, however, should not be a cause for delay in the establishment of mediation programs or the implementation of statewide mediation rules.

These rules do not address confidentiality and privilege in the context of mediation. Those issues are governed by 42 Pa.C.S. § 5949, and the Committee concluded that to address them further in the rules would confuse rather than clarify any legal issues arising from the statutory language.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1940. VOLUNTARY MEDIATION IN CUSTODY ACTIONS

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Rule 1940.1. Applicability of Rules to Mediation.

The rules in this chapter shall apply to all court-established custody mediation programs and to any court-ordered mediation of individual custody cases.

Explanatory Comment—1999

23 Pa.C.S. § 3901 authorizes a court to establish a mediation program for both divorce and custody cases. At the present time, these rules apply only to court-connected mediation of custody cases because most, if not all, court-connected mediation programs that have been established for domestic relations, are limited to mediation of custody disputes. If, in the future, these programs expand to include mediation of divorce issues, these rules will be revised accordingly.

These rules do not apply to private mediation, which may be agreed to by the parties and conducted independent of the custody proceeding. They do apply, however, whenever the court refers a custody case for mediation, regardless of whether the referral is made to a formal program established and operated by the court or to a less formal arrangement between courts and mediators such as a court-approved list of mediators or, in the absence of such a list, to individual mediators appointed by the court to mediate particular cases.

Rule 1940.2. Definitions.

As used in this Chapter, the following terms shall have the following meanings:

“Mediation” is the confidential process by which a neutral mediator assists the parties in attempting to reach a mutually acceptable agreement on issues arising in a custody action. The role of the mediator is to assist the parties in identifying the issues, reducing misunderstanding, clarifying priorities, exploring areas of compromise and finding points of agreement. An agreement reached by the parties must be based on the voluntary

decisions of the parties and not the decision of the mediator. The agreement may resolve all or only some of the disputed issues. Parties are required to mediate in good faith, but are not compelled to reach an agreement. While mediation is an alternative means of conflict resolution, it is not a substitute for the benefit of legal advice.

"Memorandum of Understanding" is the written document prepared by a mediator which contains and summarizes the resolution reached by the parties during mediation. A Memorandum of Understanding is primarily for the benefit of the parties and is not legally binding on either party.

"Orientation Session" is the initial process of educating the parties on the mediation process so that they can make an informed choice about continued participation in mediation. This process may be mandated by the court and may be structured to include either group or individual sessions. An orientation session may also include an educational program for parents and children on the process of divorce and separation and the benefits of mediation in resolving custody disputes.

Explanatory Comment—1999

The definitions of "orientation session" and "mediation" follow the legislative distinction between the initial orientation session, which the court may order the parties to attend, and actual mediation of the issues in dispute by the parties, which may be ordered only upon the parties' agreement. See 23 Pa.C.S. § 3901(b). The purpose of the orientation session is to educate the parties on the availability of mediation, the advantages and disadvantages of mediation, and the process of mediation so that the parties can make an informed decision about whether they wish to proceed further with mediation.

The definition of mediation set forth in this rule is not intended to restrict, expand or otherwise modify the statutory definition of mediation in 42 Pa.C.S. § 5949(c) relating to confidentiality. The statutory provision defines mediation for the purpose of determining when confidentiality and privilege attach to communications made or documents submitted during a mediation session.

Rule 1940.3. Order for Orientation Session and Mediation. Selection of Mediator.

(a) Except as provided in (b), the court may order the parties to attend an orientation session at any time upon motion by a party, stipulation of the parties, or the court's own initiative.

(b) The court may not order an orientation session if a party or a child of either party is or has been the subject of domestic violence or child abuse either during the pendency of the action or within 24 months preceding the filing of the action.

Official Note: See also Rule 1940.6(a)(4) requiring termination of mediation when the mediator finds that the proceeding is "inappropriate" for mediation. The mediator has a continuing ethical obligation, consistent with Rule 1940.4(b), during the mediation to screen for abuse and to terminate the mediation in the event he or she determines that the abuse renders the case unsuitable for mediation.

(c) Following the orientation session and with the consent of the parties, the court may refer the parties to mediation. The mediation may address any issues agreed to by the parties unless limited by court order.

Explanatory Comment—1999

Rule 1940.3 describes the circumstances under which a case may be referred to mediation. Consistent with 23 Pa.C.S. § 3901(c)(2), it prohibits the referral of any case involving past or present domestic violence or abuse because of the substantial imbalance of negotiating power that exists between the parties. The parties themselves, however, may always agree to mediation. Although each court may devise its own procedures for screening these cases, screening must occur prior to referral of a case to the orientation session.

Rule 1940.4. Minimum Qualifications of the Mediator.

(a) A mediator must have at least the following qualifications:

(1) a bachelor's degree and practical experience in law, psychiatry, psychology, counseling, family therapy or any comparable behavioral or social science field;

(2) successful completion of basic training in domestic and family violence or child abuse and a divorce and custody mediation program approved by the Academy of Family Mediators, American Bar Association, American Academy of Matrimonial Lawyers, or Administrative Office of Pennsylvania Courts;

(3) mediation professional liability insurance; and

(4) additional mediation training consisting of a minimum of 4 mediated cases totaling 10 hours under the supervision of a mediator who has complied with subdivisions (1) through (3) above and is approved by the court to supervise other mediators.

(b) The mediator shall comply with the ethical standards of the mediator profession as well as those of his or her primary profession and complete at least 20 hours of continuing education every two years in topics related to family mediation.

(c) A post-graduate student enrolled in a state or federally accredited educational institution in the disciplines of law, psychiatry, psychology, counseling, family therapy or any comparable behavioral or social science field may mediate with direct and actual supervision by a qualified mediator.

Explanatory Comment—1999

Mediator qualifications are a key component of any successful mediation program. This rule sets forth the minimum qualifications that a mediator must have in order to participate in court-connected mediation. Local courts may impose additional, more stringent qualifications.

In addition to a bachelor's degree and practical experience, a mediator must have basic training in a program approved by one of the organizations listed in subdivision (a)(2). While these are the organizations which have been recommended by mediators and other trained professionals, the Domestic Relations Procedural Rules Committee and the Administrative Office of Pennsylvania Courts may, from time to time, propose to the Court that additional organizations be added to this list. Subdivision (a)(3) of the rule requires the mediator to have his or her own professional liability insurance. Prior to mediating independently, subdivision (a)(4) of the rule requires that the mediator co-mediate at least four cases under the supervision of a court-connected mediator.

Rule 1940.5. Duties of the Mediator.

(a) As part of the orientation session, the mediator must inform the parties in writing of the following:

- (1) the costs of mediation;

Official Note: Rule 240 sets forth the procedures for obtaining leave to proceed in forma pauperis when the parties do not have the financial resources to pay the costs of litigation. This rule applies to court-connected mediation services as well, so that parties without sufficient resources may file a petition seeking a waiver or reduction of the costs of mediation.

- (2) the process of mediation;
- (3) that the mediator does not represent either or both of the parties;
- (4) the nature and extent of any relationships with the parties and any personal, financial, or other interests that could result in a bias or conflict of interest;
- (5) that mediation is not a substitute for the benefit of independent legal advice; and
- (6) that the parties should obtain legal assistance for drafting any agreement or for reviewing any agreement drafted by the other party.
- (b) When mediating a custody dispute, the mediator shall ensure that the parties consider fully the best interests of the child or children.
- (c) With the consent of the parties, the mediator may meet with the parties' children or invite other persons to participate in the mediation.

Explanatory Comment—1999

Rule 1940.5 sets forth the mediator's responsibilities to the parties. Subdivision (c) permits the participation of third persons with the consent of both parties. Such persons would include attorneys, other family members, mental health professionals or any other person who may be of assistance in resolving the disputed issues.

Rule 1940.6. Termination of Mediation.

(a) Mediation shall terminate upon the earliest of the following circumstances to occur:

- (1) a determination by the mediator that the parties are unable to reach a resolution regarding all of the issues subject to mediation;
- (2) a determination by the mediator that the parties have reached a resolution regarding all of the issues subject to mediation;
- (3) a determination by the mediator that the parties have reached a partial resolution and that further mediation will not resolve the remaining issues subject to mediation; or
- (4) a determination by the mediator that the proceedings are inappropriate for mediation.

(b) If the parties reach a complete or partial resolution, the mediator shall, within 14 days, prepare and transmit to the parties a Memorandum of Understanding. At the request of a party, the mediator shall also transmit a copy of the Memorandum of Understanding to the party's counsel.

(c) If no resolution is reached during mediation, the mediator shall, within 14 days, report this in writing to the court, without further explanation.

Explanatory Comment—1999

This rule sets forth the circumstances for termination of mediation. Subdivision (a)(4) reflects the mediator's continuing ethical obligation, consistent with Rule

1940.4(b), to screen for domestic violence, substance abuse and any other factors, which make the case unsuitable for mediation.

Subdivision (b) requires the mediator to prepare a Memorandum of Understanding, as that term is defined in Rule 1940.2.

Reducing the parties' resolution to a binding and enforceable agreement is accomplished either by the parties' attorneys or, if not represented, the parties themselves, but in no event is the mediator responsible for drafting the parties' agreement. Court approval of the final agreement is not necessary for the purpose of enforcing it to the same extent as a court order.

Rule 1940.7. Mediator Compensation.

Mediators shall be compensated for their services at a rate to be established by each court.

Explanatory Comment—1999

Mediator compensation is necessary to establish and maintain a quality mediation program. Presently, however, the absence of a statewide office for alternative dispute resolution means that each court must develop and secure its own funds for the mediation program. Because the availability of such funds varies significantly from court to court, each court may establish its own rate and method of compensation at this time, provided that the fees are structured so that all parties are assured equal access to mediation services. As Pennsylvania moves in the direction of a unified judicial system, a statewide fee schedule setting forth uniform fee standards may eventually be established for mediation compensation.

Rule 1940.8. Sanctions.

On its own motion or a party's motion, the court may impose sanctions against any party or attorney who fails to comply or causes a party not to comply with these mediation rules. Sanctions may include an award of mediation costs and attorney fees, including those reasonably incurred in pursuing the sanctions.

Official Note: To the extent court orders are employed to direct parties regarding mediation, contempt proceedings may also be instituted to enforce these orders.

[Pa.B. Doc. No. 99-1910. Filed for public inspection November 12, 1999, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CARBON COUNTY

Adoption of Adult Probation/Parole Department
Firearms Policy; No. 74 MI 99

Administrative Order No. 10-1999

And Now, this 25th day of October, 1999, it is hereby

Ordered and Decreed, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, that the Carbon County Court of Common Pleas hereby *Adopts* the Adult Probation/Parole Department Firearms Policy applicable to all members of the Carbon County Adult Probation Department.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order and Rule in the Clerk of Court's Office.

By the Court

JOHN P. LAVELLE,
President Judge

Definitions

Purpose: To establish policy and procedure governing the administration of the Carbon County Adult Probation/Parole Department's firearms program.

Applicability: To the Chief Adult Probation/Parole Officer, the Deputy Chief Adult Probation/Parole Officer and all Adult Probation/Parole Officers.

Definitions: As utilized in this document, the following definitions shall apply:

1. *Arrest:* The physical taking of a person into custody and restraining them until they can be brought before the court to answer the violations alleged against them.
2. *Attack Management:* Shielding, distance and movement.
3. *Attack Potential:* The immediate and simultaneous existence of intent, weapon, delivery system and target.
4. *Center of Mass:* The center of the three largest vital areas available, upper torso, brain and pelvic girdle.
5. *Certification:* The assignment of a certification number to a probation/parole officer after successful completion of a mandatory basic training course from the County Probation and Parole Officers' Firearm Education and Training Commission.
6. *Deadly Force:* As defined in Pennsylvania Crimes Code, 18 P.S. § 501, which states: "Force, which, under circumstances in which it is used, is readily capable of causing death or serious bodily injury."
7. *Defense of Life Rule:* The use of deadly force only in those circumstances in which a person cannot safely disengage and where deadly force is required to stop and render a person incapable of continuing life threatening actions.
8. *Delivery System:* The opportunity to place someone in jeopardy.
9. *Displaying a Firearm:* The clearing from a holster (unholstering) a firearm or brandishing a holstered weapon in a manner in which a reasonable person could perceive a use of force threat.
10. *Excessive Force:* Force which is unreasonable in the performance of an act otherwise lawful; or, force used in

making an arrest in excess of the force reasonably necessary to effect control of a subject.

11. *Firearm:* Any pistol or revolver with a barrel less than twelve inches, any shotgun with a barrel less than twenty-four inches, or any rifle with a barrel less than fifteen inches (See 18 Pa.C.S. § 6102).

12. *Force:* The impetus of power; physical power of strength, exerted against a person and employed without their consent for the purpose of controlling the person while maintaining a position of advantage.

13. *Handgun:* A revolver or pistol designed to be fired with one hand.

14. *Impairment:* A condition which can affect judgment, reaction time or motor skills as it may affect the ability to handle a firearm safely.

15. *Intent:* The means to place someone in jeopardy.

16. *Magazine:* A receptacle where rounds are stored for use in a pistol.

17. *Peace Officer:* Any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or any person on active State duty pursuant to section 311, of the Act of May 27, 1949 (P. L. 1903, No. 568), also known as "The Military Code of 1949". Also, see 18 Pa.C.S. § 501 as applied to probation officers in 61 Pa.C.S. § 309.1.

18. *Pistol:* A semi-automatic handgun.

19. *Preclusion:* Fast assessment to determine if a lower level of force would be inappropriate, ineffective and to disengage is not possible.

20. *Self-Defense:* That action taken to nullify an attack when based on a reasonably founded belief that either death, serious bodily injury or other injury will occur because of the existence of a clear and present danger. Self-defense may be personal or instituted for the protection of another person.

21. *Serious Bodily Injury:* As defined in the Pennsylvania Crimes Code, 18 P.S. § 2301, which states: "Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ."

22. *Target:* A person or thing at which force may be directed or used.

23. *Target Identification:* An empirical verification of a person or thing at which force may be directed or used.

24. *Target Isolation:* The ability to segregate a target from surrounding people or objects.

25. *Use of Force:* As defined by the Pennsylvania Crimes Code, 18 P.S. § 508, Use of Force in Law Enforcement, which states:

"(a) Peace Officer's Use of Force in Making Arrest:

(i) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he believes to be necessary to effect the arrest and of any force which he believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using deadly force only when he believes that such force is

necessary to prevent death or serious bodily injury to himself or such other person, or when he believes both that:

(i) such force is necessary to prevent the arrest from being defeated by resistance or escape; and

(ii) the person to be arrested has committed or attempted a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay.

(2) A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he would be justified in using if the warrant were valid, unless he knows that the warrant is invalid."

26. *Use of Force Model:* The Use of Force Paradigm for Enforcement and Corrections as developed and defined by John Desmedt of the Protective Safety System.

27. *Weapon:* Includes handguns and firearms. It also includes any other instruments of offensive or defensive combat use or designated as being capable of causing injury to another person.

28. *Weapon-Carrying Officer:* A county probation/parole officer who is authorized to carry a weapon in connection with performance of the duties of his employment.

Authority and Policy Statement

Authority: This policy statement has been developed pursuant to and in accordance with statutory requirements, local rules established by the Carbon County Adult Probation/Parole Department and through the formal adoption by the Carbon County Court of Common Pleas by administrative court order.

Policy Statement: The Carbon County Adult Probation/Parole Department recognizes that an element of danger does exist in dealing with criminal offenders and will provide adult probation/parole officers with the opportunity to carry a firearm in order to protect themselves from serious bodily injury or deadly force. The consideration in the use of force is for the preservation of life and physical safety of the officer, the public and the offender.

Statutory Authority of Adult Probation Officers

Authority of Probation and Parole Officers: Probation and Parole Officers employed by the Court of Common Pleas enjoy police powers over the offenders under their supervision. Section I of Act 277 of 1963 and amended Act 117 (61 P. S. § 309.1) vests probation officers with such police powers. The Act states:

"Probation Officers heretofore or hereafter appointed by any Court of record of this Commonwealth are hereby declared to be peace officers, and shall have police powers and authority throughout the Commonwealth to arrest with or without warrant, writ, rule of process, any person on probation, intermediate punishment or parole under the supervision of said Court for failing to report as required by the terms of his/her probation, intermediate punishment or parole or for any other violation of his/her probation, intermediate punishment or parole."

Peace Officer: In 1973, with the adoption of the Pennsylvania Crimes Code, a peace officer was defined in 18 P. S. § 501 as:

". . .any person who by virtue of his public office or public employment is vested by law to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses. . .".

The police powers granted to probation and parole officers are limited. Those powers extend only to persons subject to the jurisdiction of the sentencing common pleas court or as may be granted by another jurisdiction through an Interstate Compact Agreement (61 P. S. § 321 et seq.) or Intercounty Compact Agreement. Therefore, the police power of probation and parole officers differs in scope from that of the police officer.

Arrest Authority: Adult probation/parole officers are empowered to make arrests, however, those powers extend only to offenders under the jurisdiction of the department placed on probation, parole or intermediate punishment (See 61 P. S. § 309.1).

Use of Force Policy

Jurisdiction to Act: The use of any force by adult probation/parole officers will be justified only when the department has jurisdiction. The jurisdiction to act as an authorized adult probation/parole officer is limited to those situations involving offenders under the direct supervision of the department and/or those individuals that are encountered by officers as a direct result of the supervision of the offender.

Purpose of Force: The objective of the use of force by adult probation/parole officers is to establish and maintain lawful control in a timely manner, to minimize the potential for injury to parties directly involved, as well as others. The degree of force authorized is that degree necessary to establish lawful control in a timely manner. This degree of force depends upon the degree of danger or resistance perceived by the officer.

Use of Force Model: The department formally adopts, subscribes and employs The Use of Force Paradigm for Enforcement and Corrections as developed and defined by John Desmedt of The Protective Safety Systems.

Timeliness: Timely means on time and not late. Officers need not wait for injury to occur to themselves or others before taking appropriate action to prevent injury.

Control of the Subject: Control of the subject must be established for the safety of the officer and others in response to perceived danger and when necessary to accomplish duties authorized by law.

Use of Physical Force: Physical force is to be used only in circumstances of justifiable self-protection or the protection of other persons. Adult probation/parole officers should use their discretion in using physical force. When possible, officers should consider withdrawing from the situation and securing assistance. If physical force is used, the officer shall only use the minimum force necessary to control the situation.

Officer Identification: If circumstances permit, the officer must make their identity as a adult probation/parole officer known.

Verbal Warning: Whenever possible, the officer must exercise persuasion, advice and warning before using physical force. If such verbal control would be (or is found to be) ineffective, the officer may use physical force to accomplish a lawful purpose.

Use of Force Considerations: Officers shall consider the following when employing force:

1. Subject's immediate threat to safety.
2. Subject's active resistance or attempt to escape.
3. Severity of the crime involved.
4. An officer's ability to disengage.

5. The circumstances existing at the moment force is used.

6. The tactics employed by an officer that may have caused a use of force decision to become necessary.

Reasonable Control Guidelines: When using force, officers must:

1. Match force to the subject's resistance.
2. Correctly apply techniques and equipment appropriate to that force level.
3. Apply alternative options if tactics fail to establish control.

Use of Excessive Force: The use of excessive force is prohibited by Federal and State laws. Violation of these laws can carry both civil and criminal penalties. Officers will be held accountable for the use of force.

Administration of First Aid: An officer who uses force on an offender and injuries result, the officer shall:

1. Contact the Carbon County Communications Center for assistance from medical personnel and law enforcement personnel.
2. Contact the Chief Adult Probation/Parole Officer or immediate supervisor.
3. Render first aid to the injured subject. Officers must remember that they are responsible for administering first aid treatment to an injured subject.

Use of Force Test: The use of force is based upon determining what force a reasonable officer at the scene would have used under the circumstances (See *Graham v. Conner*, 109 S.Ct. 1865, 1989).

Deadly Force Policy

Serious Bodily Injury: The operational definition of serious bodily injury shall be defined by the Use of Force Model as:

1. An open gash or wound;
2. Major broken bones; and/or
3. Damage to internal organs.

Use of Deadly Force: The use of deadly force by officers shall be strictly limited to defensive situations. If appropriate, officers shall exhaust all other types of force before resorting to the utilization of deadly force.

Justifiable Use of Deadly Force: When the use of deadly force is justified, officers discharging weapons shall not shoot to kill nor shoot to wound, but rather to stop the action by causing the instant incapacitation of the subject. For maximum stopping effectiveness and to minimize the danger to innocent bystanders, officers should shoot at center body mass.

Offensive Posture: Officers shall not utilize deadly force in an offensive posture to effect the apprehension of those persons who commit violations of probation, parole or intermediate punishment, or any other law amounting to summary, misdemeanor or felony offenses, which do not present the threat of death or serious bodily injury. Nothing contained in this policy statement shall preclude the use of deadly force for self-defense, when warranted.

Verbal Warning: When practical, and if the time and opportunity exists in a deadly force situation, officers shall identify themselves as adult probation/parole officers and give some type of warning prior to the use of deadly force.

Requirements for Righteous Deadly Force: Officers shall consider the following:

1. Accurately assessing a subject's imminent potential for attacking in a life-threatening manner (attack potential); the immediate and simultaneous existence of intent, weapon, delivery system and target.

2. Articulating why an officer feared for their life or someone else's when deadly force action was taken.

3. Explaining why a lower level of force was inappropriate, ineffective and disengagement was not possible.

Target Identification and Isolation: Officers shall consider the following factors when making a decision to use deadly force:

1. Officers facing a decision to use deadly force must be aware of any innocent third parties that may be present in or near the line of fire.

2. Officers are prohibited from discharging their firearms when they cannot identify their target and it appears reasonably and likely that an innocent person(s) may be injured, unless the prohibition in discharging the firearm is likely to result in the immediate death or serious bodily injury of the officer or another person.

3. Officers shall establish target identification and target isolation.

Use of Excessive Force: See *Use of Force Policy*.

Administration of First Aid: See *Use of Force Policy*.

Disengagement: Whenever possible, and if the time and opportunity exists, officers shall utilize shielding, distance and movement (attack management) to disengage from a situation before resorting to deadly force.

Warning Shots: Warning shots are strictly prohibited under all circumstances.

Rescue Shots: Officers may use a rescue shot for the purpose of identifying location and/or acquiring appropriate assistance.

Authorization to Carry Firearms

Authorization to Carry a Firearm: All adult probation/parole officers with peace officer status can request authorization to become a weapon-carrying officer.

Requirements to Carry a Firearm: The department shall authorize officers to carry firearms for defensive purposes when the following criteria is met:

1. Successful completion of a criminal background investigation.

2. Successful completion of a psychological examination.

3. Successful completion of the Basic Orientation Academy for Probation/Parole Officers.

4. A written request from the Adult Probation/Parole Officer to the Chief Adult Probation/Parole Officer to carry a firearm.

5. Successful completion of a first aid and CPR course.

6. Successful completion of a defensive tactics and Use of Force course.

7. Successful completion and certification from the County Probation and Parole Officers' Firearm Education and Training Commission.

8. Ability to demonstrate a proficiency in the knowledge, handling, and safety of firearms.

Issuance of Authority to Carry a Firearm: The process of requesting authorization to carry a firearm shall be reviewed by the Chief Adult Probation/Parole Officer who shall consider the following:

1. Demonstrated need to carry a firearm in the performance of their official duties.
2. Physical and emotional condition of the officer.
3. Presence of alcohol-related problems.
4. Signs of emotional instability.
5. Officer under the care of a psychologist or psychiatrist.
6. Current or past disciplinary problems with the officer.
7. Completion of all requirements as outlined in this policy statement.

Final Approval: The Chief Adult Probation/Parole Officer will make the final decision. The refusal of a request for authorization to carry a firearm is not appealable. Unless otherwise instructed, an officer may reapply for authorization every six months.

Officers Not Requesting Authorization To Carry: All officers that were hired prior to the implementation date of this policy statement will have the option to carry a firearm. If an officer decides not to carry a firearm, then he/she must complete the Request Not To Carry a Firearm form and return it to the Chief Adult Probation/Parole Officer. Nothing in this policy statement shall prohibit an officer from requesting authorization to carry at a later time.

Relinquishing Authorization: Once an officer is authorized to carry a firearm, that officer cannot request relinquishment of that authorization. The decision to carry a firearm is a difficult and moral decision that must be considered carefully by the officer before requesting authorization.

Condition of Employment: After the adoption of this policy statement, any new employee will be required to carry a firearm in the performance of their official duties.

Issuance of the Firearm: Once the officer has completed all training and fulfilled all agency requirements, the Chief Adult Probation Officer shall issue a firearm to the officer and execute the firearm issuance form. The care, cleaning and maintenance of the firearm shall be the responsibility of the officer.

Firearms Not To Be Carried Without a License: Since adult parole/probation officers are declared peace officers with police powers to arrest offenders in violation of probation, parole or intermediate punishment, a license to carry a firearm during the performance of their official duties is not required. However, the department recommends that all weapon-carrying officers obtain a license to carry a weapon. The costs of the permit shall be absorbed by the officer.

Also, according to 18 Pa.C.S. § 6106, states, No person shall carry a firearm in any vehicle or concealed on or about his person, except in his place of abode or fixed place of business, without a license, except, constables, sheriffs, prison or jail wardens, or their deputies, policemen of this Commonwealth or its political subdivisions, or other law-enforcement officers.

Firearm Authorization Request

I, _____, an adult probation/parole officer for the Carbon County Adult Probation/Parole Depart-

ment, a division of the Court of Common Pleas, Fifty-Sixth Judicial District, do hereby request authorization to carry a firearm in the performance of my duties.

In making the aforementioned request, I acknowledge and certify the following:

1. I am a tenured employee and not on a probationary status.
2. I am not pending any disciplinary action nor am I involved in or have knowledge of any departmental, criminal or civil investigation or litigation against me.
3. I do not have a problem with drugs or alcohol. I am not presently using any drugs, except as authorized by a medical physician. I have verified with my physician that the medication prescribed will not have any effect on my judgment or impair my ability to carry a firearm in the performance of my duties.
4. I have completed psychological testing and have been approved mentally sound by a licensed psychologist to carry a firearm.

5. I am medically and physically sound to carry out my assigned duties as a probation/parole officer.

6. I have completed classroom instruction on firearms and have successfully passed a written examination (County Probation/Parole Officers' Firearm Education and Training Commission).

7. I have completed range instruction and have qualified in the practical phase of shooting (County Probation/Parole Officers' Firearm Education and Training Commission).

8. I will only use my firearm for defensive purposes only, where retreat is not possible and serious injury or death is imminent.

9. I have successfully completed training in chemical agents and impact weapons and have received certification.

10. I have successfully completed training in control tactics, defensive tactics and Use of Force Instruction and have received certification.

I hereby affirm that the aforementioned information is true. Also, I understand that the falsification of any of the aforementioned information shall result in appropriate disciplinary action.

Signature Adult Probation/Parole Officer

Date

Firearm Certification

Officer's Name: _____

1. Successful completion of criminal background investigation. Yes No
2. Successful completion of psychological evaluation. Yes No
3. Successful completion of basic orientation academy. Yes No
4. Successful completion of first aid and CPR training. Yes No
5. Successful completion of defensive tactics. Yes No

6. Successful completion of OC spray and expandable baton training. Yes No

7. Successful completion of Use of Force training. Yes No

8. Successful completion of County Probation and Parole Officers' Firearm and Education and Training Commission. Yes No

9. Ability to demonstrate proficiency, safety and knowledge in the proper use and handling of a firearm. Yes No

AUTHORIZATION

REQUEST DENIED: REQUEST APPROVED:

Chief Adult Probation/Parole Officer:

I, Ronald S. Kokinda, Chief Adult Probation/Parole Officer hereby approve/deny the within request to carry a firearm in accordance with court and departmental policies and procedures.

Signature and Date: _____

Request Not to Carry a Firearm

I, _____, an adult probation/parole officer for the Carbon County Adult Probation/Parole Department, a division of the Court of Common Pleas, Fifty-Sixth Judicial District, composed of Carbon County, do hereby exercise my option not to carry a firearm in the performance of my duties, at this time.

I acknowledge that if circumstances do change, that I may request authorization to carry a firearm during the performance of my official duties.

In making the aforementioned request, I acknowledge and certify the following:

- 1. I am a tenured employee and not on a probationary status.
2. I am not pending any disciplinary action nor am I involved in or have knowledge of any departmental, criminal or civil investigation or litigation against me.
3. I have been offered the opportunity to attend the Basic Firearms' Academy and to carry a firearm during the performance of my official duties, but declined.
4. I have been hired prior to the implementation of the Carbon County Adult Probation/Parole Department's firearm program and am exercising my option not to carry a firearm.
5. Even though I will not carry a firearm during the performance of my official duties, I fully understand that I must perform the same duties and responsibilities as an adult probation/parole officer who carries a firearm.

I hereby affirm that the aforementioned information is true. Also, I understand that the falsification of any of the aforementioned information shall result in appropriate disciplinary action.

Adult Probation/Parole Officer Date

Chief Adult Probation/Parole Officer Date

CARBON COUNTY ADULT PROBATION/PAROLE OFFICE

ISSUANCE OF FIREARM

I acknowledge receipt of the agency issued firearm. By signing below, I further acknowledge that I have received appropriate training in the use of the firearm and accept full responsibility for the safe and proper handling of the firearm.

I will comply with all policies and procedures adopted by the Carbon County Court of Common Pleas and the Carbon County Adult Probation/Parole Office.

I understand that I may have my authorization to carry a firearm, during the performance of my duties, temporarily suspended as outlined in this policy statement and that when requested by the Chief Adult Probation/Parole Officer must relinquish my firearm.

Manufacturer Model Caliber Serial Number

ACKNOWLEDGMENT

Adult Probation/Parole Officer Date

Chief Adult Probation/Parole Officer Date

Conditions for Carrying a Firearm

Conditions for Carrying Firearms: All weapon-carrying officers shall carry their firearm concealed and under the following circumstances:

- 1. During an arrest situation.
2. During a search and seizure situation.
3. While conducting field contacts, including after-hour investigations by assigned on-call personnel.
4. Range qualification and related training, including practice shooting.
5. To and from employment.

Office and Courthouse Setting: While in the office, all weapon-carrying officers shall secure their firearm in designated areas within the adult probation office. Officers shall be prohibited from carrying their firearm while in the office, unless entering or exiting the building to conduct field work.

Courthouse Setting: While in the Courthouse or Courthouse Annex Building, all weapon-carrying officers shall secure their firearm in designated areas within the adult probation office. Officers shall be prohibited from carrying their firearm in the courthouse or courthouse annex building, unless entering or exiting the building to conduct field work.

Concealment of Firearm: Firearms are to be carried in a concealed manner on the officer, under an article of clothing. The following exception will apply:

- 1. When participating in an arrest situation, the officer may position the weapon in an unconcealed manner to enhance accessibility.

Displaying a Firearm

Displaying a Firearm: Firearms shall not be displayed or drawn for any other reason than described below:

- 1. During an arrest situation.
2. Justifiable self-protection or the protection of others

3. When the officer perceives an immediate threat of death or serious bodily injury, which may include an attacking animal.

4. Cleaning the firearm, storage and inspection.

5. Range qualification or practice shooting.

6. Storage at a correctional facility, courthouse or other secure facility.

Handling of Firearms

Handling of a Firearm: The continued authorization to carry a firearm will depend on the following:

1. The officer's compliance with agency policy and procedure.

2. The officer's ability to handle the firearm in a safe manner.

3. The officer's ability to conduct themselves in a safe and proper manner while in possession of the firearm.

4. Except for general maintenance, storage or authorized training, officers shall not draw or exhibit their firearms unless circumstances create strong reasonable belief that it may be necessary to lawfully use the weapon.

5. In those situations, the officer shall exercise a reasonable standard of care with the drawn weapon. Reasonable care includes: pointing the muzzle in a safe direction; keeping the trigger finger outside the trigger guard; and under no circumstances shall a weapon capable of double action be cocked for single action use.

6. The use or handling of a firearm by an officer, on or off-duty, in a careless or imprudent manner or the unjustified endangering of human life by a firearm in violation of this policy statement is strictly forbidden and shall result in a disciplinary investigation and may result in the revocation of authorization to carry a firearm.

7. The department does not authorize or recognize the carrying of a agency issued firearm during off-duty hours.

Firearm Safety Considerations: The following regulations apply to all firearms and situations, whether on or off the range, at home or conducting probation/parole activities:

1. Always consider all firearms to be loaded.

2. Never point the muzzle of the firearm across anything which you are unwilling to shoot.

3. Keep your finger outside the trigger guard until you are ready to shoot.

4. Be certain of your target, target identification and target isolation.

5. When you take a gun from its holster or storage for any other purpose than necessary use, unload it and check to see that it is unloaded three times.

6. A gun is not a toy, do not play with it.

7. Do not use or possess a firearm when drinking or using other substances that alter perception or disposition.

8. Resist the temptation to show off your firearm.

9. Do not loan your firearm to anyone else.

10. When passing a pistol to another individual, make sure the weapon is unloaded, magazine removed, action open, handing it gun grip first.

Storage of Firearms and Ammunition

Storing the Firearm: All weapon-carrying officers shall store their firearm as follows:

1. *In the Field:* When performing field work, firearms are to be concealed on the officer.

2. *In an Automobile:* Firearms shall not be left in a vehicle, trunk, glove compartment, briefcase or other areas of storage, except under the following circumstances.

a. When the officer is entering an institution in which a firearms locker is not available.

b. When the officer must appear in court in which the courthouse does not allow entrance of an armed officer and there is no firearms locker available.

c. Should circumstances arise requiring the emergency or brief storage of a weapon, the containment area must be stationary, locked and be inaccessible to all except the officer.

3. *In the Office:* For purposes of office security and safety, officers are not permitted to carry their firearm in the office, unless entering and exiting to conduct field work. When weapon-carrying officers are assigned to the office for duty days, the firearm must be stored in the security locker unloaded, with the key being secured by the officer. Under no circumstances are firearms to be stored in desks or any other location in the office. Also, firearms are not to be left in the office overnight.

4. *In the Courthouse/Annex Building:* For purposes of courthouse security and safety, officers shall secure their firearm in the designated area within the adult probation office unloaded. Officers shall be prohibited from carrying their firearm in the courthouse or annex building, unless entering or exiting the building to conduct field work.

5. *Correctional Facilities/Other Courthouses:* When officers enter correctional facilities, other courthouses or any other secure facility, the officer shall secure their weapon in accordance with the facility's regulations.

6. *At Home:* See *Home Safety* provision.

7. *Interstate Travel:* When traveling outside the Commonwealth of Pennsylvania, officers are not permitted to carry their firearm into the neighboring state.

8. *In a Public Rest Room:* The officer shall remove his/her duty belt with the firearm in the holster and place the duty belt around the officer's neck. This procedure will ensure that the officer's equipment will not be stolen or forgotten.

Storage of Ammunition: When in the office, the firearm will be unloaded and the ammunition secured separately from the firearm in the security locker, accessible only to authorized personnel. When at home, the ammunition shall be removed from the firearm and stored in a separate location.

Unattended Firearm: Under no circumstances shall the officer leave his duty weapon unattended while in the office, field, home or any other unsecured locations.

Home Safety

Firearm at Home: All weapon-carrying officers will be required to take their firearm home. Under no circumstances shall the weapon be stored in the office overnight.

Home Safety: It is essential that the officer assigned to carry a firearm instruct their family members in the proper use and handling of the firearm. It should be made perfectly clear that the firearm is not to be handled

by anyone other than the officer or a mature adult. The officer is responsible to educate his family members on the safety and proper handling of the firearm. All firearms should be kept out of the reach of children and immature or irresponsible adults and stored in a secure area. Older children may be given gun instruction with the extent of the training being dependent on the child's maturity and judgment of the parents.

Storage at Home: Immediately upon entering the residence, the firearm should be unloaded, the magazine removed and the firearm and equipment stored in a secure area. Officers are encouraged to store the ammunition, magazines and the firearm in different locations. The firearm must not be left unattended and accessible while in the residence. It shall be the responsibility of the officer to ensure that the firearm is properly secured in a locked cabinet or drawer. The firearm should be kept beyond the reach of small children.

Loaded Firearm: Firearms shall not remain loaded while in the residence. The officer shall immediately unload the weapon when they enter the residence and all ammunition should be kept in a safe location away from the weapon.

Trigger Guards: As a suggestion, a trigger guard lock will secure the firearm from accidental discharge. The key to the trigger guard should be kept on the officer's person at all times.

Unattended Weapon at Home: The officer shall not leave his duty weapon unattended while in their residence. The firearm must be secured at all times.

Discharge of Firearms

Discharge of a Firearm: The discharge of a firearm is permitted only when an officer reasonably believes that he/she or another person is at risk for serious bodily injury or death and that the deadly force employed by the officer is reasonable and necessary and not excessive by comparison to the type of resistance offered by the offender.

Unholstering: See *Handling of Firearms* provisions.

A Discharged Weapon: Any unholstering, discharge or firing of a weapon, other than in a training program, qualification or off-duty practice, must be reported immediately to a supervisor by the officer who discharged the weapon.

Involved Officer(s) Responsibilities: Any time an officer is engaged in an incident which involves the discharge of a firearm, whether by an agency officer or another person, the following procedure shall be followed:

1. Immediately following the incident, secure the scene and make every effort to preserve potentially pertinent evidence.
2. Contact the Carbon County Communications Center for the police department that has jurisdiction and medical personnel, if injuries resulted to any persons at the scene.
3. Notify the Chief Adult Probation/Parole Officer or his designee, if unavailable.

Written Incident Report: The officer must file a written incident report immediately after the discharge to their immediate supervisor. The officer shall provide the exact location and time of the incident; a detailed description of the incident; names and addresses of witnesses; reasons for discharging the weapon; names of any investigating police officers; and any other information that may be necessary in understanding and investigating the inci-

dent. However, if a police investigation has been initiated, the officer(s) involved with the incident will not need to file a written report at this time. A copy of the police report will be obtained by the Chief Adult Probation/Parole Officer.

Surrendering the Weapon: The officer shall surrender the weapon involved to their immediate supervisor or a requesting police officer involved in the investigation. The officer's weapon shall be confiscated and temporarily suspended until the investigation is completed.

Incidents and Allegations: It is the responsibility of the officer carrying a firearm to report immediately to a supervisor any incidents or situations that may result in allegations being made or complaints filed regarding the use or displaying of a firearm. Other staff who observe an unusual situation involving a firearm must verbally report to an immediate supervisor. A written report may be requested by the Chief Adult Probation/Parole Officer.

Departmental Investigation: The Chief Adult Probation Officer shall receive prompt notification of the incident so that an investigation can be initiated to verify the factual basis surrounding the situation.

Shooting At Moving Vehicles

Shooting at Moving Vehicle Guidelines: Officers shall not discharge a firearm at or from a moving vehicle except under the following circumstances:

1. As a last resort measure of self-defense when the subject is using deadly force by means of other than the vehicle.
2. As a last resort measure of self-defense when a vehicle is being driven in a manner deliberately intended to kill or injure an officer or other party.

Limitations and Consequences Shooting at a Moving Vehicle: In deciding to shoot at a moving vehicle, officers must take into account the following limitations and consequences:

1. The difficulty of hitting a moving target.
2. The possibility of ricochets striking unintended targets.
3. Population densities.
4. The difficulty in penetrating the automobile body and/or steel belted radial tires.
5. The inability to stop a vehicle's momentum even when the target actor is hit.
6. The possibility of damage or injury which might result from causing the vehicle to go out of control.

Damaged, Lost or Stolen Firearms

Damaged Firearm: Any officer who suspects that his/her issued firearm is damaged shall immediately notify the Chief Adult Probation/Parole Officer. A potentially damaged firearm shall not be carried. The firearm shall be secured and sent to a certified armorer for repairs. During this time, the officer will not carry a firearm until the firearm can be repaired.

Lost or Stolen Firearm: The loss or theft of a firearm shall be immediately reported to the Chief Adult Probation/Parole Officer. This report must be made within twenty-four (24) hours of occurrence, either by telephone or in person. The initial notification will be followed immediately by a written report describing the circumstances surrounding the loss or theft of the firearm. The employee must take immediate and reasonable action to recover the firearm and obtain all information available

to aid in the investigation and recovery of the firearm. Employees must seek assistance from the appropriate law enforcement agency as soon as possible.

Security and Accountability: Officers are directly responsible for the safety and security of authorized firearms. Officers may be required to reimburse the County for the costs of lost, stolen or damaged firearms if:

1. An official investigation establishes that the officer is negligent or otherwise at fault,
2. It is administratively decided that reimbursement is to be made.

Disciplinary Action: Failure to safeguard or otherwise secure firearms may result in disciplinary action. Furthermore, the officer's authorization to carry may be suspended and he/she referred for appropriate levels of training.

Requirement to Notify the Department of Physical and Pharmacological Conditions Affecting the Ability to a Carry Firearm

Impairment: It shall be the responsibility of the weapon-carrying officer to notify their immediate supervisor of any physical or pharmacological conditions causing physical and/or emotional impairment.

Prescriptive Medication: In those instances when an officer is prescribed a medication for an illness or medical condition, it shall be the responsibility of the weapon-carrying officer to notify their immediate supervisor. When an officer believes and/or medical personnel indicate that a medication may affect judgment and/or reaction time, authorization to carry a firearm shall be suspended. Authorization shall be reinstated upon the cessation of the medication and its effects or with a physician's ruling that the medication's potential contraindications would be aversive to handling a firearm safely and proficiently.

Temporary Suspension of Authorization to Carry

Incidents and Allegations: See *Discharge of Firearms.*

Departmental Investigation: See *Discharge of Firearms.*

Temporary Suspension of Authorization to Carry: If circumstances arise where an officer's ability to properly handle a firearm is called into question, the Chief Adult Probation/Parole Officer has the duty and authority to immediately remove the officer's agency issued firearm in an effort to provide for the safety of the officer, as well as that of the community. Reasons for a temporary suspension may include, but are not limited to the following:

1. Physical limitation or injury
2. Mental, emotional, or behavioral impairment
3. Allegations of misconduct, negligence, or carelessness
4. Induced impairment due to drugs (illicit or legal), and/or alcohol
5. Unsafe situational tactics
6. Violation of agency policy or procedure
7. Actions which may indicate a staff member's judgment is impaired
8. Violation of the Protection From Abuse Act, 35 P. S. § 10181, as amended, when the Court directs that all weapons be forfeited.

Period of Temporary Suspension: The Chief Adult Probation/Parole Officer shall conduct an investigation

into the allegation of improper handling of a firearm. Within thirty (30) days of the alleged allegation, a decision shall be made to:

1. Remove authorization
2. Continue temporary suspension
3. Return firearm

Continued Temporary Suspension: If after thirty (30) days, the Chief Adult Probation/Parole Officer has not completed the investigation, then the temporary suspension may be extended for an additional thirty (30) days.

Removal of Authorization: After completion of the investigation, the Chief Adult Probation/Parole Officer may remove authorization from the officer until he/she can demonstrate an ability to properly handle the firearm in a safe manner and/or has completed training necessary to demonstrate the safe and proper handling of a firearm. This administrative decision is not considered disciplinary action and is for the safety of the officer and the community.

Appeal of Decision: The decision of the Chief Adult Probation/Parole Officer shall be final.

Allegations Involving the Chief Adult Probation/Parole Officer: When any allegations are lodged against the Chief Adult Probation/Parole Officer for violations of this firearm policy, then the Deputy Chief Adult Probation/Parole Officer shall remove the firearm from the Chief and conduct an investigation into the allegation in accordance with this policy statement.

Performance of Official Duties During Suspension: An officer whose authorization to carry a firearm has been suspended shall continue to perform their official duties and functions as an adult probation/parole officer with no interruption in services.

Reinstatement Process: An officer who had authorization removed may reapply for reinstatement every six months.

Firearms Training Requirements

Basic Firearms Academy: All officers carrying firearms must attend the initial firearms training course offered by the County Probation and Parole Officers' Firearm Education and Training Commission (See 61 Pa.C.S. § 332.1 through 61 Pa.C.S. § 332.9). The training course shall consist of a period of classroom instruction and range qualification.

Requalification: All officers who receive certification by the Commission, must requalify annually and during the time period established by the Commission. The department shall make arrangements with neighboring counties, who have a certified Commission firearms' instructor, to conduct requalification training.

Failure to Qualify at the Initial Training: If an officer fails to qualify, he/she shall be given a second opportunity to participate in the next available training course. Any officer requesting a third opportunity must receive authorization from the Chief Adult Probation/Parole Officer.

Failure to Requalify: If an officer fails to requalify, he/she shall be given a second opportunity to participate in the next available training course. Any officer requesting a third opportunity must receive authorization from the Chief Adult Probation/Parole Officer. Failure to requalify will result in the temporary suspension of authorization to carry a firearm. When an officer fails to requalify, then he/she must attend the initial firearms academy.

Failure to Qualify By New Employee: An officer hired after the adoption of this policy statement and fails to qualify/requalify as set forth in this policy statement, will be offered additional training. Failure to qualify thereafter will result in a departmental inquiry as to the reasons an officer failed to qualify. A recommendation will be made to the court concerning the employment status of the officer.

Independent Firearms Practice: Officers authorized to carry a firearm may practice with their issued firearm on the employees own time. The practice must occur only at a firing range, public or private. The department will only issue 200 rounds of practice ammunition to an officer attending the initial firearms training academy. All other practice ammunition must be purchased by the officer.

Training Ammunition: The department shall issue the appropriate number of rounds required for initial qualification and requalification. Approved training ammunition is new, factory-loaded, 124 grain, 9mm rounds. The department will only issue ammunition to the officer for two attempts at qualification. Any other authorized attempts to qualify will require the officer to purchase the ammunition approved by the department.

Familiarization Training: All adult probation/parole officers will be required to complete a firearms familiarization course.

Authorized Equipment

Authorized Firearm: The department shall issue a Glock Model 26 (9 mm) pistol to each officer authorized to carry a firearm. Personal firearms are prohibited.

Authorized Duty Ammunition: The department shall issue thirty (30) rounds of duty ammunition, which is new, factory-loaded, 124 grain hydra-shok, jacketed hollow point. Any other ammunition is prohibited.

Holsters: The department shall issue a DeSantis Thumb Break Scabbard for each officer authorized to carry a firearm. All other holsters are prohibited. The holster shall be worn on the officer's duty belt, on the officer's strong side. Cross-draw positioning of a firearm is prohibited.

Magazines and Extensions: Each weapon-carrying officer will be issued two additional ten round magazines fitted with grip extensions.

Double Magazine Pouches: Each weapon-carrying officer will be issued a nylon double magazine pouch.

Modifications to Equipment: All equipment issued by the department is standard and under no circumstances will any modifications be permitted. Officers altering or modifying their equipment will be subject to disciplinary action, including suspension of authorization to carry a firearm.

Cleaning and Maintenance of Firearms

Cleaning of Firearms: Weapon-carrying officers are responsible for the cleaning and lubrication of their issued firearm after each use, whenever the handgun has been subjected to moisture or dirt and every three months. Cleaning kits will be available in the department and the officer must keep a record of when the handgun was cleaned. Since the department has no designated areas for cleaning, officers will be expected to clean their firearm at home. Failure to maintain proper maintenance and cleaning of the firearm may result in the temporary suspension of authorization to carry.

Safety Considerations: Before cleaning your firearm, make absolutely sure that it is unloaded. All ammunition

should be stored away from the cleaning area, with the gun's action open during the cleaning process.

Damaged Firearms: See *Damaged, Lost or Stolen Firearms* provisions.

Inspection: On an annual basis, the department shall forward all firearms to a certified Glock armorer for inspection.

[Pa.B. Doc. No. 99-1911. Filed for public inspection November 12, 1999, 9:00 a.m.]

FRANKLIN AND FULTON COUNTIES

Amendment of Local Criminal Action Rule 39-300; Miscellaneous Doc. Volume 2, Page 138

Order of Court

Now, August 24, 1999, Criminal Action Rule No. 39-300 for the Court of Common Pleas of the 39th Judicial District of Pennsylvania is hereby amended, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*, to read as follows:

Rule 39-300. Business of the Court.

(1) With respect to the Franklin County Branch, criminal cases shall be listed for trial as follows:

(A) On the Monday of the week preceding each criminal trial term, each defendant who is free on bond and whose case is listed for that term of court, shall appear, with their attorney, for a preliminary call of the court list at which time the court will entertain motions, pleas, and any other appropriate matters. Defendants whose cases are not disposed of on that date will be required to appear for jury selection on the first day of the trial term.

(B) On the Tuesday of the week preceding each criminal trial term, all incarcerated defendants shall be transported to and appear in court for purposes of conducting the preliminary call of the trial list as outlined in paragraph (A).

(C) All defendants, at the time of mandatory arraignment or waiver thereof, will be notified in writing of their obligation to appear as set forth in paragraphs (A) and (B). Failure to appear shall result in the issuance of a bench warrant for the arrest and detention of the defendant.

(D) In the event either of the court appearances required in Paragraphs (A) or (B) falls on a recognized holiday, the Court Administrator shall designate the date on which the defendant shall appear. The defendant shall be notified of said date as set forth in Paragraph (C).

(2) With respect to the Fulton County Branch, criminal cases shall be listed for trial as follows:

(A) On the Tuesday of the week preceding each criminal trial term, each defendant whose case is listed for that term of court, shall appear, with their attorney, for a preliminary call of the court list at which time the court will entertain motions, pleas, and any other appropriate matters. Defendants whose cases are not disposed of on that date will be required to appear for jury selection on the first day of the trial term.

(B) All defendants, at the time of mandatory arraignment or waiver thereof, will be notified in writing of their obligation to appear as set forth in paragraph (2) (A).

Failure to appear shall result in the issuance of a bench warrant for the arrest and detention of the defendant.

(C) In the event the court appearance required in Paragraph (2)(A) falls on a recognized holiday or date when there is no miscellaneous court scheduled in the Fulton County Branch, the defendant shall be required to appear for the preliminary call on the Tuesday of the second week before the criminal trial term and the defendant shall be notified of said date as set forth in paragraph (2)(B).

Further ordered that the Court Administrator shall immediately take action to have seven certified copies of this amendment filed with the Administrative Office of Pennsylvania Courts, one certified copy filed with the Commonwealth Criminal Procedural Rules Committee, and two certified copies distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and otherwise to comply with the requirements of Pa.R.Crim.P. No. 6(c).

By the Court

JOHN R. WALKER,
President Judge

[Pa.B. Doc. No. 99-1912. Filed for public inspection November 12, 1999, 9:00 a.m.]

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MONTGOMERY COUNTY
Custody Mediation Orientation Program

Order

And Now, this 18th day of October, 1999, the Court approves and adopts the following Montgomery County Local Rules of Civil Procedure Governing Custody Mediation Orientation Program. These Rules shall become effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in the *Legal Intelligencer*. In conformity with Pa.R.C.P. 239, seven (7) certified copies of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Domestic Relations Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

By the Court

JOSEPH A. SMYTH,
President Judge

Rule *1940.3. Order for Orientation Session and Mediation. Selection of Mediator.

(a) Except as provided in (c) below, in an action for custody, partial custody or visitation where an agreement is not reached and reduced to writing by the conclusion of the Custody Conciliation Conference, the parties shall attend a two-hour custody mediation orientation session.

(b) An orientation session is an initial meeting between parties, and a mediator pursuant to Local Rule 1940.4 below, to educate the parties concerning the mediation process so that an informed choice can be made about continued participation in that process. The mediation is

confidential at the point, if any, that mediation commences during, or after, the initial orientation session.

(c) An orientation session shall not be mandated if a party or a party's child is or has been the subject of abuse either during the pendency of the action or within 24 months preceding the filing of the action.

Rule *1940.4. Minimum Qualifications to be a Mediator Under Local Rule 1940.3.

(a) A mediator must meet, at a minimum, the following requirements:

(1) hold a post-graduate level degree in law, or a mental health field such as psychiatry, psychology, counseling or family therapy;

(2) have successfully completed basic training in a divorce and custody mediation program approved by the Academy of Family Mediators or equivalent program, such as a program approved by the Academy of Matrimonial Lawyers, or its substantial equivalent;

(3) certify that Mediator Professional Liability Insurance is maintained;

(4) participation in a program offered by the Family Law Section of the Montgomery Bar Association involving substantive law training, training concerning our local child custody procedures, and training concerning the local custody mediation orientation program, including reporting obligations;

(5) continued compliance with the ethical standards and any continuing educational requirements of the Academy of Family Mediators, the Academy of Matrimonial Lawyers or their substantial equivalents.

(b) The Court shall have the authority, upon cause shown, to decertify any Montgomery County custody mediator who has not complied with the foregoing local rule.

Rule *1940.5. Duties of the Mediator.

(a) At the orientation session, the mediator must inform the parties in writing of the following:

(1) the costs of mediation;

(2) the process of mediation;

(3) that the mediator does not represent either or both of the parties;

(4) the nature and extent of any relationships with the parties and any personal, financial or other interests that could result in a bias or conflict of interest;

(5) that mediation is not a substitute for the benefit of independent legal advice; and

(6) that the parties should obtain legal assistance for drafting or reviewing any agreement.

(b) When proceeding from the orientation to mediating a custody dispute, the mediator shall ensure that the parties consider fully the best interests of the children.

(c) With the consent of the parties, the mediator may meet with the parties' children or invite other persons to participate in the mediation.

Rule *1940.6. Termination of Mediation.

(a) Mediation, if undertaken after the initial orientation session, shall terminate upon the earliest of the following:

(1) the complete agreement of the parties;

(2) a partial agreement of the parties and a determination by the mediator that further mediation will not resolve the remaining issues;

(3) a determination by the mediator that the parties are unable to reach an agreement through mediation or that the proceeding is inappropriate for mediation; or

(4) a refusal of one of the parties to continue with the mediation.

(b) If the parties reach a complete or partial agreement, the mediator shall promptly prepare and transmit to the parties and their attorneys, if any, a non binding Memorandum of Understanding setting forth the terms of the parties' agreement. In no event shall any agreement, whether reflected in the Memorandum of Understanding or otherwise, be binding on the parties unless and until it is subsequently incorporated into a writing signed by the parties.

(c) The mediator may mediate subsequent disputes between the parties, but shall not act as attorney, counselor, or psychotherapist for any party either during or after the mediation of a custody action, or in any matter which was the subject of mediation.

(d) The mediator is prohibited from asking the parties to sign any Memorandum of Understanding or agreement. No mediator drafted Memorandum of Understanding or agreement shall be submitted to the Court in any proceeding.

Rule *1940.7. Confidentiality of Mediation Subsequent to Initial Orientation Session.

(a) All mediation communications and mediation documents, as those terms are defined in 42 P. S. § 5949 of the Judicial Code, are privileged, not subject to discovery and inadmissible as evidence in any proceeding; and

(b) No party, mediator or other person who participates, may be called as a witness, or otherwise compelled to reveal any matter disclosed in mediation undertaken, if any, during or subsequent to the initial orientation session.

Rule *1940.8. Mediator Compensation.

Mediators shall be compensated for their orientation services at a rate to be established by the Court. Unless otherwise ordered, the rate established for the custody mediation orientation session shall be divided between the parties. The costs of the orientation session may be waived by the Court for any party qualifying to proceed *in forma pauperis*.

Rule *1940.9. Sanctions.

On its own motion or the motion of a party, the Court may impose sanctions against any party or attorney who fails to comply or causes a party not to comply with these mediation rules. Sanctions may include an award of mediation costs and attorneys fees, including those incurred in the filing and presentation of the motion for sanctions, as well as a finding of Contempt. A hearing on a Custody Complaint or Petition shall not be delayed, however, by a party's refusal or failure in attending the mediation orientation sessions.

Rule *1940.10. Evaluation of Custody Mediation Orientation Program.

(a) The Court shall require mediators and Court personnel to evaluate the mediation orientation program at least semi-annually.

(b) The President Judge shall appoint an Advisory Panel to the program to oversee and implement the program consistent with local Court rules, including, but not limited to, implementing and monitoring the program consistent with Paragraph (a) above.

Rule *1940.11. Certificate of Compliance.

A certificate of compliance shall be filed by the mediator with the Prothonotary's Office, confirming compliance. Such certificate shall reflect only that such party or parties have complied with these local rules, but shall in no event detail that such compliance was comprised of attendance or disqualification, so as to ensure that confidentiality is not violated consistent with Local Rule 1940.7.

Rule *1940.12. Available List of Mediators

The Court shall maintain and make available to all parties and counsel in the Prothonotary's Office and the Custody Conciliator's Office a list of custody mediators who have satisfied the requirements described more fully in Local Rule 1940.4. Such list shall include, at a minimum, the names, addresses and the schedule of fees for mediation services to be provided subsequent to the initial custody mediation orientation session.

[Pa.B. Doc. No. 99-1913. Filed for public inspection November 12, 1999, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that M. Abraham Ahmad, having been disbarred on consent from the practice of law in the State of Maryland, the Supreme Court of Pennsylvania issued an Order dated November 1, 1999 disbaring M. Abraham Ahmad from the practice of law in this Commonwealth. 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. 99-1914. Filed for public inspection November 12, 1999, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Marc D'Arienzo, having been suspended from the practice of law in the State of New Jersey for a period of three months, the Supreme Court of Pennsylvania issued an Order dated November 1, 1999 suspending Marc D'Arienzo from the practice of law in this Commonwealth for a period of three months. 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. 99-1915. Filed for public inspection November 12, 1999, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 111 AND 115]

[Correction]

Special Regulations Counties and Boats Carrying Passengers for Hire

An error occurred in the ordering language in the document adopting amendments to 58 Pa. Code which appeared at 29 Pa.B. 5723, 5724 (November 6, 1999). The correct version of the ordering language is as follows:

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 111 and 115, are amended by amending

§§ 111.9, 111.52, 111.64 and 115.9 to read as set forth at 29 Pa.B. 3370 (July 3, 1999) and by amending §§ 111.36 and 115.10 to read as set forth in Annex A.

(b) The Executive Director will submit this order, 29 Pa.B. 3370 and Annex A to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order, 29 Pa.B. 3370 and Annex A and deposit the same with the Legislative Reference Bureau as required by law.

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

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 99-1871. Filed for public inspection November 5, 1999, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF HEALTH

[28 PA. CODE CHS. 701, 705, 709, 711 AND 713] Drug and Alcohol Facilities and Services

The Department of Health (Department) proposes to amend physical plant standards for the licensure of residential and nonresidential services under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922, 1001—1031 and 1051—1059) and the Pennsylvania Drug and Alcohol Abuse Control Act (71 P. S. §§ 1690.101—1690.114).

The Department proposes to replace and revise physical plant standards by adopting Chapter 705 (relating to physical plant standards for residential services), amending § 701.1 (relating to general definitions) and deleting §§ 709.27, 709.74, 711.45, 711.57, 711.67, 711.77, 711.88 and 713.27, to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

The purpose of these proposed amendments is to establish current physical plant standards for the licensure of residential and nonresidential services to protect the health and safety of clients being served in drug and alcohol programs within this Commonwealth and employes working in those facilities. These standards would reduce the risk of health hazards and problems such as overcrowding, infectious diseases, rodent and other pest hazards to humans, unclean kitchen and food storage areas, and unsafe child care areas.

The Department's Division of Drug and Alcohol Program Licensure (Division) inspects drug and alcohol facilities and applies physical plant standards from Chapters 709, 711 and 713 (relating to standards for licensure of freestanding treatment facilities; standards for certification of treatment activities which are a part of a health care facility; and standards for approval of prevention and intervention activities). The Division inspects drug and alcohol facilities on at least an annual basis. There are no known local physical plant inspection procedures that are in place as a substitute for these standards.

Chapter 705 is being created to replace current physical plant regulations which are found throughout Part V. Existing physical plant regulations as applied to drug and alcohol treatment and rehabilitation facilities and services are not consistent with current health, safety, fire and panic code requirements. They are insufficient to provide minimal health and safety protection for clients and employes.

Currently, regulations relating to physical plants are located in eight separate subchapters, each dealing with a different type of facility. These regulations are, for the most part, identical. A more logical approach is to consolidate all physical plant regulations into one chapter where they can be easily referenced, and delete the separate physical plant regulations located throughout.

A draft of the proposed rulemaking was sent to over 900 entities on the Division's general mailing list. This list includes all drug and alcohol treatment providers, various drug and alcohol related associations and various State departments including the Department of Public Welfare and the Department of Labor and Industry. Only six comments were received. One was from a shelter provider. The Department no longer licenses shelters. The other comments were generally favorable.

Requirements of the Proposed Rulemaking

A. Residential facilities.

Section 705.1. General requirements for inpatient nonhospital facilities (residential treatment and rehabilitation).

This section would establish general requirements for all inpatient nonhospital facilities (residential facilities). A definition of "residential facilities" is added to § 701.1. This section would require that all residential facilities obtain a certificate of occupancy from the Department of Labor and Industry or its local equivalent and would also require compliance with other applicable Federal, State and local laws. It would exempt existing residential facilities from provisions of the proposed rulemaking which are considered to be too burdensome to impose on facilities already in operation, because they could require very extensive capital expenditures or structural additions or changes.

Existing residential facilities would be exempt from certain requirements related to sleeping accommodations. Residential facilities which currently have "dormitory style" rooms for residents would not be required to construct walls and build extra doors to satisfy the requirement that no more than four residents sleep in one bedroom. Many residential facilities currently have as many as 20 residents sleeping in one large dormitory style room. For them to comply with the proposed § 705.5(c) (relating to sleeping accommodations) requirement that no more than four residents sleep in one bedroom, could possibly require large scale construction. In fact, compliance might not be feasible at all in some cases. The minimum square feet requirements of proposed § 705.5(b) would have to be maintained, however, which might require the reduction of the number of residents in these large rooms in some cases.

Existing facilities would also be exempt from proposed § 705.5(e) and (f). Some residential facilities have a floor plan whereby two bedrooms are situated one in front of the other so that passing through the front bedroom is the only way to reach the second bedroom. Likewise, the second bedroom can only access the front bedroom and does not have direct access to a hallway. These situations need to be exempt because to enforce requirements that a bedroom may not be used as a regular means of egress or that it have a direct access to a corridor or external exit, could require major construction at an existing residential facility or, if not feasible at all, would cause a second bedroom to go unused.

Section 705.2. Building exterior and grounds.

This section would provide for the maintenance of the outside of the residential facility and the grounds around the premises. Compliance would promote safe and secure facilities. Residential facilities would be required to be kept hazard-free from things such as the accumulation of debris or snow or ice at locations where they would pose threats to clients and employes and their children. Minimal sanitation requirements would be imposed relating to the accumulation and removal of garbage and rubbish.

Section 705.3. Living rooms and lounges.

This section would provide for minimum comfort in living spaces outside the counseling rooms and bedrooms. Some residential facilities have no living space or provide living spaces that are cold, unpainted and furnished with

only a few items of furniture, some of which are broken or worn to the point of being nonfunctional. This section would require a living space atmosphere in which clients can maintain their dignity while relaxing in their free time.

Section 705.4. Counseling areas and office space.

This section would replace and revise current standards in §§ 709.27, 711.45, 711.57, 711.67, 711.77, 711.88 and 713.27, relating to office space, counseling areas, activity areas and interview areas. The current regulations only provide that facilities have counseling areas. Counseling areas are often cramped and uncomfortable. Also, in some residential facilities, the contents or occupants of counseling rooms can be seen from outside the area, and discussions can be heard from outside the rooms. These situations compromise client confidentiality which is absolutely crucial to the provision of drug and alcohol abuse treatment services. These minimal provisions would prohibit these conditions and significantly improve the ability to maintain client confidentiality.

Section 705.5. Sleeping accommodations.

This section would provide for minimal adequate comfort, space and storage for clients to maintain their personal items, and provide for safe and comfortable sleeping arrangements at residential facilities. It would also provide for a certain amount of privacy, in that only four clients would be permitted in one bedroom. It would also prohibit bedrooms from being used as hallways to other rooms. Sleeping accommodations are woefully poor in many residential facilities. Often clients feel dehumanized while residing in open, crowded, uncomfortable quarters.

Section 705.6. Bathrooms.

This section would vastly upgrade the health and safety requirements for bathrooms and lavatories within residential facilities. The only existing requirement is that residential facilities are required to have provisions for lavatories. There are no standards or guidelines regarding sanitation, ventilation or even whether hot and cold water is required. As a result, the conditions of bathrooms and lavatories in some residential facilities are unsanitary and pose significant threats to the health and safety of residents. This section would impose minimal standards for the benefit of both clients and employees of the regulated facilities.

Section 705.7. Kitchens.

This section would provide for the maintenance of safe and sanitary food preparation, storage and serving areas. The current regulations, §§ 709.27, 711.45, 711.57, 711.67, 711.77 and 711.88, only require the provision of food service areas. They impose no requirements relative to proper food handling, preparation and storage. This section would raise standards to a minimal level to improve and protect the health and well-being of persons preparing and consuming food at residential facilities.

Section 705.8. Heating and cooling.

This section would assure minimum temperature standards in residential facilities. Many residential facilities are in disrepair, and lack adequate heating, cooling or ventilation controls. During various seasons throughout the year the temperatures in these facilities may be far outside the temperature range proposed in this section.

Section 705.9. General safety and emergency procedures.

This section would set forth general provisions for basic safety of clients and employees, and for emergency proce-

dures. It would require smoking areas to be designated. It would require that pets be cared for in a safe and sanitary manner. It also would require that each residential facility have procedures in place in the event of emergencies and disasters. Finally, it would require that the facility provide notice to the Department within 48 hours of any incident which would disrupt services.

Section 705.10. Fire safety.

This section would provide the necessary detail and guidance for fire safety. Current §§ 709.27, 711.45, 711.57, 711.67, 711.77, 711.88 and 713.27, only require that a residential facility have provisions for fire escapes, emergency exits, fire extinguishers and fire drills. No other guidance is provided. These missing details leave facilities unsure as to how to comply; thus, often this results in no compliance at all. The lack of detail also leaves the Department with no standards to uniformly enforce, and permits the continuation of unsafe and hazardous conditions. This section would specify minimum requirements residential facilities need to meet regarding these important safety features, and it would enable uniformity in compliance and enforcement across this Commonwealth.

Section 705.11. Child care.

This section would address subject matter not addressed in the current regulations. It would require minimal safety standards relating to child care, some or all of which have been found to be lacking at various residential facilities throughout this Commonwealth. Based on conditions of various facilities throughout this Commonwealth, it was determined that minimal standards were required for residential facilities which admit children for services or custodial care while parents are receiving services. One example of a current problem is that in several facilities children can gain access to windows which lack any type of protection to prevent accidental falls. Currently, facilities are not required to provide even basic, minimal safety protection for children. The potential risks could be fatal.

B. Nonresidential facilities.

Sections 705.21—705.29. Physical plant standards for nonresidential facilities.

These sections would parallel the physical plant standard regulations for residential facilities. The differences are that these sections would impose no provisions for sleeping accommodations since no overnight admissions occur in nonresidential (outpatient) facilities. A definition of "nonresidential facilities" is added to § 701.1. Also, there would be no provisions for living rooms since again, clients do not stay in these facilities. Clients are only present during the time they are receiving services on an outpatient basis. The provisions regarding bathrooms would be slightly different, since showers and bathtubs are not required for outpatient services.

Affected Persons

All staff, clients and children who are at the regulated facilities would be affected. More than 60,000 individuals would benefit from the added protections provided by these amended regulations.

Fiscal Impact

The proposed amendments to the physical plant requirements would have some initial fiscal impact which would be borne by the drug and alcohol facilities. Once in compliance, however, annual maintenance costs would be minimal. There would be no measurable costs imposed

upon local or State government. Existing facilities would be exempted from certain requirements which might impose costs too great for them to absorb and continue to function effectively.

Paperwork Requirements

There would be no measurable increase in paperwork since a paperwork system for licensing drug and alcohol facilities is already in place. The current licensure forms would require slight modification to account for the regulatory changes.

Effective Date

The proposed rulemaking will become effective immediately upon publication as final rulemaking.

Sunset Date

No sunset date is necessary. The Department will monitor the appropriateness of these regulations on a continuing basis.

Statutory Authority

The authority for this proposal is Articles IX and X of the Public Welfare Code (relating to the licensure of facilities) as transferred to the Department of Health by Reorganization Plan Number 2 of 1977 (71 P. S. § 751-25) (relating to the transfer of drug and alcohol facility licensure authority from the Department of Public Welfare to the Governor's Council on Drug and Alcohol Abuse), and Reorganization Plan under section 4 of 1981 (71 P. S. § 751-31) (relating to the transfer of the powers and duties of the Governors Council on Drug and Alcohol Abuse to the Department of Health) and the Pennsylvania Drug and Alcohol Abuse Control Act (relating to the control, prevention, treatment and rehabilitation aspects of drug and alcohol abuse problems).

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 1, 1999, the Department submitted a copy of the proposed amendments to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

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

Contact Person

Interested persons are invited to submit all comments, suggestions or objections regarding the proposal to John C. Hair, Director, Bureau of Community Program Licensure and Certification, Department of Health, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons with a disability who wish to submit comments, suggestions or objections regarding the proposed amendments may do so by using V/TT (717)

783-6514 for speech or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT]. Persons who require an alternative format of this document may contact John Hair so that necessary arrangements may be made.

DANIEL F. HOFFMANN,
Secretary

Fiscal Note: 10-154. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 28. HEALTH AND SAFETY

PART V. DRUG AND ALCOHOL FACILITIES AND SERVICES

CHAPTER 701. GENERAL PROVISIONS

Subchapter A. DEFINITIONS

§ 701.1. General definitions.

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

* * * * *

***Nonresidential facility*—A facility that does not provide sleeping accommodations and provides one or more of the following activities: outpatient, partial hospitalization, intake, evaluation or referral activities.**

* * * * *

***Residential facility*—An inpatient, nonhospital facility or inpatient freestanding psychiatric hospital that provides sleeping accommodations and provides one or more of the following activities: residential treatment and rehabilitation services, transitional living services or short-term detoxification services, 24 hours a day.**

* * * * *

(Editor's Note: The following chapter is new. It has been printed in regular type to enhance readability.)

CHAPTER 705. PHYSICAL PLANT STANDARDS

RESIDENTIAL SERVICES

- Sec. 705.1. General requirements for inpatient nonhospital facilities (residential treatment and rehabilitation).
- 705.2. Building exterior and grounds.
- 705.3. Living rooms and lounges.
- 705.4. Counseling areas and office space.
- 705.5. Sleeping accommodations.
- 705.6. Bathrooms.
- 705.7. Kitchens.
- 705.8. Heating and cooling.
- 705.9. General safety and emergency procedures.
- 705.10. Fire safety.
- 705.11. Child care.

PHYSICAL PLANT STANDARDS FOR NONRESIDENTIAL SERVICES

- 705.21. General requirements for nonresidential treatment facilities.
- 705.22. Building exterior and grounds.
- 705.23. Counseling or activity areas and office space.
- 705.24. Bathrooms.
- 705.25. Kitchens.
- 705.26. Heating and cooling.
- 705.27. General safety and emergency procedures.
- 705.28. Fire safety.
- 705.29. Child care.

RESIDENTIAL SERVICES**§ 705.1. General requirements for inpatient non-hospital facilities (residential treatment and rehabilitation).**

(a) The residential facility shall comply with applicable Federal, State and local laws and ordinances.

(b) The residential facility shall have a certificate of occupancy from the Department of Labor and Industry or its local equivalent.

(c) A residential facility licensed prior to _____ (*Editor's Note:* The blank refers to the effective date of adoption of this proposal.) is exempt from § 705.5(c), (e) and (f) (relating to sleeping accommodations).

§ 705.2. Building exterior and grounds.

The residential facility shall:

(1) Maintain all structures, fences and playground equipment, when applicable, on the grounds of the facility so as to be free from danger to health and safety.

(2) Keep the grounds of the facility in good condition and shall ensure that the grounds are free from any hazard to health and safety.

(3) Keep exterior exits, stairs and walkways lighted at night.

(4) Store securely all garbage and rubbish in noncombustible, covered containers and remove it on a regular basis, at least once every week.

§ 705.3. Living rooms and lounges.

The residential facility shall:

(1) Contain at least one appropriately furnished living room or lounge which creates a relaxed and comfortable atmosphere for the free and informal use of clients and their families.

(2) Maintain furnishings in a state of good repair.

§ 705.4. Counseling areas and office space.

The residential facility shall:

(1) Maintain adequate space for both individual and group counseling sessions.

(2) Maintain counseling areas with comfortable furnishings which are appropriate for the intended purpose and which are in good repair.

(3) Ensure sufficient privacy so that counseling sessions cannot be seen or heard outside the counseling room. Counseling room walls shall extend from the floor to the ceiling.

(4) Provide office space, including clerical space, separate and apart from counseling areas and which will not present a distraction or interference to counseling.

§ 705.5. Sleeping accommodations.

(a) In bedrooms, a residential facility shall furnish the following for each resident:

(1) A bed frame of solid construction and sized appropriately to the needs of the resident.

(2) A clean, comfortable mattress and foundation in good repair.

(3) A clean, comfortable pillow.

(4) Bed covering appropriate for climate.

(5) A chest of drawers.

(6) Closet or wardrobe space with clothing racks and shelves accessible to the resident.

(b) For each resident sharing a bedroom, the residential facility shall provide a minimum of 60 square feet of bedroom space per bed, including space occupied by furniture. For each resident occupying a single bedroom, the facility shall have a minimum of 80 square feet of bedroom space, including space occupied by furniture.

(c) No more than four residents may sleep in one bedroom.

(d) When a residential facility uses bunk beds, each mattress shall be positioned to allow each occupant to sit up in bed.

(e) Each bedroom shall have direct access to a corridor or external exit.

(f) A bedroom may not be used as a regular means of egress.

(g) Sole entrances to stairways or basements may not be located in a resident's bedroom.

(h) Each bedroom shall be ventilated by operable windows or have mechanical ventilation.

(i) A residential facility shall prohibit smoking and use of candles in bedrooms.

(j) A residential facility may locate bedrooms in the basement if the following criteria are met:

(1) The bedroom shall have appropriate wall, floor and ceiling coverings such as tile, linoleum, paneling or dry wall.

(2) The bedroom shall have a protective fire wall between the residents and any furnace.

(3) There shall be a minimum of two independent and accessible exits from the basement, each located reasonably remote from the other in a manner to reduce the possibility that both will be blocked in an emergency situation.

§ 705.6. Bathrooms.

The residential facility shall:

(1) Provide a bathroom containing one sink, one flush toilet and one bathtub or shower for every eight residents.

(2) Provide a wall mirror, a soap dispenser, and either individual paper towels or a mechanical dryer in each bathroom.

(3) Provide an adequate supply of hot and cold running water to meet the needs of the residents in each bathroom.

(4) Provide privacy in toilets by doors, and in showers and bathtubs by partitions, doors or curtains.

(5) Ventilate toilet and wash rooms by exhaust fan or window.

(6) Provide toilet paper at each toilet at all times.

(7) Maintain each faucet and toilet in a functional, clean and sanitary manner at all times.

§ 705.7. Kitchens.

The residential facility:

(1) Shall have at least one kitchen with a refrigerator, a sink, a stove, an oven and adequate cabinet space for storage needs.

(2) Shall clean and disinfect food preparation areas and appliances following each prepared meal.

(3) Shall thoroughly clean all eating, drinking and cooking utensils after each usage and store the utensils in a clean enclosed area.

(4) Shall ensure that storage areas for foods are cleanable and free of food particles, dust and dirt.

(5) Shall properly refrigerate or store in closed or sealed containers which are labeled by content and date of preparation, all prepared food items.

(6) Shall store all food items off the floor.

(7) May not permit pets in the kitchen and dining areas.

(8) Shall prohibit smoking in kitchen areas.

§ 705.8. Heating and cooling.

The residential facility:

(1) Shall have a heating and cooling ventilation system that is adequate to maintain an indoor temperature of at least 65°F in the winter and no more than 90°F in the summer.

(2) May not permit in the facility heaters that are not permanently mounted or installed.

§ 705.9. General safety and emergency procedures.

The residential facility shall:

(1) Be free of rodent and insect infestation.

(2) Require that pets housed in the residential facility are cared for in a safe and sanitary manner.

(3) Limit smoking to designated smoking areas.

(4) Provide written procedures for staff and residents to follow in case of an internal or external emergency or disaster.

(i) These procedures shall be developed with the assistance of qualified fire and safety personnel.

(ii) Procedures shall also include provisions for the transfer of residents and staff to a safe location within the residential facility for the evacuation of residents and staff when necessary, and for assignments of staff during emergencies.

(5) Notify the Department within 48 hours of a fire, other disaster or situation which affects the continuation of services.

§ 705.10. Fire safety.

(a) *Exits.*

(1) The residential facility shall:

(i) Ensure that stairways, hallways and exits from rooms and from the residential facility are unobstructed.

(ii) Maintain at least two independent and accessible exits on every floor, each located remote enough from the other to reasonably ensure that both will not be blocked in an emergency situation.

(iii) Provide guards to prevent falls from the open sides of stairs, ramps, balconies and stair landings higher than 30 inches above the floor or grade below.

(iv) Provide a hand railing on each stairway.

(v) Clearly indicate exits by the use of signs.

(vi) Light interior exits and stairs at all times.

(2) Portable ladders and rope escapes are not considered exits, but may be used in addition to standard exits.

(b) *Smoke detectors and fire alarms.* The residential facility shall:

(1) Maintain a minimum of one automatic smoke detector on each floor, including the basement and attic.

(2) On floors with resident bedrooms, maintain a smoke detection device which shall be located outside the bedrooms. On floors with no resident bedrooms, the smoke detection device shall be located in a common area or hallway. All detection devices shall be interconnected.

(3) Maintain a manual fire alarm system that is audible throughout the facility in a residential facility where four or more residents reside.

(4) Maintain automatic smoke detectors and fire alarms of a type approved by the Department of Labor and Industry or by the Underwriters Laboratories.

(c) *Fire extinguisher.* The residential facility shall:

(1) Maintain a portable fire extinguisher with a minimum of an ABC rating, which shall be located on each floor. If there is more than 2,000 square feet of floor space on a floor, the residential facility shall maintain an additional fire extinguisher for each 2,000 square feet or fraction thereof.

(2) Maintain at least one portable fire extinguisher with a minimum of an ABC rating in each kitchen.

(i) This fire extinguisher shall meet the requirement of paragraph (1), for at least one portable fire extinguisher for a 2,000 square foot area.

(ii) A residential facility shall place the fire extinguisher in the kitchen area near an exit and away from the cooking area.

(3) Ensure fire extinguishers are inspected and approved annually by the local fire department or fire extinguisher company. The date of the inspection shall be indicated on the extinguisher or inspection tag.

(4) Instruct all staff and residents in the use of the fire extinguishers upon resident admission or staff employment. This instruction shall be documented by the residential facility.

(d) *Fire drills.* The residential facility shall:

(1) Conduct a fire drill every 60 days. The residential facility shall keep a written record of the date, hypothetical location of the fire, amount of time it took for evacuation, the number of staff and residents participating in the fire drill and comments regarding special incidents.

(2) Conduct fire drills at different times of the day and night. Hypothetical locations of the fire shall be different for each drill.

(3) Ensure that all personnel on all shifts are trained to perform assigned tasks during emergencies.

§ 705.11. Child care.

When a residential facility admits children for services or for custodial care, the following requirements apply:

(1) *Building exterior and grounds.* The residential facility shall:

(i) Fence off or have natural barriers to protect children for all areas determined to be unsafe, including steep grades, cliffs, open pits, swimming pools, high voltage boosters or roads.

(ii) Provide access to outdoor recreational space and suitable recreational equipment.

(2) *Interior space.* The residential facility shall:

(i) Provide an interior play area which meets the developmental and recreational needs of the children in care.

(ii) Maintain security screens for all windows.

(iii) Maintain protective caps over each electrical outlet within reach of small children.

(iv) Secure all storage areas where potentially dangerous substances are kept with safety latches or locks.

NONRESIDENTIAL SERVICES

§ 705.21. General requirements for nonresidential treatment facilities.

The nonresidential facility shall:

(1) Have a certificate of occupancy from the Department of Labor and Industry or its local equivalent.

(2) Comply with other applicable Federal, State and local laws and ordinances.

§ 705.22. Building exterior and grounds.

The nonresidential facility shall:

(1) Maintain all structures, fences and playground equipment, when applicable, on the grounds of the facility so as to be free from danger to health and safety.

(2) Keep the grounds of the facility in good condition and ensure that the grounds are free from any hazard to health and safety.

(3) Keep exterior exits, stairs and walkways lighted at night if in use.

(4) Store securely all garbage and rubbish in noncombustible, covered containers, and remove it on a regular basis, at least once every week.

§ 705.23. Counseling or activity areas and office space.

The nonresidential facility shall:

(1) Maintain adequate space for both individual and group counseling sessions.

(2) Maintain counseling areas with comfortable furnishings which are appropriate for the intended purpose and which are in good repair.

(3) Ensure sufficient privacy so that counseling sessions cannot be seen or heard outside the counseling room. Counseling room walls shall extend from the floor to the ceiling.

(4) Provide office space, including clerical space, separate and apart from counseling areas and which will not present a distraction or interference to counseling.

§ 705.24. Bathrooms.

The nonresidential facility shall:

(1) Provide lavatories which are conveniently located throughout the facility.

(2) Maintain lavatory facilities in a functional, clean and sanitary manner.

(3) Ventilate toilet and wash rooms by exhaust fan or window.

(4) Provide toilet paper at each toilet at all times.

(5) Furnish each bathroom with a sink, wall mirror, a soap dispenser, and either individual paper towels or a mechanical dryer.

(6) Provide privacy in toilets by doors.

§ 705.25. Kitchens.

The nonresidential facility providing meals to clients:

(1) Shall have at least one kitchen with a refrigerator, a sink, a stove, an oven and adequate cabinet space for storage needs.

(2) Shall clean and disinfect food preparation areas and appliances following each prepared meal.

(3) Shall thoroughly clean all eating, drinking and cooking utensils after each usage and store the utensils in a clean enclosed area.

(4) Shall ensure that storage areas for foods are cleanable and free of food particles, dust and dirt.

(5) Shall properly refrigerate or store in closed or sealed containers which are labeled by content and date of preparation all prepared food items.

(6) Shall store food items off the floor.

(7) May not permit pets in the kitchen and dining areas.

(8) Shall prohibit smoking in kitchen areas.

§ 705.26. Heating and cooling.

The nonresidential facility:

(1) Shall have a heating and cooling ventilation system that is adequate to maintain an indoor temperature of at least 65°F in the winter and no more than 90°F in the summer.

(2) May not permit in the nonresidential facility heaters that are not permanently mounted or installed.

§ 705.27. General safety and emergency procedures.

The nonresidential facility shall:

(1) Be free of rodent and insect infestation.

(2) Require that pets which are housed in a nonresidential facility be cared for in a safe and sanitary manner.

(3) Limit smoking to designated smoking areas.

(4) Provide written procedures for staff and clients to follow in case of an internal or external emergency or disaster.

(i) These procedures shall be developed with the assistance of qualified fire and safety personnel.

(ii) Procedures shall also include provisions for the evacuation of buildings or for the transfer of clients and staff to a safe location within the building, and for assignments of staff during emergencies.

(5) Notify the Division of Drug and Alcohol Program Licensure within 48 hours of a fire, other disaster or situation which affects the continuation of services.

§ 705.28. Fire safety.

(a) *Exits.*

(1) The nonresidential facility shall:

(i) Ensure that stairways, hallways and exits from rooms and from the nonresidential facility are unobstructed.

(ii) Maintain at least two independent and accessible exits on every floor, each located remote enough from the other to reasonably ensure that both will not be blocked in an emergency situation.

(iii) Clearly indicate exits by the use of signs.

(iv) Provide guards to prevent falls from the open sides of stairs, ramps, balconies and stair landings higher than 30 inches above the floor or grade below.

(v) Provide a hand railing for each stairway.

(vi) Light interior exits and stairs at all times.

(2) Portable ladders and rope escapes are not considered exits, but may be used in addition to standard exits.

(b) *Smoke detectors and fire alarms.* The nonresidential facility shall:

(1) Maintain a minimum of one automatic smoke detector on each floor, including the basement and attic.

(2) Place the smoke detection device in a common area or hallway. Detection devices shall be interconnected.

(3) Maintain automatic smoke detectors and fire alarms of a type approved by the Department of Labor and Industry or by the Underwriters Laboratories.

(c) *Fire extinguishers.* The nonresidential facility shall:

(1) Maintain a portable fire extinguisher with a minimum of an ABC rating which shall be located on each floor. If there is more than 2,000 square feet of floor space on a floor, there shall be an additional fire extinguisher for each 2,000 square feet or fraction thereof.

(2) Maintain at least one portable fire extinguisher with a minimum of an ABC rating in each kitchen.

(i) This fire extinguisher meets the requirements of one portable fire extinguisher for a 2,000 square foot area.

(ii) The extinguisher shall be located near an exit and away from the cooking area.

(3) Ensure fire extinguishers are inspected and approved annually by the local fire department or fire extinguisher company. The date of the inspection shall be indicated on the extinguisher or inspection tag.

(4) Instruct the staff in the use of the fire extinguisher upon staff employment. This instruction shall be documented by the facility.

(d) *Fire drills.* The nonresidential facility shall:

(1) Conduct a fire drill every 60 days. The nonresidential facility shall keep a written record of the date, hypothetical location of fire, amount of time it took for evacuation, the number of staff and residents participating in the fire drill and comments regarding special incidents.

(2) Conduct fire drills at different times of the day and night. Hypothetical locations of the fire shall be different for each drill.

(3) Ensure that the personnel on all shifts are trained to perform assigned tasks during emergencies.

§ 705.29. Child care.

When a nonresidential facility admits children for services or for custodial care, the following requirements apply:

(1) *Building exterior and grounds.* The nonresidential facility shall:

(i) Fence off or have natural barriers to protect children for all areas determined to be unsafe including steep grades, open pits, swimming pools, high voltage boosters or roads.

(ii) Provide access to outdoor recreational space and suitable recreational equipment.

(2) *Interior space.* The nonresidential facility shall:

(i) Provide an interior play area which meets the developmental and recreational needs of the children in care.

(ii) Maintain security screens for all windows.

(iii) Maintain protective caps over each electrical outlet within reach of small children.

(iv) Secure all storage areas where any potentially dangerous substances are kept with safety latches or locks.

CHAPTER 709. STANDARDS FOR LICENSURE OF FREESTANDING TREATMENT FACILITIES

Subchapter C. GENERAL STANDARDS FOR FREESTANDING TREATMENT ACTIVITIES

§ 709.27. [Physical plant] (Reserved).

[The project shall have provisions for the following requirements:

(1) Counseling areas.

(2) Office space.

(3) Lavatories.

(4) Fire escapes/emergency exits.

(5) Fire extinguishers.

(6) Fire drills.

(7) General maintenance.

(8) Food service areas, if applicable.

(9) Disaster plan.

(10) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.

(11) Compliance with applicable local ordinances and regulations.]

Subchapter G. STANDARDS FOR INPATIENT NONHOSPITAL ACTIVITIES—TRANSPORTATION LIVING FACILITIES (TLFs)

§ 709.74. [Physical plant] (Reserved).

[The transitional living facilities need not comply with § 709.27 (relating to physical plants), but shall make provisions for activity areas.]

CHAPTER 711. STANDARDS FOR CERTIFICATION OF TREATMENT ACTIVITIES WHICH ARE A PART OF A HEALTH CARE FACILITY

Subchapter C. STANDARDS FOR INTAKE EVALUATION AND REFERRAL ACTIVITIES

§ 711.45. [Physical plant] (Reserved).

[When the project is not physically located with a health care facility, it shall be site visited annually for the following requirements:

(1) Interview areas.

(2) Office space.

(3) Lavatories.

(4) Fire escapes/emergency exits.

(5) Fire extinguishers.

(6) General maintenance.

(7) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.

(8) Compliance with applicable local ordinances or regulations.]

**Subchapter D. STANDARDS FOR INPATIENT
NONHOSPITAL ACTIVITIES—RESIDENTIAL
TREATMENT AND REHABILITATION**

§ 711.57. [Physical plant] (Reserved).

[When the project is not physically located within a health care facility, it shall be site visited annually for the following requirements:

- (1) Counseling areas.
- (2) Office space.
- (3) Lavatories.
- (4) Fire escapes/emergency exits.
- (5) Fire extinguishers.
- (6) General maintenance.
- (7) Food service areas, if applicable.
- (8) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.
- (9) Compliance with applicable local ordinances and regulations.]

**Subchapter E. STANDARDS FOR INPATIENT
NONHOSPITAL ACTIVITIES—SHORT-TERM
DETOXIFICATION**

§ 711.67. [Physical plant] (Reserved).

[When the project is not physically located within a health care facility, it shall be site visited annually for the following requirements:

- (1) Counseling areas.
- (2) Office space.
- (3) Lavatories.
- (4) Fire escapes/emergency exits.
- (5) Fire extinguishers.
- (6) General maintenance.
- (7) Food service areas, if applicable.
- (8) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.
- (9) Compliance with applicable local ordinances and regulations.]

**Subchapter F. STANDARDS FOR INPATIENT
NONHOSPITAL ACTIVITIES—TRANSITIONAL
LIVING FACILITIES (TLFS)**

§ 711.77. [Physical plant] (Reserved).

[When the project is not physically located within a health care facility, it shall be site visited annually for the following requirements:

- (1) Activity areas.
- (2) Office space.
- (3) Lavatories.
- (4) Fire escapes/emergency exits.
- (5) Fire extinguishers.
- (6) General maintenance.
- (7) Food service areas, if applicable.

(8) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.

(9) Compliance with local applicable ordinances and regulations.]

**Subchapter G. STANDARDS FOR PARTIAL
HOSPITALIZATION ACTIVITIES**

§ 711.88. [Physical plant] (Reserved).

[When the project is not physically located within a health care facility, it shall be site visited annually for the following requirements:

- (1) Counseling areas.
- (2) Office space.
- (3) Lavatories.
- (4) Fire escapes/emergency exits.
- (5) Fire extinguishers.
- (6) General maintenance.
- (7) Food service areas, if applicable.
- (8) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.
- (9) Compliance with local applicable ordinances and regulations.]

**CHAPTER 713. STANDARDS FOR APPROVAL OF
PREVENTION AND INTERVENTION ACTIVITIES**

**Subchapter C. GENERAL STANDARDS FOR
PREVENTION AND INTERVENTION ACTIVITIES**

§ 713.27. [Physical plant] (Reserved).

[The project shall have provisions for the following requirements:

- (1) Activity or counseling area.
- (2) Office space.
- (3) Lavatories.
- (4) Fire escapes/emergency exits.
- (5) Fire extinguishers.
- (6) Disaster plan.
- (7) General maintenance.
- (8) Certificate of Occupancy from the Department of Labor and Industry or its equivalent.
- (9) Compliance with local ordinances or regulations.]

[Pa.B. Doc. No. 99-1916. Filed for public inspection November 12, 1999, 9:00 a.m.]

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 November 2, 1999.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-29-99	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	Blakely & Drinker Sts. Dunmore Lackawanna County	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-27-99	Somerset Trust Company Somerset Somerset County	801 Barn Street Hooversville Somerset County	Approved
10-27-99	The Madison Bank Blue Bell Montgomery County	Pennsylvania Business Campus 100 Gibraltar Road Horsham Montgomery County	Approved
10-27-99	Standard Bank, PaSB Murrysville Westmoreland County	WalMart Store Routes 819 & 119 Mt. Pleasant Westmoreland County	Opened

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-1-99	Firsttrust Savings Bank Flourtown Montgomery County	<i>To:</i> 1515 Market Street Philadelphia Philadelphia County <i>From:</i> 1601 JFK Boulevard Philadelphia Philadelphia County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-30-98	Laurel Bank Johnstown Cambria County	104 Third Avenue Duncansville Cambria County	Effective
10-30-98	Laurel Bank Johnstown Cambria County	1000 Duquesne Blvd. Duquesne Allegheny County	Effective
10-31-98	Laurel Bank Johnstown Cambria County	One Jefferson St. West Lebanon Indiana County	Effective
5-7-99	Laurel Bank Johnstown Cambria County	1705 Route 286 South Indiana Indiana County	Effective
6-18-99	U.S. Bank Johnstown Cambria County	180 St. Mary's St. Loretto Cambria County	Effective

SAVINGS ASSOCIATIONS

Branch Relocations

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
10-27-99	East Stroudsburg Savings Association Stroudsburg Monroe County	<i>To:</i> 601 Route 940 Mount Pocono Monroe County <i>From:</i> 29 Mount Pocono Blvd. Mount Pocono Monroe County	Approved

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-22-99	Philadelphia Telco Credit Union, Trevose, and Trident Credit Union, Philadelphia Surviving Institution—Philadelphia Telco Credit Union, Trevose	Trevose	Filed
11-1-99	Educational Credit Union, Philadelphia, and The Freedom Federal Credit Union, Warminster Surviving Institution—Educational Credit Union, Philadelphia, With a Change In Corporate Title to "Freedom Credit Union"	Philadelphia	Effective
11-1-99	Norristown Bell Credit Union, Blue Bell, and Abcon Credit Union, Valley Forge Surviving Institution—Norristown Bell Credit Union, Blue Bell	Blue Bell	Effective
11-1-99	Philadelphia District Railway Postal Clerks Federal Credit Union, Philadelphia, and Mutual Credit Union, Philadelphia Surviving Institution—Philadelphia District Railway Postal Clerks Federal Credit Union, Philadelphia	Philadelphia	Approved

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1917. Filed for public inspection November 12, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Professional Standards and Practices Commission; Application of Timothy Dempsey for Reinstatement of Teaching Certificate; Doc. No. RE 99-03

Notice of Hearing

Under the Teacher Certification Law, act of December 12, 1973 (P. L. 397, No. 141) as amended, (24 P. S. §§ 2070.1—2070.18), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Timothy Dempsey for reinstatement of his teaching certificate.

On or about July 23, 1999, Timothy Dempsey filed an application for reinstatement of his teaching certificate under section 16 of the Teacher Certification Law (24 P. S. § 2070.16), §§ 35.1 and 35.2 of the General Rules of

Administrative Practice and Procedure (1 Pa. Code §§ 35.1—35.2) and 22 Pa. Code § 233.14 (relating to reinstatement). Under section 16 of the Teacher Certification Law, the Department of Education (Department) on October 21, 1999 recommended to the Commission that the application be denied. In accordance with the Teacher Certification Law, and the General Rules of Administrative Practice and Procedure, the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

An interested party desiring to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with §§ 35.27 to 35.32 of the General Rules of Administrative Practice and Procedure (1 Pa. Code §§ 35.27—35.32) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice

in the *Pennsylvania Bulletin*, file a protest in accordance with § 35.23 of the General Rules of Administrative Practice and Procedure (1 Pa. Code § 35.23).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director of the Professional Standards and Practices Commission, at 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and

require an auxiliary aid, service or other accommodation to participate, should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,
Executive Director

[Pa.B. Doc. No. 99-1918. Filed for public inspection November 12, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

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

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

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

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

PA 0050989. Sewage, **Frederick Mennonite Community**, P. O. Box 498, Frederick, PA 19435-0498.

This application is for amendment of an NPDES permit to discharge treated sewage from Frederick Mennonite Community WWTP in Upper Frederick Township, **Montgomery County**. This is an existing discharge to unnamed tributary to West Swamp Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 25,000 gpd from permit issuance lasting through completion of WWTP upgrade are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	4.0	8.0
(11-1 to 4-30)	12.0	24.0
Phosphorus (as P) (4-1 to 10-31)	1.0	2.0
Total Residual Chlorine	1.2	2.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The proposed effluent limits for Outfall 001, based on an average flow of 49,900 gpd from completion of WWTP upgrade lasting through expiration are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Phosphorus (as P) (4-1 to 10-31)	1.0	2.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.
Conditions for future permit modification.
Effective disinfection.

PA 0057878. Sewage, **Kevan Price**, 1219 Ridge Road, Sellersville, PA 18960.

This application is for issuance of an NPDES permit to discharge treated sewage from the Price residence SR STP in West Rockhill Township, **Bucks County**. This is a new discharge to unnamed tributary to Ridge Valley Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	10	20
Ammonia (as N)	3.0	6.0
Nitrate and Nitrite (as N) (7-1 to 10-31)	10	20
Total Residual Chlorine	not detectable instantaneous minimum	
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	3.0 min. at all times	
pH	within limits of 6.0 to 9.0 standard units at all times	

PA 0050377. Industrial waste, **Lonza, Inc.**, 900 River Road, Conshohocken, PA 19428.

This application is for renewal and expansion of an NPDES permit to discharge treated process wastewater and stormwater from a fine chemical pharmaceutical manufacturing facility located in Upper Merion Township, **Montgomery County**. This is an existing discharge to Schuylkill River by way of Matsunk Creek.

The receiving stream is classified for the following uses: warm water fishery.

The proposed effluent limits for Outfall 001 during the period from issuance through completion of plant expansion, based on an average flow of 60,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅ (3-1 to 10-31)	1,020	2,040	2,550
(11-1 to 2-28)	900	1,800	2,250
TSS	100	200	250
COD	9,842	19,684	24,605
TDS	17,500	35,000	43,750
NH ₃ -N (3-1 to 10-31)	20		50
(11-1 to 2-28)	50		125
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Color	100		
Total Cyanide	1.9	3.8	4.8
N-Nitrosodimethylamine	monitor	monitor	

The proposed effluent limits for Outfall 001 during the period from completion of plant expansion through September 20, 2001, based on an average flow of 80,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅ (3-1 to 10-31)	1,020	2,040	2,550
(11-1 to 2-28)	900	1,800	2,250
TSS	100	200	250
COD	7,382	14,763	18,454
TDS	17,500	35,000	43,750
NH ₃ -N (3-1 to 10-31)	20		50
(11-1 to 2-28)	50		125
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Color	100		
Total Cyanide	1.9	3.8	4.8
N-Nitrosodimethylamine	monitor	monitor	

The proposed effluent limits for Outfall 001 during the period from September 21, 2001 through expiration, based on an average flow of 80,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅ (3-1 to 10-31)	1,020	2,040	2,550
(11-1 to 2-28)	900	1,800	2,250
TSS	100	200	250
COD	856	1,675	2,140
TDS	17,500	35,000	43,750
NH ₃ -N (3-1 to 10-31)	20		50
(11-1 to 2-28)	50		125
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Color	100		
Total Cyanide	1.9	3.8	4.8
N-Nitrosodimethylamine	0.008	0.016	0.02
Acetone	0.2	0.5	
Acetonitrile	10.2	25	
N-Amyl Acetate	0.5	1.3	
Amyl Alcohol	4.1	10	
Benzene	0.02	0.05	
N-Butyl Acetate	0.5	1.3	
Chlorobenzene	0.06	0.15	—
Chloroform	0.01	0.02	—
O-Dichlorobenzene	0.06	0.15	—
1, 2-Dichloroethane	0.1	0.4	—
Diethylamine	102	250	—
Dimethyl Sulfoxide	37.5	91.5	—
Ethanol	4.1	10	—
Ethyl Acetate	0.5	1.3	—

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
N-Heptane	0.02	0.05	—
N-Hexane	0.02	0.03	—
Isobutyraldehyde	0.5	1.2	—
Isopropyl Acetate	0.5	1.3	—
Isopropyl Ether	2.6	8.4	—
Methanol	4.1	10	—
Methyl Cellosolve	40.6	100	—
Methylene Chloride	0.3	0.9	—
Methyl Formate	0.5	1.3	—
MIBK	0.2	0.5	—
Phenol	0.02	0.05	—
Tetrahydrofuran	2.6	8.4	—
Toluene	0.02	0.06	—
Triethylamine	102	250	—
Xylenes	0.01	0.03	—
Isopropanol	1.6	3.9	—

The proposed effluent limits for Outfall 002, based on stormwater from parking lot, roof drains and manufacturing area are as follows:

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

Other Conditions:

The EPA waiver is in effect.

PA 0056421. Sewage, **Warwick Township Water and Sewer Authority**, 1733 Township Greene, P. O. Box 315, Jamison, PA 18929.

This application is for renewal and expansion of an NPDES permit to discharge treated sewage from the Country Crossing WWTP in Warwick Township, **Bucks County**. This is an increased discharge to Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.32 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Nitrate & Nitrate (as N)	9.0		18.0
(7-1 to 10-31)			
Phosphorus (as P)	0.75		1.5
(4-1 to 10-31)			
Fecal Coliform		200 colonies/100 ml as a geometric average	
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

PA 0056359. Sewage, **Ralph W. Owens**, 208 Neiffer Road, Schwenksville, PA 19423.

This application is for renewal of an NPDES permit to discharge treated sewage from a single family home in Limerick Township, **Montgomery County**. This is an existing discharge to Mine Run.

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

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

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

The EPA waiver is in effect.

PA 0012238. Industrial waste, **Fischer and Porter Company**, Warminster, PA 18974.

This application is for renewal of an NPDES permit to discharge treated groundwater from the facility in Warminster Township, **Bucks County**. This is an existing discharge to an unnamed tributary to Pennypack Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.108 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Tetrachloroethylene		0.010	0.015
Trichloroethylene		0.035	0.053
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

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

PA 0070475. Sewerage, **Pocono Mountain Lodge**, P. O. Box 171, White Haven, PA 18661.

This proposed action is for renewal of a NPDES permit to discharge treated sewage into Black Creek in Kidder Township, **Carbon County**.

The receiving stream is classified for the following uses: High quality, cold water, 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 .06 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Dissolved Oxygen	a minimum of 6 mg/l at all times	
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		
Total Residual Chlorine		
(1st month through 24th month)	monitor and report	monitor and report
(25th month through expiration)	1.2	2.8

The EPA waiver is in effect.

PA 0032433. Sewerage, **Commonwealth of Pennsylvania, Department of Conservation and Natural Resources**, Bureau of State Parks, Frances Slocum State Park, 565 Mount Olivet Road, Wyoming, PA 18644-9333.

This proposed action is for renewal of a NPDES permit to discharge treated sewage into Abraham's Creek in Lehman Township, **Luzerne County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Authority on the Susquehanna River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.080 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	50.0
Total Suspended Solids	30.0	60.0
NH ₃ -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
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	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine	1.2	2.8

The EPA waiver is not in effect.

PA 0063312. Sewerage, **Girardville Area Municipal Authority**, P. O. Box 5, Girardville, PA 17935.

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

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

The proposed effluent limits for Outfall 001, based on a design flow of .340 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml		
(10-1 to 4-30)	2,000/100 ml		
pH	6 to 9 standard units at all times		
Total Residual Chlorine			
(1st month to 24th month)	monitor and report		monitor and report
(25th month to expiration)	1		2

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 0082937. Industrial waste, SIC: 2752, **R. R. Donnelley & Sons Company**, 1375 Harrisburg Pike, Lancaster, PA 17601.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of the Little Conestoga Creek, in Lancaster City, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.7 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			
pH		monitor 6-9	

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

The EPA waiver is in effect.

PA 0088269. Sewage, SIC: 4952, **Quincy Sewer Authority**, 7575 Mentzer Gap Road, Waynesboro, PA 17268.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to West Branch Antietam Creek, in Quincy Township, **Franklin County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.30 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	14	XXX	28
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliforms	200/100 ml as a geometric average		
(5-1 to 9-30)	13,900/100 ml as a geometric average		
(10-1 to 4-30)			

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

The EPA waiver is in effect.

PA 0086312, Amendment No. 1. Sewage, SIC: 4952, **James Dorwart (Dorwart Apartments)**, 1375 Old Quaker Road, Etters, PA 17319.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of Bennett Run in Fairview Township, **York County**.

The receiving stream is classified for warm water fish, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Company intake located on the Susquehanna River just north of Wrightsville Borough, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.025 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	20	40
NH ₃ -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliforms	200/100 ml as a geometric average	
(5-1 to 9-30)	2,200/100 ml as a geometric average	
(10-1 to 4-30)		

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

The EPA waiver is in effect.

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

PA 0027481. Industrial waste, SIC: 4911, **Pennsylvania Power Company**, P. O. Box 128, Shippingport, PA 15077.

This application is for renewal of an NPDES permit to discharge treated process water, sewage and stormwater from the Bruce Mansfield Plant in Shippingport Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River and Little Blue Run, classified as a warm water and trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough Water Authority, located at Midland, 6.3 miles below the discharge point.

Outfall 021: existing discharge, design flow of 0.03 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
Sulfate	monitor and report				
pH	not less than 6.0 nor greater than 9.0				

Note: Interim/Final limits included until repiping of discharge to Ohio River has been completed.

Outfall 022: existing discharge, design flow of 2.91 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
pH	not less than 6.0 nor greater than 9.0				

Outfall 023: existing discharge, design flow of 0.013 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
pH	not less than 6.0 nor greater than 9.0				

Outfall 024: existing discharge, design flow of 0.007 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
pH	not less than 6.0 nor greater than 9.0				

Outfall 025: existing discharge, design flow of 0.044 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
pH	not less than 6.0 nor greater than 9.0				

Outfall 026: existing discharge, design flow of 0.006 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Suspended Solids			30		100
Oil and Grease			15		20
pH	not less than 6.0 nor greater than 9.0				

Outfalls 307, 407 and 507: existing discharge, design flows of 1.56 mgd, 1.53 mgd and 1.58 mgd respectively.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Free Available Chlorine				0.2	0.5

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Temperature	not less than 6.0 nor greater than 9.0		110°F		
pH	not less than 6.0 nor greater than 9.0				

Outfalls 107 and 207: existing discharge, design flow of 0.85 mgd. and 0.28 respectively.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 007: existing discharge, design flow of n/a mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
No monitoring required at this outfall. Discharge controlled/monitored at each of the sub-outfalls.					

Outfall 009: existing discharge, design flow of 0.047 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	0.047				
CBOD ₅			25		50
Total Suspended Solids			30		60
Fecal Coliform (5-1 to 9-30)			200/100 ml as a geometric average		
(10-1 to 4-30)			2,000/100 ml as a geometric average		
Total Residual Chlorine*			1.4		3.3
pH	not less than 6.0 nor greater than 9.0				

*Interim and Final limits have been added to the permit (1 year compliance time)

Outfalls: 001—006, 008, 010—014 and 607: existing discharge, design flow of n/a mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of uncontaminated stormwater runoff only.					

Part C Condition includes 2/year monitoring for Total Recoverable Iron, Manganese, TSS, Zinc and pH and annual reporting.

The EPA waiver is not in effect.

PA 0020656. Sewage, **Newell Municipal Authority**, P. O. Box 92, Brownsville, PA 15417.

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

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

Outfall 001: existing discharge, design flow of 0.1 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25		37.5		50
Suspended Solids	30		45		60
Fecal Coliform (5-1 to 9-30)			200/100 ml as a geometric mean		
(10-1 to 4-30)			2,000/100 ml as a geometric mean		

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine (1st month—36th month) (37th month—expiration)	monitor and report 1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0103632, Amendment No. 1. Industrial waste, SIC: 4911, **Piney Creek Limited Partnership**, R. R. 2, Box 56, Clarion, PA 16214.

This proposal is an amendment to add three treated stormwater discharges to an existing permit which was published on February 24, 1996. The discharges are to an unnamed Tributary to Piney Creek in Piney Township, **Clarion County**.

The receiving water is classified for the following uses: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Parker City Water System on the Allegheny River located at river mile 83.9, approximately 27 miles below point of discharge.

The proposed discharge limits for Outfall Sedimentation Traps A, B and C, based on a design flow of n/a mgd, are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	monitoring		
TSS	monitoring		
pH	50		

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled 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. The updates may include but will not be limited to, applicable permit conditions and/or requirements. The updates will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

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

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

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed 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.

Southeast Regional Office: Water Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19448, (610) 832-6130.

NPDES No.	Facility Name and Address	County and Municipality	Tributary Stream	New Permit Requirements
PA0029912	Embreeville Complex 1822 West Strasburg Road Coatesville, PA 19320	Newlin Township Chester County	West Branch of Brandywine Creek	TRC

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>
PA0082643	Flatbush Golf Course Inc. 940 Littlestown Road Littlestown, PA 17340	Adams County Union Township	UNT to South Branch of 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 to the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

Industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.100).

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

WQM Permit No. 4699202. Industrial waste, **Centre Square Land Corporation**, GHR Consulting Services Inc., 300 Welsh Road, Building Three, Horsham, PA 19044-2209. Applicant request construction of a bioremediation system at the Former Centre Square Citgo Station located in Whitpain Township, **Montgomery County**.

WQM Permit No. 4699427. Sewerage, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406-0139. Applicant request approval to replace the existing chlorine gas system with a liquid sodium hypochlorite system for disinfection to serve Trout Run and the Matsunk Water Pollution Control Centers located in Upper Merion Township, **Montgomery County**.

WQM Permit No. 4699428. Sewerage, **Lower Moreland Township Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. Applicant request approval for the construction and operation of an 8 inch gravity sewage collection system and pump station with force main installation to serve single family residences located in the Upper Welsh Road are located in Lower Moreland Township, **Montgomery County**.

WQM Permit No. 2399412. Sewerage, **Brookhaven Borough**, 2 Cambridge Road, Suite 100, Brookhaven, PA 19015-1708. Applicant request approval to modify and upgrade their existing wastewater treatment plant located in Brookhaven Borough, **Delaware County**.

Northcentral Regional Office: Department of Environmental Protection, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

WQM Permit No. 1499409. Sewerage, **University Area Joint Sewer Authority**, 1576 Spring Valley Road, State College, PA 16801. Application for a sewer extension that will serve Colonnade at State College, in Patton Township, **Centre County**. The above was received at Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448 on October 18, 1999.

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

A. 6599411. Sewerage, **Donald Gathers**, 405 Spiering Drive, Lower Burrell, PA 15068. Application for the construction and operation of a sewage treatment plant to serve the Gathers Residence located in Lower Burrell City, **Westmoreland County**.

INDIVIDUAL PERMITS (PAS)

STORMWATER INDIVIDUAL

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this

public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the 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.

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

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

NPDES Permit PAS10U108. Stormwater. Louis Pektor, **Ashley Development Corp.**, 559 Main St., Bethlehem, PA 18018, has applied to discharge stormwater from a construction activity located in Williams Township, **Northampton County**, to Frya Run.

SAFE DRINKING WATER

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

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

4099504. Public water supply. **Glen Summit Spring Water.** Kevin Duffy, General Manager, P. O. Box 129, Mountaintop, PA 18707. This proposal involves the reconnecting of the existing previously permitted Spring No. 2. The Company intends to use Spring No. 2 to supplement the Springs Nos. 1 and 3 only during periods of low groundwater recharge. The company also proposes to add a filtration system to its water treatment process. It is located in Wright Township, **Luzerne County**. *Engineer:* Mark Snyder, P.E., RETTEW Associates, Inc.

4599051. Public water supply. **Borough of East Stroudsburg.** James Phillips, Borough Manager, 24 Analomink Street, P. O. Box 303, East Stroudsburg, PA 18301. This proposal involves the construction of a new groundwater source, Well No. 4, to supplement the existing source supplies; installation of chemical feed systems for distribution and manganese sequestration; the upgrading of control/telemetry systems and the construction of transmission main piping and related appurtenances. It is located in East Stroudsburg Township, **Monroe County**. *Engineer:* Russell Scott, P.E., RKR Hess Associates, Inc.

4599502. Public water supply. **Saw Creek Estates.** John Briggs, Vice-President, Development Operations, c/o Resorts USA Inc., Bushkill, PA 18324. This proposal involves chemical addition for sequestering iron and manganese in Well No. 12, modification of the corrosion control plan for Well No. 10 and connection of the community water system to provide a secondary supply for Timothy Lake South Campground. It is located in Lehman and Middle Smithfield Township, **Monroe County**. *Engineer:* RKR Hess Assoc.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

Acknowledgment of Notices of Intent to Remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background, 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 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 cleanup standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site.

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

Cleanup Program Manager, in the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Former Scott Technical Center, Tinicum Township, **Delaware County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with solvents and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent Remediate was reported to have been published in *The Philadelphia Inquirer* on September 10, 1999.

B & W Associates, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. 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 Philadelphia Inquirer* on September 16, 1999.

Philadelphia Regional Port Authority Pier 80 South Annex, City of Philadelphia, **Philadelphia County**. James G. Gallagher, P.E., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104-2897, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on September 17, 1999.

Philadelphia Regional Port Authority Tioga Maintenance Building and Carpenters Shop, City of Philadelphia, **Philadelphia County**. James G. Gallagher, P.E., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104-2897, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with lead BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on September 17, 1999.

Eddystone Crossing, Borough of Eddystone, **Delaware County**. J. Anthony Sauder, P.E., P. G., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104-2897, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons and groundwater contaminated with polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Delaware County Daily Times* on September 20, 1999.

Braun Iron Works (Former), Upper Moreland Township, **Montgomery County**. Laura L. Peck, Law Office of Janet S. Kole, P.C., 900 Haddon Ave., Suite 412,

Collingswood, NJ 08108, has submitted a Notice of Intent to Remediate site groundwater contaminated with lead. The applicant proposes to remediate the site to meet Statewide health and background standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Montgomery County Record* on September 23, 1999.

Serena, Inc. & Serenapa (Former O'Brien Machinery Site), Downingtown Borough, **Chester County**. Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Notice of Intent to Remediate site soil contaminated with benzo(a)pyrene. The applicant proposes to remediate the site to meet the Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Local News* on October 1, 1999.

Serena, Inc. & Serenapa (Former O'Brien Machinery Site), Downingtown Borough, **Chester County**. Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Notice of Intent to Remediate site soil contaminated with lead and arsenic. 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 Daily Local News* on October 19, 1999.

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

Caterpillar Inc. Area B, Springettsbury Township, **York County**. Earth Tech, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on October 25, 1999.

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

Former Greystone Property, City of Williamsport, **Lycoming County**. Converse Consultants on behalf of their client, PENNRAM, P. O. Box 695, Williamsport, PA 17701 has submitted an Amended Notice of Intent to Remediate (initial NIR submitted under the site name of Sterile Services, Inc.) soil and groundwater contaminated with lead and BTEX. The applicant proposes to remediate the site to meet the requirements under the Special Industrial Area designation. A summary of the Amended Notice of Intent to Remediate was reported to be published in the Williamsport *Sun-Gazette* on November 9, 1999.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an integrated plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all

the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

39-308-002A: Bridesburg Foundry Co. (Front and Grape Streets, Whitehall, PA 18052) for operation of the foundry melt department sources in Whitehall Township, **Lehigh County**.

54-313-073B: Air Products & Chemicals, Inc. (P. O. Box 351, Tamaqua, PA 18252) for operation of a Nitrogen Trifluoride Plant in Rush Township, **Schuylkill County**.

35-310-029: Silverbrook Anthracite, Inc. (1 Market Street, Laflin, PA 18702) for operation of a stone crushing operation at Goers Hill Road, Archbald Borough, **Lackawanna County**.

40-310-036: Silverbrook Anthracite, Inc. (1 Market Street, Laflin, PA 18702) for operation of a stone crushing operation at Honeypot Bank, Nanticoke, **Luzerne County**.

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

67-03054A: York Mold, Inc. (3865 North George Street, Manchester, PA 17345) for operation of a battery terminal manufacturing plant including a settling chamber, fiber bed filter and wet suppression emission control systems in East Manchester Township, **York County**.

67-306-006A: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) for burning of wastewater treatment plant sludge generated at the facility in a circulating fluidized bed boiler controlled by an electrostatic precipitator at the Spring Grove Mill in Spring Grove Borough, **York County**.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

TVOP-08-00004: Rynone Mfg. Corp. (P. O. Box 128, Sayre, PA 18840) for Sayre Plant in Sayre Borough, **Bradford County**. In accordance with 25 Pa. Code § 127.541, this Title V Operating Permit Revision is to incorporate conditions from Plan Approval 08-318-023D for operation of a new gel-coat spray operation, the air contaminant emissions from which shall be controlled by a Binks dry filter-type spray booth.

PLAN APPROVALS

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-318-024A: Inline Fiberglass America LTD (R. R. 1 Humboldt Industrial Park, Hazleton, PA 18201) for reactivation of a resin mixing and storage vent system in Hazle Township, **Luzerne County**.

40-318-025A: Inline Fiberglass America LTD (R. R. 1 Humboldt Industrial Park, Hazleton, PA 18201) for

reactivation of a fiberglass manufacturing and painting system in Hazle Township, **Luzerne County**.

40-318-035A: Inline Fiberglass America LTD (R. R. 1 Humboldt Industrial Park, Hazleton, PA 18201) for reactivation of a heat cleaning oven in Hazle Township, **Luzerne County**.

40-399-023A: Inline Fiberglass America LTD (R. R. 1 Humboldt Industrial Park, Hazleton, PA 18201) for reactivation of a window fabrication operation in Hazle Township, **Luzerne County**.

54-399-028: Greater Pottsville Sewer Authority (401 North Center Street, P. O. Box 1163, Pottsville, PA 17901) for construction of an aerobic reactor at the Yuengling Brewery site in Port Carbon Borough, **Schuylkill County**.

64-322-001: Rosencranse Sanitary Landfill (P. O. Box 40, Beach Lake, PA 18405) for installation of a landfill gas collection system in Berlin Township, **Wayne County**.

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

06-03114: WER Corp., d.b.a. Aluminum Alloys (P. O. Box 2197, Sinking Spring, PA 19608) for a sand reclamation system controlled by two fabric collectors in Lower Heidelberg Township, **Berks County**.

36-03102: Lippert Components, Inc. (1658 Dry Tavern Road, Denver, PA 17517) for construction and operation of a recreational vehicle and mobile home frame production facility in Brecknock Township, **Lancaster County**.

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

17-305-042A: DTE River Hill, L.L.C. (425 South Main Street, Suite 201, Ann Arbor, MI 48107) owner, and Covol Technologies, Inc. (3280 North Frontage Road, Lehi, UT 84043) operator, for construction of an agglomerated coal fines pellet dryer and associated air cleaning device (a fabric collector) as well as the construction of a coal fines cage mill and associated air cleaning device (a fabric collector) and screen in Karthaus Township, **Clearfield County**.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

The Department of Environmental Protection (Department) will conduct a public hearing on December 8, 1999, beginning at 1 p. m. in the Air Quality conference room at the Meadville Regional Office located at 230 Chestnut Street.

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

Southdown, Inc., 2001 Portland Park, Wampum, PA 16157, located in Lawrence County, to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NOx) from various air contamination sources. The final RACT proposals will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan (SIP).

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and require-

ments contained in RACT approvals for these facilities to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facilities and will be submitted to the EPA as a revision to the Commonwealth's SIP.

The following is a revised summary of the preliminary NOx RACT determination for the above listed facility:

Southdown, Inc. Kilns 1, 2 and 3. Revision of NOx emission limit to combined 6.2 lbs NOx per ton of clinker produced; and reduction of (3) NOx Continuous Emission Monitors (CEMs), requirement (1 CEM per kiln), to (1) CEM for the combined stack.

For the above facility, a Public Hearing will be held for the purpose of receiving comments on the above proposed Operating Permit and the proposed SIP revisions. The public hearing is scheduled as follows: DEP Meadville Regional Office, December 8, 1999, Air Quality conference room, 230 Chestnut Street, Meadville, PA 16335, 1 p. m. to 3 p. m.

Persons wishing to present testimony at the hearing should contact Robert Huston, Air Pollution Control Engineer, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Robert Huston (814) 332-6940, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but wish to comment should provide written comments to Robert Huston, Air Pollution Control Engineer, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3481. Comments should be submitted within 30 days of the date of this publication notice.

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

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. 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.

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

Coal Applications Received

17930117. Al Hamilton Contracting Company (R. R. 1, Box 87, Woodland, PA 16881), renewal of an existing Bituminous Surface Mine permit in Goshen Township, **Clearfield County** affecting 327 acres. Receiving streams: unnamed tributary to Surveyor Run and Surveyor Run. Application received October 20, 1999.

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

Coal Applications Received

11793025. Permit revision, **E. P. Bender Coal Company** (Main & Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), to apply biosolids (stabilized sewage

sludge) to enhance vegetation on a bituminous strip mine in Dean Township, **Cambria County**, affecting 400 acres, receiving stream unnamed tributary to Brubaker Run, application received October 20, 1999.

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

26890111R. Charles L. Swenglish & Sons Coal Co., Inc. (83 Swenglish Lane, Smithfield, PA 15478-9105). Renewal application received for continued reclamation of a bituminous surface mine located in Georges Township, **Fayette County**, affecting 177 acres. Receiving streams: unnamed tributaries to York Run to Georges Creek to the Monongahela River. Renewal application received: October 25, 1999.

26900105R. Patterson Coal Company (20 Elizabeth Drive, Smithfield, PA 15478). Renewal application received for continued reclamation of a bituminous surface mine located in Georges Township, **Fayette County**, affecting 33.2 acres. Receiving streams: one unnamed tributary to York Run. Renewal application received: October 25, 1999.

26773025R. Charles L. Swenglish & Sons Coal Co., Inc. (83 Swenglish Lane, Smithfield, PA 15478-9105). Renewal application received for continued operation and reclamation of a bituminous surface mine located in German Township, **Fayette County**, affecting 166.2 acres. Receiving streams: an unnamed tributary to South Branch of Browns Run. Renewal application received: October 25, 1999.

63940201R. Reichard Contracting, Inc. (R. R. 3, Box 20, New Bethlehem, PA 16242). Renewal application received for continued reclamation of a coal refuse reprocessing site located in Fallowfield Township, **Washington County**, affecting 25.7 acres. Receiving streams: unnamed tributary to Pigeon Creek to the Monongahela River. Renewal application received: October 28, 1999.

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

49921301C. Chestnut Coal (R. R. 3, Box 142B, Sunbury, PA 17801), correction to an existing anthracite underground mine operation in Zerbe Township, **Northumberland County** affecting 4.7 acres, receiving stream Zerbe Run. Application received October 13, 1999.

40850201R3. Beaver Brook Coal Company (P. O. Box 2123, Hazleton, PA 18201), renewal of an existing coal refuse reprocessing operation in Hazle Township, **Luzerne County** affecting 312 acres, receiving stream Catawissa Creek. Application received October 25, 1999.

Noncoal Applications Received

36990301. Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506), commencement, operation and restoration of a quarry operation in Earl and Ephrata Townships, **Lancaster County** affecting 46.04 acres, receiving stream none. Application received October 25, 1999.

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

Noncoal Applications Received

4876SM12. Waterford Sand & Gravel Company (15871 Sturgis Road, Union City, PA 16438) renewal of an existing gravel operation in Watercreek Township, **Erie County**, affecting 38.2 acres. Receiving streams: unnamed tributary to LeBoeuf Creek. Renewal of NPDES Permit No. PA0108448. Application received October 27, 1999.

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.

E46-854. Encroachment. **Upper Dublin Township**, 801 Loch Alsh Ave., Fort Washington, PA 19034-1697. To perform the following water obstruction and encroachment activities associated with the Camphill & Highland Athletic Complex Project: 1. To construct and maintain an 8-foot wide and 14-foot long prefabricated pedestrian bridge across an unnamed tributary to Sandy Run (TSF); 2. To place fill within 0.23 acre of wetland (PEM) associated with the construction of a proposed parking lot. 3. To perform minor grading within the 100-year floodplain of an unnamed tributary to Sandy Run associated with the construction of athletic fields and associated facilities. The site is located just west of the intersection of Camphill Road and Highland Avenue (Ambler USGS Quadrangle N: 2.3 inches; W: 8.6 inches) in Upper Dublin Township, **Montgomery County**.

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

E59-392. Encroachment. **TE Products Pipeline Co.**, 71-73 Denison Parkway, Corning NY 14830-0099. To relocate, construct and maintain an 8-inch gas pipeline and to install a stream deflector upstream on Pine Creek located .25 mile west on T-451 from the intersection with SR 3001 just south of Watrous (Marshland, PA Quadrangle N: 5.88 inches; W: 3.38 inches) in Gaines Township, **Tioga County**. This project proposes to impact 50 lineal feet of Pine Creek which is designated as Exceptional Value waters and does not propose to impact any wetlands.

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

E65-738. Encroachment. Mr. and Mrs. Mark Fisher, 5205 Mamont Road, Murrysville, PA 15668. To maintain the 30-foot long, 5-foot diameter aluminized steel pipe (invert depressed 6 inches) in Haymakers Run (HQ-CWF) located on a driveway off Mamont Road at a point approximately 1 mile east of the intersection of Mamont Road and Sardis Road (Murrysville, PA Quadrangle N: 15.7 inches; W: 3.2 inches) in Murrysville Borough, **Westmoreland County**. The work was authorized under Emergency Permit No. EP 6599205 issued on September 7, 1999.

E65-743. Encroachment. **R.A.M. Terminals, Incorporated**, One Fifth Street, New Kensington, PA 15068. To construct and maintain a barge docking facility having a length of 700.0 feet and a width of 50.0 feet in and along the Allegheny River at Mile Point 18.7 for the purpose of providing efficient facilities for mooring barges and handling cargo and to dredge and maintain approximately 1.7 acres of the Allegheny River (New Kensington West, PA Quadrangle N: 10.8 inches; W: 2.55 inches) in the City of New Kensington, **Westmoreland County**.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER (Part I Permits)

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

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

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

Permits Issued

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

WQM Permit No. 0983418. Sewage. **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Approval to amend an existing Water Quality Management permit to serve the Kings Plaza WWTP located in Doylestown Township, **Bucks County**.

WQM Permit No. 0999407. Sewerage. **James Wunder**, 529 East Lancaster Avenue, Shillington, PA 19607. Approval for the construction and operation of a small flow treatment plant to serve the Wunder residence located in Milford Township, **Bucks County**.

NPDES Permit No. PA0052922. Industrial waste. **Conte Luna Foods, Inc.**, 40 Jacksonville Road, Warminster, PA 18974 is authorized to discharge from a facility located in Warminster Township, **Bucks County** into an unnamed tributary of Pennypack Creek.

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

Permit No. 4599402. Sewerage. **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033. Permit to modify and add to existing sewage treatment plant, located in Coolbaugh Township, **Monroe County**.

Permit No. 4899405. Sewerage. **Bethlehem Township Municipal Authority**, 4225 Easton Avenue, Bethlehem, PA 18020. Permit to construct and operate a sewage pumping station, to serve Brodhead Manor Development, located in Bethlehem Township, **Northampton County**.

Northcentral Regional Office: Department of Environmental Protection, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

NPDES Permit No. PA0007854. Industrial waste. **Pennsylvania Water Company**, 105 Sodom Road, Milton, PA 17847. Permission granted to renew existing permit to discharge from facility located at Milton Borough, **Northumberland County**.

WQM Permit No. 1499407. Sewerage. **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8499. The Authority granted permission to construct a sewer extension, pump station to serve the Ferguson Township area. The facility is located at Benner Township, **Centre County**.

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

WQM Permit No. 2599416. Sewage. **Harborcreek Township Sewer Authority**, 5601 Buffalo Road, Harborcreek, PA 16421. This project is for the construction of a pump station, force main and gravity sewers for the Station Road Sewer Extension in Harborcreek Township, **Erie County**.

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

NPDES Permit No. PA0095257. Industrial waste. **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701 is authorized to discharge from a facility located at the Creekside Water Treatment Plant, Creekside Borough, **Indiana County** to receiving waters named McKee Run.

NPDES Permit No. PA0091049. Sewage. **U. S. Health and Human Services**, Centers for Disease Control and Prevention, National Institute for Occupa-

tional Safety and Health, Pittsburgh Research Laboratory, P. O. Box 18070, Pittsburgh, PA 15236-0070 is authorized to discharge from a facility located at Lake Lynn Laboratory STP, Springhill Township, **Fayette County** to receiving waters named Unnamed Tributary of Rubles Run-Dragoon Hollow.

NPDES Permit No. PA0093254. Sewage. **Sugar Creek Rest, Inc.**, R. D. 2, Box 80, Worthington, PA 16262-9004 is authorized to discharge from a facility located at Sugar Creek Rest STP, Sugar Creek Township, **Armstrong County** to receiving waters named Tributary of Patterson Run.

NPDES Permit No. PA0096385. Sewage. **Connellsville Area School District**, Administrative Building, 125 North Seventh Street, Connellsville, PA 15425 is authorized to discharge from a facility located at Bullsken Township Elementary School Sewage Treatment Plant, Bullsken Township, **Fayette County** to receiving waters named Mounts Creek.

NPDES Permit No. PA0097128. Sewage. **Paisley Industrial Park—Greene County Commissioners**, Room 220, Greene County Planning Commission, 93 East High Street, Waynesburg, PA 15370-1839 is authorized to discharge from a facility located at Paisley Industrial Park Sewage Treatment Plant, Cumberland Township, **Greene County** to receiving waters named Little Whiteley Creek.

NPDES Permit No. PA0098523. Sewage. **Calvin Cramer**, 305 Oberdick Drive, McKeesport, PA 15135 is authorized to discharge from a facility located at Glen Meadow Mobile Home Park STP, Amwell Township, **Washington County** to receiving waters named Tributary of Little Tenmile Creek.

NPDES Permit No. PA0217646-A1. Sewage. **Dunbar Borough/Township Sanitary Authority**, 47 Connellsville Street, Dunbar, PA 15431 is authorized to discharge from a facility located at the Dunbar Borough Sanitary Authority STP, Dunbar Borough, **Fayette County** to receiving waters named Dunbar Creek.

NPDES Permit No. PA0218235. Sewage. **Russell W. Smith**, 101 Spruce Hill Lane, Fombell, PA 16123 is authorized to discharge from a facility located at Russell Single Residence Sewage Treatment Plant, Marion Township, **Beaver County** to receiving waters named Swale to Connoquenessing Creek.

Permit No. 0298405. Industrial waste, **Lon Refner**, New Enterprise Stone and Lime Company Inc., Box 77, Church Street, New Enterprise, PA 16664. Construction and operation of a Manufacturer of Portland Cement Concrete located in Cambria Township, **Cambria County** to serve the Ebensburg Batch Plant.

Permit No. 1171402-A2. Sewerage. **Portage Area Sewer Authority**, 600 Cambria Street, Portage, PA 15946. Construction of Portage Sewage Treatment Plant Influent Pump Station located in Portage Township, **Cambria County** to serve the Portage Sewage Treatment Plant.

Permit No. 1193405-A1. Sewerage. **U. S. Department of Justice**, Federal Bureau of Prisons, Northeast Regional Office, U. S. Customs House, 7th Floor, Second and Chestnut Streets, Philadelphia, PA 19106. Construction of Ultraviolet Radiation Disinfection System located in Allegheny Township, **Cambria County** to serve Loretto Federal Correctional Institution STP.

Permit No. 2684405. Sewerage. **Robbie Rose**, R. D. 2, University Drive, Dunbar, PA 15431. Construction of

Sewage Treatment Plant located in Georges Township, **Fayette County** to serve Robbie Mobile Home Park.

Permit No. 5672407-A1. Sewerage. **Borough of Meyersdale**, 613 Second Street, Meyersdale, PA 15552. Construction of Pump Station/Force Main/Treatment Plant Modifications located in Meyersdale Borough, **Somerset County** to serve Charles Street Pump Station and Meyersdale Borough STP.

INDIVIDUAL PERMITS (PAS)

The following NPDES Individual Permits for Discharges of Storm Water 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</i>
PAS10-G0170R	Realen Homes 725 Talamore Drive Ambler, PA 19002	Charlestown Township Chester County	Pickering Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS101206	Mid Cameron Authority 421 North Broad St. Emporium, PA 15834	Cameron Emporium Borough Shippen Township	West Creek, Day Run

INDIVIDUAL PERMITS (PAR)

Approvals to Use NPDES and Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the following sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

The Department has acted on the following requests for coverage under the specified General Permit as follows:

List of General Permit Type

- PAG-1 General Permit For Discharges From Stripper Oil Well Facilities
- PAG-2 General Permit For Discharges of Stormwater From Construction Activities
- PAG-3 General Permit For Discharges of Stormwater From Industrial Activities
- 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

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>
New Garden Township Chester County	PAR10-G336	Emidio Frezzo, Jr. 117 Beverly Drive Kennett Square, PA	Bucktoe Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Marlborough and Kennett Townships Chester County	PAR10-G332	Marlborough Square 433 Homestead Drive West Chester, PA	Unnamed Tributary to East Branch Red Clay Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
New Garden Township Chester County	PAR10-G341	St. Gabriel of the Sorrowful Mother Church P. O. Box 709 Avondale, PA	Unnamed Tributary to East Branch White Clay Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Concord Township Delaware County	PAR10-J160	Brinton Lake Corporate Center c/o Wynnwood Development, Inc. 33 Rock Hill Road Suite 200 Bala Cynwyd, PA 19004	West Branch Chester Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Douglass Township Montgomery County	PAR10-T558	TH Properties 345 Main Street Harleysville, PA	Swamp Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Butler County Connoquenessing Township	PAR10E116	E & E Development 198 Saxonburg Road Butler, PA 16001	Unnamed Tributary to Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Erie County Fairview Township	PAR10K146	Citadel Development Corp. 2420 West 15th Street Erie, PA 16505	Unnamed Tributary to Bear Run	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Snyder County Selinsgrove Borough	PAR105918	Susquehanna University 514 University Ave. Selinsgrove, PA 17870	Unt. to Penns Creek	Snyder County CD 403 West Market St. Middleburg, PA 17842 (570) 837-0007
Tioga County Tioga Township	PAR106630	Wild Rose Inc. P. O. Box 44 Jersey Shore, PA 17740	Tioga River	Tioga County CD 29 East Ave. Wellsboro, PA 16901 (570) 724-1801

NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Sugarloaf Township	PAR10R188	Huntsville Limited Partnership Fairfield Inn at Sugarloaf Township P. O. Box 27 200 E. Front St. Nanticoke, PA 18634	Black Creek	Luzerne CD (570) 674-7991
<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>
Berks County Amity Township	PAR233507	James E. Hauer Hauer Custom Manufacturing, Inc. 447 Old Swede Road Douglassville, PA 19518-1239	Leaf Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Lancaster City	PAR233534	RR Donnelley & Sons Company Northeastern Division Lancaster East 216 Greenfield Road Lancaster, PA 17601-5885	UNT to Conestoga River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Allegheny County West Deer Township	PAR326101	IA Construction Corp. 158 Lindsay Road Zelienople, PA 16063	West Branch Deer Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Braddock Borough	PAR806127	S H Bell Company 644 Alpha Drive P. O. Box 11495 Pittsburgh, PA 15238	Monongahela River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</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>
Allegheny County Forward Township	PAG046187	Cindy Caster Strotman 7250 Fawn Run Lane Elizabeth, PA 15037	UNT to Becketts Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Venango Township Crawford County	PAG048633	Christine A. Alamazon 25674 Capp Road Edinboro, PA 16412	Boles Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Ridgway Township Elk County	PAG048629	Tina M. Aiello 45A Oknefski Road Ridgway, PA 15853	Unnamed Tributary to Mason Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

Plan approvals granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-0530.

Ferguson Township, Centre County. The Department has approved an Act 537 update revision calling for the abandonment of the existing 0.125 mgd Ferguson Township Municipal Authority wastewater treatment facility and the construction of a pump station and force main to convey wastewater from Ferguson Township's Pine Grove Mills service area to the existing University Area Joint Authority wastewater treatment facility for treatment. The existing Pine Grove Mills area sewage treatment plant is badly deteriorated, hydraulically overloaded and it routinely violates its permit conditions for effluent quality, whereas the 6.0 mgd University Area Joint Authority facility has capacity for this service area, is in excellent condition and consistently produces compliant effluent. This project will not provide for an expansion of the existing Ferguson Township Municipal Authority service area. It will simply allow conveyance of the existing service area's wastewater into the UAJA system for treatment.

The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

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

Pulaski Township, Lawrence County. Pulaski Township Supervisors, R. D. 1, Pulaski, PA 16143. This approved project proposes construction of new sewage collection and treatment facilities to replace individual subsurface disposal systems and privately owned sewage treatment facilities in four defined areas of the township—the Villages of Bedford, Pulaski, Frizzleburg and the Pine Glenn area.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

Plan revision approval granted for Frystown Truck Plaza East, DEP Code No. A3-06922-199-3 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Water Management Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Southeast corner of State Routes 78 and 645 in **Bethel Township, Berks County.**

The approved plan revision is for extension of sewers to connect five proposed commercial lots generating 7,005 gallons per day in sewage flows to the existing sewage treatment plant owned and operated by **All American Plazas, Inc.** (NPDES No. 0070360). The name of the proposed subdivision is Frystown Truck Plaza East and the DEP Code No. is **A3-06922-199-3.**

Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Permit No. 1399501. Public Water Supply. **NIS Hollow Estates**, Brenda Oswald, 312 Lower NIS Hollow Drive, Lehigh, PA 18235. This proposal involves modification of an existing system to provide for wellhead improvements and raw water disinfection, along with installation of adequate chlorine contact volume and distribution system blowoffs. It is located in Mahoning Township, **Carbon County.** Permit issued on October 1, 1999.

Permit Minor Amendment. Public water supply. **Whitehall Township Authority.** Douglas K. Bowen, 1901 Schadt Ave., Whitehall, PA 18052, for Lehnert Road Water Storage Tank. It is located in Whitehall Twp., **Lehigh County.** Permit issued on September 24, 1999.

Operations Permit issued to **Nuss Mobile Home Park** on September 8, 1999 is located in North Whitehall Township, **Lehigh County.**

Operations permit issued to **Borough of Jim Thorpe** on October 20, 1999 is located in Jim Thorpe Borough, **Carbon County.**

Permit No. 3999505. Public water supply. **Upper Saucon Township**, Bernard Rodgers, Township Secretary, Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034. This proposal involves the construction of corrosion control treatment facilities at the existing water blending facility located in Upper Saucon Township, **Lehigh County.** Permit issued on October 25, 1999.

Permit No. 5299502. Public water supply. **Saville Rustin Water Co.**, Pine Ridge Community Bettye Zaraté, General Manager, 1103 Pine Ridge Drive, Bushkill, PA 18324. This proposal involves construction and tie-in of a new well source, installation of Telemetric controls and flow control, along with treatment to control bio-fouling in one of the previously permitted wells. It is located in Lehman Township, **Pike County.** Permit issued on October 13, 1999.

6496504. Public water supply. **Woodland Hills Subdivision**, Barry J. Newcomer, HCR Box 202, Paupack, PA 18451. This proposal involves permitting of an existing system for installation of raw water disinfection facilities, a 2,800 gallon finished water storage tank booster pump facilities and hydropneumatic tanks. It is located in Paupack Township, **Wayne County**. Permit issued on October 17, 1999.

Minor Permit Amendment. Public water supply. **Hawley Water Company**. Frank Sargent, P. O. Box S, Waymart, PA 18472. This proposal involves minor modifications to their existing public water supply system, which serves Hawley Borough, Palmyra Township, and Paupack Township, **Wayne County**. Specifically for a stream crossing with 8-inch diameter ductile iron pipe transmission main and the construction of a 0.5 mg (million gallon) storage facility. Permit issued on October 8, 1999.

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

Permit No. 5999502. The Department issued a construction permit to the **Dear Mobile Home Park**, R. R. 2, Box 174, Tioga, PA 16946, Lawrence Township, **Tioga County**. This permit authorizes construction of Well #2, a new 5,000 gallon concrete storage tank, disinfection and sequestration treatment, and associated transmission lines.

Permit No. 4416465MA1. The Department issued an operation permit to **Tom Fulmer**, Fulmer's Personal Care Home, R. R. 2, Box 146, Williamsport, PA 17701, for bulk water hauling, to haul water from the Borough of Montoursville to his personal care home. The personal care home is located in Old Lycoming Township, **Lycoming County**. Issued an operation permit October 25, 1999.

Permit No. 4998501. The Department issued an operation permit to **East Cameron Township Municipal Authority**, R. R. 1, Box 1248, Shamokin, PA 17872, East Cameron Township, **Northumberland County**. This permit authorizes operation of Well #2, transmission line and disinfection facilities.

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

Permit No. 6397501. Public water supply. **Authority of the Borough of Charleroi**, 325 McKean Avenue, P. O. Box 211, Charleroi, PA 15022-0211. Type of Facility: Lover, Jonestown and Fallowfield Township area waterlines. Permit for Operation Issued: October 19, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at

a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (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.

Serena, Inc. & Serenapa (Former O'Brien Machinery Site), Downingtown Borough, **Chester County**. Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Final Report concerning remediation of site soil contaminated with lead and arsenic. The report is intended to document remediation of the site to meet the Statewide health standard.

Serena, Inc. & Serenapa (Former O'Brien Machinery Site), Downingtown Borough, **Chester County**. Janet S. Kole, 900 Haddon Avenue, Suite 412, Collingswood, NJ 08108, has submitted a Final Report concerning remediation of site soil contaminated with benzo(a)pyrene. The report is intended to document remediation of the site to meet the Statewide health standard.

Lenape Manufacturing Co., East Rockhill Township, **Bucks County**. Thomas R. Severino, Environmental Science & Remediation Technologies, Inc., 105 East Evans Street, West Chester, PA 19380, has submitted a Remedial Investigation/Final Report concerning remediation of site soil contaminated with PCBs, heavy metals, solvents and petroleum hydrocarbons and groundwater contaminated with solvents and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide health and site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document

cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental 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 of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has acted upon the following plans and reports:

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

South Ardmore Redevelopment Project, Lower Merion Township, **Montgomery County**. Paul B. Spilman, P.G., Carroll Engineering Corp., 949 Easton Road, Warrington, PA 18976, has submitted a Remedial Investigation Report and revised Cleanup Plan concerning remediation of site groundwater contaminated with solvents. The Report and revised Cleanup Plan were approved by the Department on September 13, 1999.

Greenway Court Apartments, City of Philadelphia, **Philadelphia County**. Charlene R. Drake, React Environmental Services, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142, has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The combined Remedial Investigation/Final Report demonstrated attainment of the site-specific standard for soil and was approved by the Department on September 22, 1999.

7500 State Road Property, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a combined Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with solvents and polycyclic aromatic hydrocarbons. The combined Remedial Investi-

gation/Final Report demonstrated attainment of site-specific standards and was approved by the Department on October 1, 1999.

Riverfront North Site, Bristol Borough, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 1755 Bergey Road, Hatfield, PA 19440, has submitted a Baseline Remedial Report concerning remediation of site soil contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead, heavy metals and solvents. The Report was approved by the Department on October 1, 1999.

CHQ Reproductions, Warminster Township, **Bucks County**. Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 4, 1999.

PAEDCO Property (Former Phoenix Steel Foundry Building Site), Phoenixville Borough, **Chester County**. Gerald L. Kirkpatrick, P.G., Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482-0810, has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The Report demonstrated attainment of Statewide health and site-specific standards and was approved by the Department on October 6, 1999.

Ford Electronics & Refrigeration Corp., Lansdale Borough, **Bucks County**. Angela K. Gershman, ARCADIS Geraghty & Miller, Inc., 3000 Cabot Blvd., Suite 3004, Langhorne, PA 19047, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals and solvents. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 15, 1999.

Herzog Farm, Upper Uwchlan Township, **Chester County**. Michael S. Welsh, Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 20, 1999.

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

Industrial Engraving—Knox Facility (1101 Knox Avenue), Forks Township, **Northampton County**. Floyd R. Lear, III, President, Industrial Engraving Company, Inc., 1350 Sullivan Trail, P. O. Box 311, Easton, PA 18044-0311, has submitted a Notice of Intent to Remediate concerning the remediation of site groundwater found to have been contaminated with chlorinated solvent compounds. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reportedly published in *The Express Times* on October 24, 1999.

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

CBS Former Playskool Facility, East Lampeter Township, **Lancaster County**. CBS Inc., 51 West 52nd

Street, New York, NY 10019, has submitted a final report concerning the remediation of site groundwater contaminated with heavy metals and site soils contaminated with solvents and heavy metals. The final report demonstrated attainment of the site-specific standard, and was approved by the Department on October 25, 1999.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.

Bushy Run Research Center (BRRC), Penn Township, **Westmoreland County**. Carnegie Mellon University, 5000 Forbes Avenue, Pittsburgh, PA 15213 and Michael Petrell, L. Robert Kimball & Associates, Inc., 415 Moon-Clinton Road, Moon Township, PA 15108, have submitted a final report concerning remediation of site soil contaminated with heavy metals, pesticides and PAHs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on October 14, 1999.

Former Drum Storage Area at Building 408 (Site SS-01), Pittsburgh International Airport, Air Reserve Station, Moon Township, **Allegheny County**. S. Baxter Lane, Colonel, USAFR, Commander, 316 Herman Avenue, Coraopolis, PA 15108 and Richard Seid, 911 AW/CEV PIAP ARS, 1100 Herman Avenue, Coraopolis, PA 15108, have submitted a final report concerning remediation of site soil and groundwater contaminated with PCBs, heavy metals, pesticides, BTEX and PAHs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on October 19, 1999.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101494. Waste Management of PA, Inc., 1121 Bordentown Road, Morrisville, PA 19067, was issued a permit for the renewal and continued operation of the original portion of the Tullytown Resource Recovery Facility landfill located in the Borough of Tullytown, **Bucks County**. This permit allows for continued disposal operations in the original area until September 2002, after which only closure and postclosure activities will remain authorized. The Southern expansion area has a separate permit term and is not subject to this action. Permit renewed by the Southeast Regional Office on October 25, 1999.

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

Permit ID No. 100592. USA South Hills Landfill, Inc., 3100 Hill Road, Library, PA 15129. A major permit modification for the expansion of the USA South Hills Landfill including 36 acres additional waste disposal and 10 acres additional permit area was issued in the Regional Office on October 29, 1999.

AIR QUALITY OPERATING PERMITS

General Plan Approval and Operating Permit 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.

GP4-31-03007: Huntingdon Electric Motor Service, Inc. (Seventh and Penn Streets, Huntingdon, PA 16652), for a general permit for two burn off ovens in Huntingdon Borough, **Huntingdon County**.

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.

38-03019: Allied Veterinary Cremation Service (1587 Town Hill Road, York Springs, PA 17372), on October 26, 1999, for operation of a pet cremator with built-in afterburner in South Londonderry Township, **Lebanon County**.

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

TVOP-41-00024: Divine Providence Hospital (1100 Grampian Boulevard, Williamsport, PA 17701), issued a Title V Operating Permit on September 16, 1999, for operation of a hospital/medical/infectious waste incinerator, boilers and an emergency generator in Williamsport, **Lycoming County**.

TVOP-41-00027: Muncy Valley Hospital (215 East Water Street, Muncy, PA 17756), issued a Title V Operating Permit on September 16, 1999, for operation of a hospital/medical/infectious waste incinerator, boilers and emergency generators in Muncy Creek Township, **Lycoming County**.

TVOP-14-00003: The Pennsylvania State University (Physical Plant Building, University Park, PA 16802), issued a Title V Operating Permit on October 25, 1999, for operation of a hospital/medical/infectious waste incinerator, gas/no. 2 oil-fired and coal-fired boilers, furnaces, heaters, emergency generators and wastewater treatment plant in State College, **Centre County**.

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

TVOP-04-00227: Koppel Steel Corp. (P. O. Box 750, Beaver Falls, PA 15010), issued a Title V Operating Permit on October 19, 1999, for operation of steel pipe and tube manufacturing at Ambridge Plant in Harmony Township, **Beaver County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-302A: Allegheny Metalworking Corp. (17 Leonburg Road, Cranberry Township, PA 16066), on August 30, 1999, for operation of a paint finishing system in Cranberry Township, **Butler County**.

Administrative Amendment of Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

OP-46-0052: Pottstown Memorial Medical Center (1600 East High Street, Pottstown, PA 19464), on October 26, 1999, for Facility VOC/NOx RACT in Pottstown Borough, **Montgomery County**.

15-301-078: Southern Chester County Medical Center (1011 West Baltimore Pike, West Grove, PA 19390), on October 26, 1999, for a hospital waste incinerator in Penn Township, **Chester County**.

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

OP-55-0001C: PP&L, Inc. (Two North Ninth Street, Allentown, PA 18101), on October 26, 1999, to incorporate air contaminant emission limitations and annual capacity factor limitations established in Plan Approval No. OP-55-0001C for two reactivated no. 2 fuel oil-fired combustion turbines at the Sunbury SES in Shamokin Dam Borough, **Snyder 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.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-322-001B: Grand Central Sanitary Landfill (1963 Pen Argyl Road, Pen Argyl, PA 18072), for minor modification of an existing landfill and expansion in the Plainfield Township, **Northampton County**. Initial notice to operate was published in the *Pennsylvania Bulletin* on January 2, 1999.

PLAN APPROVALS

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

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

PA-15-0090: National Service Industries (303 Eagleview Boulevard, Exton, PA 19341), on October 28, 1999, for operation of flexographic offset printing units in Uwchlan Township, **Chester County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-320-011: Lehigh Litho, Inc. (2285 Avenue A, LVIP, Bethlehem, PA 18017), on October 29, 1999, for installation of one Heidelberg two color nonheatset and two Miller six color nonheatset lithographic printing presses in the City of Bethlehem, **Northampton County**.

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

06-322-002A: Western Berks Refuse Authority (455 Poplar Neck Road, Birdsboro, PA 19508), on October 28, 1999, for modification of the municipal solid waste landfill at Site B-1 in Cumru Township, **Berks County**.

67-320-026B: GTY Inc., (2075 Loucks Road, York, PA 17404), on November 1, 1999, for construction of a narrow web hot embosser in West Manchester Township, **York County**.

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

PA-04-003A: P. F. Environmental, Inc. (1135 Butler Avenue, New Castle, PA 16101), on October 25, 1999, for operation of a rotary dryer at Kabuta Plant in Potter Township, **Beaver County**.

PA-63-550A: USA South Hills Landfill, Inc. (3100 Hill Road, Library, PA 15129), on October 29, 1999, for operation of landfill in Union Township, **Washington County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-24-126A: US Resistor, Inc. (1016 Delaun Road, St. Marys, PA 15857-1059), on November 1, 1999, for modification to Operating Permit 24-327-003 (batch cold cleaning machine) in St. Marys, **Elk County**.

PA-42-151A: Werzalit of America, Inc. (40 North Holley Avenue, Bradford, PA 16701), on October 15, 1999, for modifications to Plan Approvals 42-302-017 and 42-316-009 in Bradford, **McKean County**.

PA-42-176C: Allegheny Medium Density Fiberboard, Ltd. Partnership (Hutchins Road, Kane, PA 16735), on October 20, 1999, for modification to Plan Approval PA-42-176B (sander dust systems) in Sargeant Township, **Elk County**.

42-317-017B: Allied Signal Specialty Chemicals (Route 46 and 446, Smethport, PA 16749), on October 20, 1999, for modification to Plan Approval 42-317-017B (VOC storage tanks) in Farmers Valley, **McKean County**.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

PA-46-0176: A. Talone, Inc. (318 West Lancaster Avenue, Ardmore, PA 19003), on October 26, 1999, for operation of a solvent recovery dryer in Lower Merion Township, **Montgomery County**.

PA-23-0067: Alloy Surfaces Co., Inc. (121 North Commerce Drive, Aston, PA 19014), on October 26, 1999, for operation of a caustic metal treatment process in Chester Township, **Delaware County**.

PA-09-0057: Ametek Inc., U. S. Gauge Division (900 Clymer Avenue, Sellersville, PA 18960), on October 26, 1999, for operation of a degreaser in Sellersville Borough, **Bucks County**.

PA-09-0024A: Waste Management of PA, Inc. (200 Bordertown Road, Tullytown, PA 19007), on October 26, 1999, for operation of a permitted landfill in Tullytown Borough, **Bucks County**.

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

06-01003B: Lucent Technologies, Inc. (P. O. Box 13396, Reading, PA 19612-3396), on October 29, 1999, for temporary operation of a photoresist stripper line, covered under this Plan Approval until February 24, 2000, at the Reading Plant in Muhlenberg Township, **Berks County**.

06-01007O: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662), on October 31, 1999, for construction of the press forge facility covered under this Plan Approval until April 30, 2001, at the Reading Plant in Reading/Muhlenberg Township, **Berks County**.

06-318-064B: Can Corp. of America, Inc. (P. O. Box 170, Blandon, PA 19510), on October 20, 1999, for temporary operation of two sheet coating lines controlled by a thermal oxidizer covered under this Plan Approval until February 16, 2000, at the Blandon Plant in Maidencreek Township, **Berks County**.

36-05019A: Supply Sales Co. (1411 Lancaster Avenue, Lancaster, PA 17512), on November 1, 1999, for temporary operation of a disamatic molding line covered under this Plan Approval until February 28, 2000, at the Columbia Plant in Columbia Borough, **Lancaster County**.

67-306-006A: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362), on October 20, 1999, for temporary operation of a circulating, fluidized bed boiler controlled by an electrostatic precipitator covered under this Plan Approval until February 16, 2000, at the Spring Grove Mill in Spring Grove Borough, **York County**.

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

08-302-039: Masonite Corp. (P. O. Box 311, Towanda, PA 18848), on October 19, 1999, to extend the authorization to operate two woodwaste-fired boilers and associated air cleaning devices (an electrostatic precipitator and a selective noncatalytic reduction system) on a temporary basis for another 120 days in Wysox Township, **Bradford County**.

Minor Modification of Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

08-316-011A: Masonite Corp. (P. O. Box 311, Towanda, PA 18848), on October 20, 1999, to extend a stack test deadline 90 days in Wysox Township, **Bradford County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on

each application also constitutes action on the request for 410 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).

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

Coal Permits Issued

56890111. Permit Renewal, **Duppstadt Coal** (2835 Stutzmantown Road, Somerset, PA 15501), for continued restoration of a bituminous strip mine in Elk Lick Township, **Somerset County**, affecting 70.8 acres, receiving stream Tub Mill Run and unnamed tributaries to Laurel Run. Application received August 27, 1999. Application issued October 25, 1999.

4077SM7. Transfer application from **Commonwealth Stone to New Enterprise Stone & Lime Company, Inc.** (Box 77, Church Street, New Enterprise, PA 16664), commencement, operation and restoration of bituminous strip mine in Jenner Township, **Somerset County**, affecting 103.7 acres, receiving stream Roaring Run and Quemahoning Creek. Application received July 19, 1999; issued October 27, 1999.

07910301. Transfer application from **Sproul Lime & Stone Company to New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, Church Street, New Enterprise, PA 16664), for continued operation and restoration of bituminous strip mine in Frankstown Township, **Blair County**, affecting 15.7 acres, receiving stream unnamed tributary to the Frankstown Branch of the Juniata River. Application received July 22, 1999; issued October 27, 1999.

32870101. Permit Revision, **Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701), to mine through and then replace approximately 135 feet of an unnamed tributary to Cush Creek; and to mine through and then replace the unnamed tributary to Cush Creek beginning where the tributary flows under the abandoned railroad grade (the existing haulroad) and continue upstream for a distance of 1,250 feet in Banks and Montgomery Townships, Glen Campbell Boro, **Indiana County**, affecting 145.4 acres, receiving stream unnamed tributaries to Cush Creek and Cush Creek. Application received September 10, 1999; issued October 27, 1999.

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

16840103. C & K Coal Company (P. O. Box 69, Clarion, PA 16214). Renewal of an existing bituminous strip and tippie refuse disposal operation in Perry Township, **Clarion County** affecting 3.5 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Allegheny River and Dunlap Creek. Application received: August 11, 1999. Permit issued: October 19, 1999.

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

59990901. Signor Brothers (P. O. Box 98, Arnot, PA 16911), commencement, operation and restoration of an incidental coal extraction (coal refuse) permit in Bloss-Morris-Liberty Townships, **Tioga County** affecting 3.2 acres. Receiving streams: Babb Creek to Pine Creek to West Branch of the Susquehanna River. Application received July 6, 1999. Permit issued October 19, 1999.

17960106. BBC Coal Company (P. O. Box 249, Clearfield, PA 16830), revision to an existing bituminous surface mine permit for a change in land use on a 72.7 acres permit in Bloom Township, **Clearfield County**. This revision is to change the present land use from noncommercial forestland to cropland/land occasionally cut for hay. Receiving streams: unnamed tributary to Bilgers Run and Hughey Run. Application received August 16, 1999. Permit issued October 25, 1999.

14980101. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849), commencement, operation and restoration of a bituminous surface mine permit in Snow Shoe Township, **Centre County** affecting 157.9 acres. Receiving streams: Sandy Run to the West Branch of the Susquehanna River. Application received March 24, 1999. Permit issued October 27, 1999.

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

03990101. Reichard Contracting, Inc. (R. D. 3, New Bethlehem, PA 16242). Permit issued for commencement, operation and reclamation of a bituminous coal surface mine/coal preparation and processing facility located in Redbank Township, **Armstrong County**, affecting 91.5 acres. Receiving streams: unnamed tributary to Nolf Run, unnamed tributary to Painter Run, and unnamed tributary to Mudlick Creek. Application received: February 10, 1999. Permit issued: October 27, 1999.

65880112. M. B. Energy, Inc. (250 Airport Road, P. O. Box 1319, Indiana, PA 15701). Renewal issued for continued reclamation only of a bituminous coal surface mine located in Salem Township, **Westmoreland County**, affecting 325 acres. Receiving streams: unnamed tributaries to Porters Run and unnamed tributaries to Beaver Run. Application received: July 29, 1999. Renewal issued: October 27, 1999.

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

40990202. HUD, Inc., t/a Emerald Anthracite (P. O. Box 27, 200 East Front Street, Nanticoke, PA 18634), commencement, operation and restoration of a coal refuse reprocessing operation in Newport and Hanover Townships, **Luzerne County** affecting 94.8 acres, receiving stream—none. Permit issued October 25, 1999.

40940204C3. Northampton Fuel Supply Company, Inc. (7500 Old Georgetown Road, 13th Floor, Bethesda, MD 20814), correction to a coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 48.0 acres, receiving stream—none. Correction issued October 25, 1999.

54793009R3. Coal Contractors (199), Inc. (Gowen Mine, Fern Glen, PA 18241), renewal of an existing anthracite surface mine operation in Beaver, North Union and Black Creek Townships, **Luzerne, Schuylkill and Carbon Counties** affecting 991.3 acres, receiving stream—none. Renewal issued October 25, 1999.

54890102R2. White Pine Coal Co., Inc. (P. O. Box 59, Ashland, PA 17921-0059), renewal of an existing anthracite surface mine and coal refuse disposal operation in Reilly, Cass and Foster Townships, **Schuylkill County** affecting 729.7 acres, receiving stream—Muddy Branch Creek. Renewal issued October 29, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

28990802. Carl L. Robinson (7633 Dusty Road, Mercersburg, PA 17236), commencement, operation and restoration of a small quarry operation in Montgomery Township, **Franklin County** affecting 5.0 acres, receiving stream—none. Permit issued October 26, 1999.

35990802. George Compton, Jr. (565 Rt. 247, Carbondale, PA 18407), commencement, operation and restoration of a small quarry operation in Greenfield Township, **Lackawanna County** affecting 1.0 acre, receiving stream—none. Permit issued October 27, 1999.

58990831. Gerald A. Ellis, Sr. (R. R. 4, Box 277, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Jessup Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued October 29, 1999.

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

Large Industrial Minerals Applications Issued

31970301. Permit Revision, **U. S. Silica Company** (R. D. 1, Box 1885, Mapleton Depot, PA 17052), for the addition of a haulroad from the south end of the quarry to connect the North Quarry with an existing haulroad further to the south; and for the addition of 16.7 acres to the permit for the haulroad extension, total permit acres goes from 290.3 to 307.0 acres in Brady Township, **Huntingdon County**, receiving stream Mill Creek, Saddler Run. Application received August 6, 1999; issued October 26, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

The Department of Environmental Protection has taken the following actions on previously received permit applications, request 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 17105-8557, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rule of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 6 and 402 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.

E46-848. Encroachment. **PA Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To extend and maintain an existing bridge 13.5 feet both upstream and downstream, to place and maintain R-6 rock scour protection against the bridge abutment footings, and to place and maintain rock scour protection along the north and south banks of Pine Run (TSF). This bridge is located over Pine Run along Limekiln (S. R. 0152), 200 feet southeast of its intersection with Virginia Drive and Dreshertown Road (S. R. 2024) (Ambler, PA Quadrangle N: 3.2 inches; W: 6.0 inches) in Upper Dublin Township, **Montgomery County**.

E46-834. Encroachment. **PA Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087. To remove an existing bridge carrying S. R. 4015 Section 42M (Second Avenue) over Mingo Creek (WWF). To construct and maintain a bridge replacement at a location approximately 46 feet downstream of the existing bridge centerline. The proposed bridge replacement will be a dual cell, precast concrete box culvert with an overall length of 92 feet. Each culvert cell will have a clear span of 22 feet and a rise of 12 feet. Approximately 800 feet of the roadway approaches will be reconstructed to improve roadway alignment. The project site is located approximately 800 feet upstream of the confluence of Mingo Creek with the Schuylkill River and 1/4 mile southeast of Royersford (Phoenixville, PA Quadrangle N: 8.2 inches; W: 3.7 inches) in Upper Providence Township, **Montgomery County**.

E46-841. Encroachment. **Upper Dublin Township**, 801 Loch Alsh Avenue, Fort Washington, PA 19034. To improve, widen and maintain Virginia Drive and the intersection of Virginia Drive and Office Center Drive within the 100-year floodplain of Pine Run (TSF) in conjunction with construction of a slip ramp for PA Turnpike in the vicinity of the Fort Washington Interchange (Ambler, PA Quadrangle beginning at N: 2.2 inches; W: 7.4 inches and ending at N: 2.8 inches; W: 6.3 inches) in Upper Dublin Township, **Montgomery County**. Work consists of: 1. Extending a 42-inch by 72-inch elliptical C.M.P. pipe in and along an unnamed tributary to Pine Run beneath Virginia Drive at Station 504+84 by installing a 16 linear foot extension of 42-inch by 72-inch C.M.P. at the downstream end of the aforementioned culvert. 2. Widening Virginia Drive and Office Center Drive within the 100-year floodplain of Pine Run.

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

E45-375. Encroachment. **William J. and Eileen A. Burke**, 4741 NW 75th Street, Coconut Creek, FL 33073. To place fill in a de minimis area of wetlands equal to 0.02 acre for the purpose of constructing a single family home on a 0.34-acre lot. The project is located on Lot 3, Unit 3, Section 6, along the south side of Hillcrest Drive

in Lake Naomi Estates (Pocono Pines, PA Quadrangle N: 21.1 inches; W: 8.8 inches) in Tobyhanna Township, **Monroe County**.

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

E53-330. Encroachment. **Pennsylvania Department of Conservation and Natural Resources**, Bureau of Facility Design and Construction, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove the existing bridge and to construct and maintain a bridge with a 40-foot span and a 4-foot underclearance across the Germania Branch of Kettle Creek located immediately upstream of the confluence of Kortz Run and Germania Branch (Oleana, PA Quadrangle, from N: 21.5 inches; W: 1.6 inches) Abbott Township, **Potter County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E57-085. Encroachment. **James E. Epply**, Pennsylvania Department of Conservation and Natural Resources, Bureau of Facilities Design, Box 8451, Harrisburg, PA 17105-8451. To remove the existing structure and to construct and maintain a single span bridge with a normal clear span of 30 feet across Mill Creek. This permit also authorizes a temporary causeway to be constructed to allow passage of motor vehicles during construction. This project is located on Big Hollow Road about 1,200 feet south of its intersection with Mill Creek Road (Hills Grove, PA Quadrangle N: 17.1 inches; W: 15.8 inches) in Hills Grove Township, **Sullivan County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E59-382. Encroachment. **Delmar Township Supervisors**, P. O. Box 70A, Wellsboro, PA 16901. To construct and maintain ten sewer line stream crossings of East Branch Stony Fork and unnamed tributaries of this stream and to construct and maintain a 45,000 gpd wastewater treatment plant with outfall pipe in the floodplain of East Branch Stony Fork. This project is located along Stony Fork Road approximately 6.5 miles south of Route 6 (Antrim, PA Quadrangle N: 6.8 inches; W: 15.5 inches) in Delmar Township, **Tioga County**. This permit was issued under § 105.13(e) "Small Projects." This project also includes 401 Water Quality Certification.

ENVIRONMENTAL ASSESSMENT

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

EA46-006SE. Environmental Assessment. **June S. Dreslin**, P. O. Box 53, Limekiln, PA 19535. To construct and maintain a nonjurisdictional dam for stormwater management, consisting of an earthen fill dam across an unnamed tributary of Mingo Creek. The project is located approximately 2,000 feet west of the intersection of Township Line Road and Ridge Pike (Phoenixville, PA Quadrangle N: 16.80 inches; W: 0.80 inch) in Limerick Township, **Montgomery County**.

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, 504, 1101—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>
99-62-001	Larry R. Dosser United Refining Company 15 Bradley Street Warren, PA 16365-0780	Warren County Warren	1 AST storing Fresh Acid 31,093 gallons
99-07-001	John M. Arnold Eldorado Properties Corpo- ration 900 Eisenhower Boulevard Harrisburg, PA 17105	Blair County Allegheny Township	1 AST storing Unleaded Gasoline 8,196,400 gallons

SPECIAL NOTICES

**Submission Date Extension
Calendar Year 1998 Applications
For Municipal Recycling Program Performance Grant Applications
Under Act 101, Section 904 of
the Municipal Waste Planning, Recycling and Waste Reduction Act**

The Department of Environmental Protection (Department) announces an extension to the deadline for calendar year 1998 Recycling Program Performance Grant applications from municipalities for grant assistance under the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) (Act 101).

The deadline for submission of calendar year 1998 applications has been extended to 3 p.m., December 30, 1999. Applications must be on forms provided by the Department. Applications received by the Department after that date will not be considered. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Grant applications and inquiries concerning this notice should be directed to Todd Pejack, Recycling and Markets Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of October 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
John Bixler Quality Environmental Technology	118 Stitzer Road Fleetwood, PA 19522	Testing
Michael Bradley HouseInspect	601 North Olive Street Media, PA 19063	Testing
Patrick Dean	123 Coulter Avenue, Suite 203 Ardmore, PA 19003	Testing
Frank Deininger	421 West Chocolate Avenue Hershey, PA 17033	Testing
Bo Hopkins	3692 Sheramy Drive Fairview, PA 16415	Testing
Ronald Hunsberger	6109 Haring Road Plumsteadville, PA 18949	Testing
Christopher Hunt	2115 Dunhill Drive Wilmington, DE 19810	Testing
Greg Kopenhaver	P. O. Box 902 Blue Bell, PA 19422	Testing
William McKelvey	1301 Lincoln Highway Langhorne, PA 19047	Testing
Dominic Passante	108 Valley Stream Mountain Top, PA 18707	Testing
Mark Runge	R. D. 1, Box 195, Reider Road Robesonia, PA 19551	Testing/Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Brendan Ryan ALARA Environmental	216 Logan Road Valencia, PA 16509	Testing
Donald Stoltenberg	10522 High Rock Road Airville, PA 17302	Testing
Kenneth Struder	P. O. Box 722 Thorndale, PA 19372	Laboratory
John Trusa	454 Dana Street Wilkes-Barre, PA 18702	Testing
Thomas Voelker	1500 Delaware Avenue Wyomissing, PA 19610	Testing/Laboratory

[Pa.B. Doc. No. 99-1919. Filed for public inspection November 12, 1999, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "1999 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Guidance

DEP ID: 563-2504-101 Title: Procedures for Calculating Mine Subsidence Bonds Description: This guidance describes the procedures the Department will follow in determining the appropriate amounts of mine subsidence bonds. It is intended to bring bond liability in line with the amount of damage that is likely to occur at a given mine. It also explains the rationale behind the Department's approach to bond calculation. Anticipated Effective Date: March 6, 2000 Comment Period Ends: December 28, 1999 Contact: Harold Miller at (717) 783-8845, fax number is (717) 783-4675, or E-mail at miller.harold@dep.state.pa.us

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1920. Filed for public inspection November 12, 1999, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board; Meeting Cancellation

The Cleanup Standards Scientific Advisory Board (CSSAB) meeting scheduled for December 2, 1999, at 9 a.m., 400 Market Street, Rachel Carson State Office Building, 14th Floor conference room has been cancelled.

Questions concerning the date of the next meeting can be directed to Marilyn Wooding at (717) 783-7509 or E-mail to Wooding.Marilyn@a1.dep.state.pa.us. All agendas, minutes and meeting materials will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marilyn Wooding directly at (717) 783-7509 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1921. Filed for public inspection November 12, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Closure of Facility

In accordance with 28 Pa. Code § 101.196 and § 201.23 enacted under the Health Care Facilities Act adopted by the Commonwealth at 35 P.S. § 448.801 *et seq.*, any acute care general hospital and long term care facility which intends to close is to give written notice of such intent to the Department, not less than 90 days prior to the anticipated date of closing. The notice shall include a contingency plan which addresses the following:

—A transition plan for the closure of patient care units including the orderly transfer or discharge of patients and their medical record information;

—The current status of payments to vendors who provide supplies and/or services to patients;

—The policy and procedure for the diversion of emergency room admissions;

—The policy and procedure for the restriction of new admissions;

—The policy and procedure for the disposition of pharmaceuticals including controlled substances;

—The policy and procedure for the disposition and handling of biomedical, hazardous radioactive waste;

—A communication plan which includes providing information to patients, employees, the community, fire, safety and ambulance companies, vendors, government officials and relevant government agencies.

Under 28 Pa. Code § 51.3(c), any health care facility which intends to reduce the number of operational beds (from the date of the last survey) or to cease providing an existing health care service, which would include such things as closing an obstetrical/gynecological service, renal dialysis program, transplant program, outpatient clinic, home care department, is to provide written notice to the Department at least 60 days prior to the effective date it intends to cease providing an existing health care service or reduce its number of operational beds.

Under 28 Pa. Code § 51.3(f), if a health care facility is aware of a situation or the occurrence of an event at the facility which could seriously compromise quality assurance or patient safety, the facility shall immediately notify the Department in writing. The notification shall include sufficient detail and information to alert the Department as to the reason for its occurrence and the steps that the health care facility shall take to rectify the situation.

Under 28 Pa. Code § 601.13, any owner of a home health care agency shall immediately report to the Department, by phone and written follow up report, any action by the agency that causes an interruption or cessation of services.

Questions or inquiries concerning this notice should be sent to: Helen Burns, Acting Director, Bureau of Facility Licensure and Certification, 930 Health and Welfare Building, Harrisburg, PA 17108, or call V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1922. Filed for public inspection November 12, 1999, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established by section 8 of the act of December 1, 1994 (P. L. 655, No. 102) (20 P. S. § 8622) will hold a public meeting on December 1, 1999. The meeting will be held from 10 a.m. to 2 p.m. in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information please contact William J. Neil, Manager, or Angela H. Anderson, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, at (717) 787-5900.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact the Bureau of Chronic Diseases and Injury Prevention, at (717) 787-5900.

V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1923. Filed for public inspection November 12, 1999, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Office of Vocational Rehabilitation; Prevention of Blindness Program

The Department of Labor and Industry, Office of Vocational Rehabilitation, announces that competing applications to provide a Prevention of Blindness Program in each of six Office of Vocational Rehabilitation, Bureau of Blindness and Visual Services districts will be accepted. Funding for this competition is under the auspice of the Pennsylvania State Board of Vocational Rehabilitation and the Office of Vocational Rehabilitation (OVR), Bureau of Blindness and Visual Services, which will serve as administrator and fiscal agent for the grants awarded under this competition. Applications will be written to accomplish the following area of emphasis:

To provide a Prevention of Blindness Program in each of six Bureau of Blindness and Visual Services (BBVS) districts in 24 counties where there are currently no organized local prevention services. The Prevention of Blindness Program shall include the following services: Pre-school Vision Screening; Adult Vision Screening; Eye Safety Programs in schools, industries, businesses, community organizations and senior centers; Public Education in all areas served; Follow-up and Referral; and Data Collection.

Service Information

The goal of this competition is to enable the provision of Prevention of Blindness services as emphasized previously. Further, grants awarded as a result of this competition will present a prevention program which maintains a viable organizational and physical presence in the geographic areas to be served during the contract year in order to enhance flow of referrals, delivery of services, implementation of follow-up and coordination of information and feedback.

OVR is seeking a contractor(s) who will provide a Prevention of Blindness program in those counties that currently possess no organized, ongoing prevention program. These counties will hereafter be referred to as "uncovered." The geographic distribution of uncovered counties is as follows:

Eastern PA

Geographic Area # 1
Philadelphia County

Geographic Area # 2
Bradford County
Carbon County
Monroe County
Pike County
Schuylkill County

Susquehanna County
Tioga County
Wayne County
Wyoming County

Geographic Area # 3
Cumberland County (part)
Franklin County
Western PA

Geographic Area # 4
Centre County

Geographic Area # 5
Armstrong County

Geographic Area # 6	
Cameron County	Forest County
Clarion County	Jefferson County
Clearfield County	McKean County
Crawford County	Potter County
Elk County	Warren County

It is anticipated a minimum of two awards will be made, one in each of the eastern and western parts of the State, subject to receipt of acceptable applications to do so. Interested parties will submit applications proposing services in either Eastern PA or Western PA sectors as identified above. Funds will be awarded for these purposes based upon OVR's acceptance of 1) the applicant's understanding of the service needs in the area, 2) and the applicant's plan for addressing those needs.

Application Information

Applications that are complete and conform to established specifications and that are received by close of business (5 p.m.), Wednesday, January 5, 2000, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose. Applications will compete to provide services as described in either the Eastern or Western parts of the Commonwealth. Applicants will be competing only against others making application in the corresponding area.

The effective dates for the contract will be July 1, 2000 through June 30, 2001. Final awards made through this competition are subject to the approval of the Executive Director, Pennsylvania Office of Vocational Rehabilitation.

Eligible applicants include private not-for-profit, for-profit, and public organizations/institutions. Organizations or individuals demonstrating compliance with the terms of this announcement may apply to participate in this competition.

A complete application package which includes more detailed information is available by calling Cathy Mills at (717) 783-3462 (TDD: 783-8917) (1-800-442-6351 [Voice] or 1-800-233-3008 [TTY]) or writing to the following address: Office of Vocational Rehabilitation, Infrastructure Services Section, 1320 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120, FAX: (717) 783-5221, e-mail: cmills@dli.state.pa.us, Attention: Cathy Mills.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Wednesday, November 17, 1999, starting at 1 p.m. in the Conference Room, Harrisburg District Office, Bureau of Blindness and Visual Services, 2923 North Seventh Street, Suite B, (Uptown Plaza), Harrisburg, PA 17110-2124.

Copies of the application package will also be available at this conference. Persons expecting to attend should

advise Cathy Mills, no later than 1 week prior to the conference, of any special accommodations that may be required in order for them to fully participate in the preproposal conference.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 99-1924. Filed for public inspection November 12, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Improved Land No Longer Needed for Transportation Purposes

Notice is hereby given that the Department of Transportation pursuant to 71 P. S. § 513(e)(7), intends to sell certain improved land owned by it.

The property is located in Dunmore Borough, Lackawanna County, PA. The parcel contains approximately 1.771 acres of improved land located at the intersection of Peggy Parkway and Reeves St. and along S. R. 0081. Estimated fair market value is \$230,000. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within thirty (30) calendar days from the date of publication of this notice to: Pennsylvania Department of Transportation, Charles M. Mattei, P.E., District Engineer, Engineering District 4-0, Dunmore, P. O. Box 111, Scranton, PA 18501.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1925. Filed for public inspection November 12, 1999, 9:00 a.m.]

Retention of Engineering Firms

Armstrong, Butler, Clarion, Indiana and Jefferson Counties

Project Reference No. 08430AG2441

The Department will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 10—0, that is Armstrong, Butler, Clarion, Indiana and Jefferson Counties. The Contract will include roadway and bridge construction projects, and material plant inspection, and other construction inspection services as needed. The Contract will be for a period of sixty (60) months, with a maximum cost of one million (\$1,000,000) dollars. The Department reserves the option to increase the duration and/or maximum amount of this Contract.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be estab-

lished directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, roadway and structural rehabilitation.

b. Understanding of Department's requirements, policies, and specifications.

c. Past Performance.

d. Number of available inspectors in each payroll classification.

e. Number of NICET certified inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 2 (TCM-2) (NICET Highway Construction Level 4 or equivalent)	2 (1)
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	4 (3)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	11 (7)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	10 (6)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	24 (15)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	4 (3)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-2)	\$52.77
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; provide certified CDS operators, nuclear densometer gauge licensed operators, a NECEPT certified field bituminous technician and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 5 Nuclear Densometer Gauges/License
- 5 Vehicles for the Transportation of Nuclear Gauges
- 4 Two-Way Radios
- 6 Cellular Phones
- 1 Level and Rod
- 2 Planimeters

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-2	3
TCM-1	5
TCIS	14
TCI-M	12
TCI	29

No resumes are required for the TA Classification.

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" 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. Richard H. Hogg, P.E., District Engineer
Engineering District 10-0
Route 286 South, P. O. Box 429
Indiana, PA 15701
Attention: Mr. John C. Fry, 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 sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. John C. Fry, P.E., District 10-0, at (724) 357-2812.

**Adams, Cumberland, Dauphin, Franklin, Lancaster,
Lebanon, Perry and York Counties**

Project Reference No. 08430AG2442

The Department 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 will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$1.0 million. The Department reserves the option to increase the Contract duration and/or maximum amount of this Contract.

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 letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of 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 District.

d. Use of Micro-station CADD.

e. Available staffing for this assignment. The selected firm could be assigned up to twenty (20) concurrent work orders of a similar or diverse nature. Prompt turn-around time is expected.

f. Relative size of firm to size of projects that may be completed under this Contract.

The selected firm shall not be permitted to work on any assignment for which it has a conflict of interest.

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 traffic signal and signal system design/analysis, traffic signing and sign structure designs and reviews, prepare/review maintenance and protection of traffic plans, preliminary field surveys, and other engineering services as required.

The selected firm must possess expertise in the development and implementation of Intelligent Transportation Systems (ITS) and will assist the District in it's deployment of the Capital Area Beltway ITS system.

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, preparations of erosion and sedimentation control plans, and preparation of GP-7 minor stream encroachment permit applications for PennDEP.

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 underground 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 complete traffic engineering or maintenance investigation has been performed; provide all necessary engineering services, mate-

rial 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 work effort involved. A more specific and project related scope of work will be outlined for each individual work order developed under the Open-End Contract.

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.

Project schedules will be maintained by the Department using Welcom "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).

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, 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 for this project should be directed to: Mr. Glenn Rowe, P.E., District 8-0, at (717) 783-3981.

**Crawford, Erie, Forest, Mercer, Venango and
Warren Counties**

Project Reference No. 08430AG2443

The Department will retain three (3) engineering firms for Open-End Contracts for various engineering and/or environmental services on various projects located in Engineering District 1-0, that is Crawford, Erie, Forest, Mercer, Venango and Warren Counties. The maximum amount for two (2) of the Open-End Contracts will be \$2.0 million. The maximum amount for the third (3rd) Open-End Contract will be \$500 thousand. The Department reserves the option to increase the duration and/or maximum amounts of these Contracts.

The Department will establish an order of ranking of a minimum of seven (7) firms for the purpose of negotiating three (3) Open-End Contracts based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of the firm. Firms must demonstrate an ability to analyze available data to make decisions to develop plans 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 Open-End Contracts. The firms will also be evaluated on customer satisfaction, including accessibility, cooperation, and attitude toward previous projects.

c. The firms selected must be capable of providing adequate leadership and human resources to effectively complete multiple work orders of a similar or diverse nature. Strategic planning and organization is required for prompt turnaround time.

d. Firms must demonstrate their ability to communicate ideas and/or practices across units, including subconsultant, to improve the design process and better meet the requirements of the Department.

e. Relative size of firm to size of projects that may be completed under these Contracts.

f. Location of the firm with respect to the District Office.

The selected firm will be required to provide necessary professional engineering and environmental services, material and equipment necessary to collect, analyze, map and organize data; conduct preliminary engineering alternative analyses; assess impacts; conduct agency and public involvement activities; prepare reports; design mitigation plans; and prepare engineering and environmental analyses.

The work and services required under these Contracts may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), traffic signal projects, location studies, various environmental studies, etc.

The engineering work and services which may be required under these Contracts include, but are not limited to, attend project field views and meetings and prepare minutes of the same; prepare appropriate submission for all project related meetings and field views; disseminate intent-to-enter notices, prepare right-of-way plans; perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; develop construction project management (CPM) schedules and reasonable construction working times; prepare lighting plans; prepare information needed to obtain all required permits, approvals, insurance, etc. for project advancement; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; evaluate alternatives using benefit/cost analysis; document engineering study findings and activities;

develop design review submissions as per applicable Department manuals, procedures and policies; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The format and content of all documents, plans, reports and other submissions will be consistent with applicable State and/or Federal regulations and guidelines.

The firm may be required to perform any or all of the following environmental studies; air quality analysis; surface water and groundwater hydrology; terrestrial ecology; wetland determinations and delineations; geological and geomorphology investigations; farmlands; visual quality; socio-economic; Section 106 and cultural resource documentation; Section 4(f) and Section 6(f) documentation; noise and vibration analysis; threatened and endangered species surveys and required mitigation; hazardous and residual waste investigations; and, any other environmental study or investigation not listed above. The environmental studies will be conducted in accordance with acceptable Department policies, methodologies and analysis techniques.

The firm may also be required to perform any or all of the following in order to ensure a complete environmental investigation has been performed: provide all necessary environmental services; material and equipment necessary to collect, organize and analyze data; assess impacts; conduct agency coordination and public involvement activities; and, prepare reports and design mitigation summaries.

The reports and other written graphic material to be prepared may include, but not be limited to: early coordination and scoping correspondence; plans of study; Meeting minutes; public meetings and hearing presentations; handouts and displays; technical basis reports; NEPA environmental documents; Section 106 documents; Section 4(f) and Section 6(f) evaluations; mitigation plans and reports; and, wetland and floodplain findings.

The engineering services and environmental studies identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under these Open-End Contracts.

This project reference assignment is considered moderately 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. John L. Baker, P.E., District Engineer
Engineering District 1-0
255 Elm Street
Oil City, PA 16301
Attention: Ms. E. Mariah Hanson

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: Ms. Mariah Hanson, District 1-0, at (814) 678-7078.

Armstrong, Butler, Clarion, Indiana, and Jefferson Counties

Project Reference No. 08430AG2444

The Department will retain an engineering firm for an Open-End Contract for various engineering services on various projects located in Engineering District 10-0, that is, Armstrong, Butler, Clarion, Indiana and Jefferson Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$750 thousand. The Department reserves the option to increase the duration and/or maximum amount of this Contract.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Past record of performance (timeliness, responsiveness, quality, cost control, and ability to meet schedules.
- b. Diversity of experience and technical competence.
- c. Location of consultant with respect to the District.
- d. Relative size of the firm to potential assignments.
- e. Avoidance of potential conflict of interest in review tasks.

The majority of work performed under this Open-End Contract will be in the areas of:

- Traffic signal system designs
- Traffic Impact study reviews
- Review of consultant designs including, but not limited to: traffic signal designs; work zone traffic control plans, signing, pavement marking and plans, delineation, etc.
- Step 9 and final safety reviews
- Support for the District's ITS initiatives, including needs assessment and design of facilities
- Support for the District's road safety audit process
- Design of municipal traffic signals
- Highway occupancy permit reviews
- Traffic volume data collection-automatic and manual
- Signal pole foundation and support computation reviews

Review tasks will be subject to the condition that the selected consultant (or any subconsultant retained to perform work under this Open-End Contract) will not be permitted to review any work performed for a developer for which they are also under contract or for a municipality in which they provide engineering services.

The services identified above are the general work activities that can be expected under this Open-End Contract, however, additional engineering services may be required. A more specific and project-related Scope of Work will be outlined with each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" 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. Richard H. Hogg, P.E., District Engineer
 Engineering District 10-0
 P. O. Box 429, Route 286 South
 Indiana, PA 15701
 Attention: Mr. Timothy R. Pieples, 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 sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Timothy R. Pieples, P.E., District 10-0, at (724) 357-2845.

Indiana County

Project Reference No. 08430AG2445

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately ten (10) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S. R. 0119, Section 492, Indiana County, U. S. 0119 rehabilitation. This project involves the rehabilitation of S. R. 0119 in Indiana County from the Creekside Exit to the Wayne Avenue Exit, in White and Centre Townships. The project will include guiderail replacement, mainline paving, concrete patching, pavement base drain, sign replacement, and structures work. There will be two (2) phases: phase one will start at the Wayne Avenue Exit and end at the Clymer Exit, phase 2 will begin at the Clymer Exit and end at the Creekside Exit. Work at the exits will extend to the red light on 4th Street at the 286 Exit, to the Airport Road at the Clymer Exit, and to the box culvert over Stoney run at the Creekside Exit.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, roadway and structural rehabilitation.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the

qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (5)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification. The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; provide certified CDS operator, nuclear densometer gauge licensed operator, a

NECEPT certified field bituminous technician and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 2 Nuclear Densometer Gauges/License
(at point of need when needed)
- 1 Level and Rod

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten percent (10%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	9

No resumes are required for the TA Classification.

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. Richard H. Hogg, P.E., District Engineer
Engineering District 10-0
Route 286 South, P. O. Box 429
Indiana, PA 15701
Attention: Mr. John C. Fry, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. John C. Fry, P.E., District 10-0, at (724) 357-2812.

Indiana County

Project Reference No. 08430AG2446

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately seven (7) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S. R. 0022, Section 480, Indiana County, U. S. 0119 south improvement project. This project involves Phase 1 of the S. R. 0119 south improvement project, between Blairsville and Homer City located in Burrell Township, Indiana County. The expansion and reconfiguration of the S. R. 0119/S. R. 0022 interchange will provide improved access between S. R. 0119 and S. R. 0022 and provide a park and ride facility for commuters. The project will include earthwork, concrete paving, drainage, guiderail, and structure work, along with roadway widening on S. R. 0119 to match into Phase 2 of S. R. 0119 south.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's

evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, roadway and structural rehabilitation.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.
- f. Ability to provide CPM scheduling.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS)	2 (1)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector (TCI)	5 (3)
(NICET Highway Construction Level 2 or equivalent)	
Technical Assistant (TA)	1 (0)
(NICET Highway Construction Level 1 or equivalent)	

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

- 1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
- 2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
- 3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
- 4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
- 5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; provide certified CDS operator, nuclear densometer gauge licensed operator, a NECEPT certified field bituminous technician and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License
(at point of need when needed)
- 1 Level and Rod
- 1 Planimeter

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten percent (10%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	6

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" 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. Richard H. Hogg, P.E., District Engineer
Engineering District 10-0
Route 286 South, P. O. Box 429
Indiana, PA 15701
Attention: Mr. Terry L. Miller, 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 sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Terry L. Miller, P.E., District 10-0, at (724) 357-2814.

Allegheny County

Project Reference No. 08430AG2447

The Department will retain an engineering firm for a multi-phase, specific project Agreement to perform environmental and final design, geotechnical design work, consultation during construction and shop drawing review for two (2) individual projects. The primary services to be provided are geotechnically related. Both projects are located in Allegheny County. The agreement will include the following projects:

1. S. R. 0279, Section A48, Mt. Nebo Road Slide; landside investigation and remediation.

2. S. R. 0279, Section A46, Retaining Wall Number 4; landslide investigation and remediation.

S. R. 0279, Section A48 will have letting date of June 2003 and S. R. 0279, Section A46 will have a letting date of June 2002.

The required services will vary for each project and may include, but not limited to, the following items: preparation and submission of Preliminary Area Reconnaissances (PAR); Initial Site Assessment Reports (ISA); Wetland Evaluation Report; Categorical Exclusion Evaluation; Geotechnical Engineering Reports (GER); Soil, Rock, Demolition Plan; Hydrology and Hydraulic Evaluation Report; Type, Size and Location Submission (TS&L); Project Mapping; Utility Verification; Field Survey; Environmental Clearance; Field Reconnaissance; Subsurface Exploration Programs; Hydrology and Hydraulic Analysis; Geotechnical Engineering Analysis.

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. Understanding of Department's requirements, design manuals, policies and specifications.

b. Specialized experience and technical competence of firm. The specific experience of individuals who constitute the firms shall be considered.

c. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience with District projects.

d. Location of consultant in respect to the District. This will include ability/provisions for quick responses to District requests.

e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants and the like.

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer
Engineering District 11-0
45 Thoms Run Road
Bridgeville, PA 15017
Attention: Mr. Joel Bowman, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. William Adams, P.E., District 11-0, at (412) 429-4922.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that 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.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the Pennsylvania Bulletin.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm

from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1926. Filed for public inspection November 12, 1999, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Cancellation of Meeting

The November 16, 1999, Environmental Quality Board meeting has been canceled. The next meeting is scheduled for December 21, 1999, at 10 a.m. in Room 105 of the Rachel Carson State Office Building (RCSOB), Harrisburg.

JAMES M. SEIF,
Chairperson

[Pa.B. Doc. No. 99-1927. Filed for public inspection November 12, 1999, 9:00 a.m.]

FISH AND BOAT COMMISSION

Triploid Grass Carp Permit Applications

Under 58 Pa. Code § 71.7, the Fish and Boat Commission may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input

with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres. Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

The following applications to stock triploid grass carp in waters having a surface area of more than 5 acres are currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Mill Run Boat Club	Mill Run Lake	Spring Township, Snyder County	15.5 acre lake on Beaver Creek	Najas flexilis Potamogeton crispus

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 99-1928. Filed for public inspection November 12, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-567	State Real Estate Commission Disclosure Summary	11/3/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1929. Filed for public inspection November 12, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Allstate Indemnity Company; New Passenger Auto Insurance Program for New Business

On November 1, 1999, the Insurance Department received from Allstate Indemnity Company a filing for a new and separate program, for new business only, for the market of people electing to purchase the minimum passenger auto insurance coverage required by law.

The proposed rate level is 1.0% above the current Allstate Indemnity Company rate level. Allstate Indemnity Company proposes to begin marketing the new program January 31, 2000.

Unless formal administrative action is taken prior to December 31, 1999, 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 Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1930. Filed for public inspection November 12, 1999, 9:00 a.m.]

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Corporation

Eastern Atlantic Insurance Company (Eastern Atlantic) has filed an application to increase its lines of underwriting authorities. The line of authority that Eastern Atlantic is applying for is the following as mentioned in section 202, subdivision (c), paragraph (1) Fidelity and Surety. The filing was made under the requirements set forth under section 322 and 352 of The Insurance Company Law (40 P.S. §§ 445 and 477). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the 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 Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; email <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1931. Filed for public inspection November 12, 1999, 9:00 a.m.]

Continental Insurance Company; Homeowners Rate/Rule Filing

On October 28, 1999, the Insurance Department received from Continental Insurance Company a filing for a rate level change for homeowners insurance.

The company requests an overall 5.9% increase amounting to \$1,927,169 annually, to be effective May 1, 2000.

Unless formal administrative action is taken prior to November 27, 1999, 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 Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1932. Filed for public inspection November 12, 1999, 9:00 a.m.]

Continental Insurance Company; Personal Automobile Rate/Rule Filing

On October 28, 1999, the Insurance Department received from Continental Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 4.7% increase amounting to \$4,372,763 annually, to be effective May 1, 2000.

Unless formal administrative action is taken prior to December 27, 1999, 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 Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg,

PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1933. Filed for public inspection November 12, 1999, 9:00 a.m.]

Medical Professional Liability Catastrophe Loss Fund; 2000 Hospital Experience Modification Factors Filing

On November 2, 1999, the Insurance Department received a filing from the Medical Professional Liability Catastrophe Loss Fund for the adjustments to the prevailing primary premiums for hospitals under section 701(e)(4) of Act 135 of 1996.

The filing indicates the following:

"...the requested hospital experience modification factors (are) . . .between -20% and +20%, as provided for in the statute."

"...the overall impact of the program on hospitals as a class is revenue neutral."

The filing applies to any new policies effective on or after January 1, 2000.

Copies of the rate filing will be available for public inspection during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1934. Filed for public inspection November 12, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Jenni R. Fraker; file no. 99-121-05609; Allstate Insurance Company; doc. no. P99-10-018; December 1, 1999, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1935. Filed for public inspection November 12, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Wayne E. and Karen A. Stevens; file no. 99-280-33545; State Farm Insurance Companies; doc. no. PH99-11-001; December 2, 1999, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to

those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1936. Filed for public inspection November 12, 1999, 9:00 a.m.]

The Medical Protective Company; Physicians and Surgeons Professional Liability Rate and Rule Revision

On October 29, 1999, the Insurance Department received from The Medical Protective Company a filing for a rate level change for physicians and surgeons professional liability insurance.

The Medical Protective Company requests an overall 0.4% decrease to be effective January 1, 2000, for new and renewal business.

Unless formal administrative action is taken prior to December 13, 1999, 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 Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at cromberg@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. 99-1937. Filed for public inspection November 12, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Clearfield County, Wine & Spirits Shoppe # 1704, 449 State Street, Curwensville, PA 16833-1240.

Lease Expiration Date: October 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 net useable square feet of new or existing retail commercial space in Houtzdale and serving the surrounding area. Location must have free parking and tractor-trailer loading.

Proposals due: December 3, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.
Contact: Bruce VanDyke, (412) 565-5130

Berks County, Wine & Spirits Shoppe # 0615, 19 Douglassville Shopping Center, Douglassville, PA 19518.

Lease Expiration Date: November 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,700 to 4,000 net useable square feet of new or existing retail commercial space within 1 mile of the intersection of U. S. Route 422 and PA Route 662.

Proposals due: December 3, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661.
Contact: Charles D. Mooney, (717) 657-4228

Dauphin County, Wine & Spirits Shoppe # 2215, 55 The Point Shopping Center, Harrisburg, PA 17111.

Lease Expiration Date: October 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,500 to 6,000 net useable square feet of new or existing retail commercial space along Union Deposit Road between Progress Avenue to the west and East Park Drive to the east.

Proposals due: December 3, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Lancaster County, Wine & Spirits Shoppe # 3605, Manheim Shopping Center, Doe Run Road, Manheim, PA 17545

Lease Expiration Date: July 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 to 4,000 net useable square feet of new or existing retail commercial space within 3 miles of the intersection of PA Routes 72 and 772, Penn Township.

Proposals due: December 3, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Allegheny County, Wine & Spirits Shoppe #0249, Whitehall Terrace Shopping Center, 4120 Brownsville Road, Pittsburgh, PA 15227-3307.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,200 net useable square feet of new or existing retail commercial space near the intersection of Brownsville Road and PA Route 51. Site must have free, off-street parking and access for tractor trailer deliveries.

Proposals due: November 19, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Joseph Molhoek, (412) 565-5130

York County, Wine & Spirits Shoppe #6710, 4 Dairyland Square, Red Lion, PA 17356-1801.

Lease Expiration Date: June 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,300 to 3,800 net useable square feet of new or existing retail commercial space within the Borough of Red Lion or surrounding portions of York or Windsor Townships.

Proposals due: December 10, 1999 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. 99-1938. Filed for public inspection November 12, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Interconnection Agreement

A-310633F0002. Level 3 Communications, LLC and Bell Atlantic-Pennsylvania, Inc. Joint Petition of Level 3 Communications, LLC and Bell Atlantic-Pennsylvania, Inc. for approval of an amendment to the Interconnection Agreement.

Level 3 Communications, LLC and Bell Atlantic-Pennsylvania, Inc., by its counsel filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an amendment to the 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 Level 3 Communications, LLC and Bell Atlantic-Pennsylvania, Inc. Joint Petition are on file with the 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. 99-1939. Filed for public inspection November 12, 1999, 9:00 a.m.]

**Local Exchange Carrier Services
Without Hearing**

A-310725F0002. FairPoint Communications Corp. Application of FairPoint Communications Corp. (f/k/a MJD TeleChoice Corp.) for approval to amend its existing authority to provide competitive local exchange carrier services in the service territory of Alltel Pennsylvania, Inc. (at Doc. No. A-310725F0002).

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 November 29, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: FairPoint Communications Corp. f/k/a MJD TeleChoice Corp.

Through and By Counsel: Andrew D. Fisher, Huber Lawrence & Abell, 605 Third Avenue, New York, NY 10158.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1940. Filed for public inspection November 12, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 6, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00116333. Berwick Area Ambulance Association, Inc. (P. O. Box 111, Berwick, Columbia County, PA 18603), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Montour, Columbia and Luzerne, and from points in said counties, to points in Pennsylvania, and vice versa. *Attorney:* Jeffrey P. Ouellet, 305 North Front Street, 5th Floor, P. O. Box 1003, Harrisburg, PA 17108-1003.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00116336. Royal Star Limo, L.L.C. (407 Muir Avenue, Hazleton, Luzerne County, PA 18201), a limited liability company of the Commonwealth of Pennsylvania—persons in limousine service, between points in the

city of Hazleton, Luzerne County, and within an airline distance of 35 statute miles of the limits of said city, and from points in said city and territory, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00111783, F.2 to Royal Star Limousine Service, Inc., subject to the same limitations and conditions. *Attorney:* John P. Rodgers, 15 Public Square, Suite 210, Wilkes-Barre, PA 18701.

Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use and property as described under each application.

A-00092905, Folder 2, Am-B. Crossman's Van & Storage Co., Inc. (7138 Chew Avenue, P. O. Box 51222, Philadelphia, Philadelphia County, PA 19115), a corporation of the Commonwealth of Pennsylvania—discontinuance of service—(1) household goods in use: (a) between points in the city and county of Philadelphia; (b) from points in the city and county of Philadelphia to other points in Pennsylvania; and (c) from points in the city and county of Philadelphia, to points within 25 miles by the usually traveled highways of Philadelphia City Hall, and vice versa; and (2) property, except household goods in use, between points in Pennsylvania.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Leonard A. Moon, t/d/b/a Blue Moon Limousine Service; doc. no. A-00108472C99, A-00108472, F.2

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Leonard A. Moon, t/d/b/a Blue Moon Limousine Service, respondent, maintains his principal place of business at Route 6, P. O. Box 96, Hawley, Wayne County, Pennsylvania 18428.
2. That respondent was issued a certificate of public convenience by this Commission on December 4, 1992, at Application Docket No. A-00108472, F.2.
3. That respondent failed to maintain evidence of insurance on file with this Commission.
4. That on or before August 4, 1999, respondent abandoned or discontinued service without having first filed an application with this Commission.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 52 Pa. Code §§ 33.2 and 32.11 and 66 Pa.C.S. § 512.
6. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2).

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Leonard A. Moon, t/d/b/a Blue Moon Limousine Service's certificate of public convenience at A-00108472, F.2.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
George T. Mahan

Notice

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include the revocation of your certificate of public convenience or other remedy.

C. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1941. Filed for public inspection November 12, 1999, 9:00 a.m.]

Telecommunications

A-310801F0002. Bell Atlantic-Pennsylvania, Inc. and CoreComm Pennsylvania, Inc. d/b/a CoreComm. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and

CoreComm Pennsylvania, Inc. d/b/a CoreComm for approval of a Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and CoreComm Pennsylvania, Inc. d/b/a CoreComm, by its counsel, filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Resale 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 Bell Atlantic-Pennsylvania, Inc. and CoreComm Pennsylvania, Inc. d/b/a CoreComm Joint Petition are on file with the 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. 99-1942. Filed for public inspection November 12, 1999, 9:00 a.m.]

Telecommunications

A-310804. Bell Atlantic-Pennsylvania, Inc. and DPI Teleconnect. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and DPI Teleconnect for approval of a Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and DPI Teleconnect, by its counsel, filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Resale 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 Bell Atlantic-Pennsylvania, Inc. and DPI Teleconnect Joint Petition are on file with the 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. 99-1943. Filed for public inspection November 12, 1999, 9:00 a.m.]

Telecommunications

A-310748F0002. Bell Atlantic-Pennsylvania, Inc. and Empire Communications, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Empire Communications, Inc. for approval of a Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Empire Communications, Inc., by its counsel, filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commis-

sion), a Joint Petition for approval of a Resale 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 Bell Atlantic-Pennsylvania, Inc. and Empire Communications, Inc. Joint Petition are on file with the 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. 99-1944. Filed for public inspection November 12, 1999, 9:00 a.m.]

Telecommunications

A-310195F0002. Bell Atlantic-Pennsylvania, Inc. and The Furst Group, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and The Furst Group, Inc. for approval of a Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and The Furst Group, Inc., by its counsel, filed on October 29, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Resale 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 Bell Atlantic-Pennsylvania, Inc. and The Furst Group, Inc. Joint Petition are on file with the 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. 99-1945. Filed for public inspection November 12, 1999, 9:00 a.m.]

Transfer by Sale Without Hearing

A-110500F0290. PP&L, Inc. Application of PP&L, Inc., for approval of the Transfer by Sale to Donald E. Schell, Jr. of facilities located in Hampden Township, Cumberland 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 November 29, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: PP&L, Inc.

Through and By Counsel: Paul E. Russell, Associate General Counsel, PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1946. Filed for public inspection November 12, 1999, 9:00 a.m.]

Water Service Without Hearing

A-220004F2000. Borough of Duncansville. Application of the Borough of Duncansville, Blair County, PA, for approval under section 1102(a)(2) of the Public Utility Code of the surrender and cancellation of the Borough's Certificate of Public Convenience concerning the provision of water service to the public in portions of Blair and Allegheny Townships, Blair County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 29, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Borough of Duncansville.

Through and By Counsel: Jan P. Paden, Rhoads & Sinon, LLP, Attorneys At Law, P. O. Box 1146, Harrisburg, PA 17108-1146.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1947. Filed for public inspection November 12, 1999, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Notice of Public Meetings for 2000

The State Athletic Commission of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2000, under the State Athletic Code, 5 Pa.C.S. § 103. All meetings will be held in Room 301, North Office Building, Harrisburg, PA 17120, at 11 a.m. These meetings are open to the public and are scheduled as follows: February 28, 2000, April 24, 2000, June 26, 2000, August 28, 2000, October 30, 2000 and December 18, 2000.

Individuals having questions regarding these meetings should contact the State Athletic Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 99-1948. Filed for public inspection November 12, 1999, 9:00 a.m.]

STATE BOARD FOR CERTIFICATION OF SEWAGE ENFORCEMENT OFFICERS

2000 Examination Announcement

Examination Dates:

- * January 22, 2000 All applications must be received by the Board, complete and correct by close of business December 23, 1999.
- * March 18, 2000 All applications must be received by the Board, complete and correct by the close of business February 17, 2000.
- April 7, 2000
Exton, PA All applications must be received by the Board, complete and correct by close of business March 8, 2000.
- * May 20, 2000 All applications must be received by the Board, complete and correct by close of business April 20, 2000.
- June 30, 2000
Warren, PA All applications must be received by the Board, complete and correct by close of business May 31, 2000.
- * July 22, 2000 All applications must be received by the Board, complete and correct by close of business June 22, 2000.
- August 11, 2000
Scranton, PA All applications must be received by the Board, complete and correct by close of business July 12, 2000.
- September 1, 2000
State College, PA All applications must be received by the Board, complete and correct by close of business August 2, 2000.
- * September 23, 2000 All applications must be received by the Board, complete and correct by close of business August 24, 2000.
- October 20, 2000
Somerset, PA All applications must be received by the Board, complete and correct by close of business September 20, 2000.

* November 11, 2000 All applications must be received by the Board, complete and correct by close of business October 12, 2000.

* These certification examinations will be administered in the area of the following cities; Erie, Harrisburg, Philadelphia, Pittsburgh, State College and Wilkes-Barre

• These certification examinations will be administered the Friday following completion of the Precertification academy at the city listed below the date.

To qualify to sit for the certification exam, all SEO candidates must complete the SEO precertification academy, which consists of 6 days of training spread over 2 weeks.

For information on SEO training, contact the Pennsylvania State Association of Township Supervisors, 3001 Gettysburg Road, Camp Hill, PA 17011-7296, (717) 763-0930.

The Sewage Enforcement Officer written examination contains 80 multiple choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3.5 hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book exam, however, you are not permitted to bring your own materials. All necessary reference materials will be provided at the test site.

Exam applications may be obtained by contacting the Department of Environmental Protection, Certification and Licensing Section, Rachel Carson State Office Building, 400 Market St., P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-6045.

Approximately 3 weeks prior to an examination, applicants will receive an admittance letter from the Certification Board.

Persons with a disability who require accommodation to take the SEO examination, should contact the Board at (717) 787-6045 or through Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

KATHY W. KEYES,
Secretary

[Pa.B. Doc. No. 99-1949. Filed for public inspection November 12, 1999, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

- The payment date specified in the contract.
- 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
- The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

- ③ Contract Information
- ④ Department

- 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

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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

1236119 Combination laundry washer-extractor. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Muncy, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

8057520 Rak Paks constructed of 14 gauge welded steel, large capacity to 40,000 20# forms. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Mechanicsburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1235119 Mobile security tower. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Waynesburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

7314330 Standard bank deposit ticket, three-part carbonless form. For a copy of the bid package fax request to (717) 787-0725.

Department: Liquor Control Board
Location: Various
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1185119 Furnish and install roof on Building # 13 at SCI-Laurel Highlands. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: SCI-Laurel Highlands, Somerset, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

1229209 Raincoats, Blauer Model 9690 HI-VIS, no substitute. For a copy of the bid package fax request to (717) 787-0725.

Department: State Police
Location: Harrisburg, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

BCI 99-62 7 each—Night vision binoculars, ITT Industries Night Enforcer 260. No substitute.

Department: State Police
Location: Bureau of Criminal Investigation, 1800 Elmerton Ave., Harrisburg, PA 17110
Duration: June 30, 2000
Contact: Robert D. Stare, (717) 705-5921

1220119 Batting cotton, in accordance with bid specification. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Dallas, PA
Duration: FY 99-00
Contact: Vendor Services, (717) 787-2199

SERVICES

acquaint potential contractors with the Department's services and operations. Interested contractors may request a copy of the RFP by faxing their name, company name, address, telephone number and fax number to Diane Cole at (717) 783-7971. Please reference RFP 98-13 (Rebid) on your request.

Department: Transportation
Location: 555 Walnut Street, Harrisburg, PA 17101
Duration: Multiyear with possibility of renewal
Contact: Debra Gray, (717) 783-9671

Advertising—01

RFP 98-13 (Rebid) The Pennsylvania Department of Transportation is resoliciting proposals to develop a new logo/brand anticipated for introduction in July 2000. This revised Request for Proposals (RFP) has been significantly modified from its original release. The logo/brand will be used in all publications and on all products provided to customers, as well as on those products which are most visible to the public (such as equipment facilities, forms, and the like). In addition, the successful proposer will be required to develop a signing manual. All contractors requesting a copy of the RFP will also be receiving a copy of the PA Department of Transportation 1998 Annual Report to

Barber/Cosmetology Services—05

029 In house barber/beautician needed at the Allentown State Hospital to provide the following services: cuts, shampoos, perms and sets. Copies of bid packet can be obtained by contacting the Purchasing Department at (610) 740-3528 or fax (610) 740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, Purchasing Agent, (610) 740-3428

Computer Related Services—08

SP-260045 Provide all software, hardware, training, labor and materials to furnish, install and maintain an interactive customer Kiosk system for lease in approximately 102 Wine & Spirits Shoppes.

Department: Liquor Control Board
Location: Statewide
Duration: 5 year contract w/five additional 1-year options
Contact: Debbie Brinser, (717) 772-2043

Construction & Construction Maintenance—09

015DGS948-35PHASE 1, PART L Project title: Fire Safety Code Improvements—4th Floor North Wing and Hyphen. Brief description: Consists of Historical Refurbishment and General Construction work, on the 4th Floor of the North Wing of the Main Capitol Building. Estimated range: \$2,000,000 to \$5,000,000. General Construction. Plans deposit: \$120 for four sets (948-35, PH. 1 PT. L, 948-36, PH. 3, PT. A, 948-37, PH. 4 PT. A, 948-53, PH. 1, PT. F). All bidders will receive one set of documents for each project for coordination of work. Checks payable to: Reynolds Construction Management, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Mail a separate check for \$15 per set or provide your express mail account to the office listed. Mail requests to: Reynolds Construction Management, Rm. 314, Arsenal Building, 18th and Herr Sts., Harrisburg, PA 17125. Attn: Tim Werner, (717) 230-8367. Bid date: Thursday, December 2, 1999, at 2 p.m. A Preproposal Conference has been scheduled for November 11, 1999, at 8 a.m. in Rm. 461, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8367. There will be a walk through immediately following the Preproposal Conference. This will be the only opportunity for the bidders to visit the project site. All contractors who have secured Request for Proposal documents are invited and urged to attend this Preproposal Conference and walk through. All questions for this RFP must be received by fax by 5 p.m., November 17, 1999. Inquiries received after this time and date will not be considered. Address to: Tim Werner, fax (717) 230-8048.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: 260 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1578-1PHASE4 Project title: Renovation of Institution. Brief description: Work consists of general (with food service equipment and elevator) HVAC, plumbing, electrical and fire protection contracts for interior and exterior additions and alterations to five existing buildings with related utilities and sitework. Estimated range: \$2,000,000 to \$5,000,000. General, HVAC, Plumbing, Electrical and Fire Protection Construction. Plans deposit: \$250 per set. Payable to: Reilly Associates. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed. Mail requests to: Reilly Associates, 222 Wyoming Avenue, West Pittston, PA 18643-2822, (570) 654-2473. Bid date: Wednesday, December 8, 1999, at 1 p.m. A Prebid Conference has been scheduled for Monday, November 22, 1999, at 9 a.m. at the State Correctional Institution, Waymart, PA. Meet at the Vehicle Sally Port. Contact: Dominick Nati, (570) 488-5811. All contractors who have secured contract documents are invited and urged to attend this Prebid Conference.

Department: General Services
Location: State Correctional Institution, Waymart, Wayne County, PA
Duration: 315 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS970-150 Project title: Roof Replacement. Brief description: Roof replacement of monitor roof and miscellaneous repairs. Estimated range: Under \$100,000. General Construction. Plans deposit: \$25 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed 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. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 1, 1999, at 11 a.m.

Department: General Services
Location: PA National Guard Armory—OMS # 13, Pittsburgh, Allegheny County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1103-48ST1 Project title: Caissons. Brief description: Work includes all work necessary to complete installation of caissons, including drilling, reinforcing steel, concrete and the associated earthwork. Estimated range: \$100,000 to \$500,000. Caissons Construction. Plans deposit: \$150 per set. Payable to: Pitt-Center Partners. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$40 per set or provide your express mail account number to the office listed. Mail requests to: Pitt-Center Partners, 1020 Lebanon Road, West Mifflin, PA 15122-1036, Attn: Marlene Martak, (412) 462-9300. Bid date: Wednesday, December 1, 1999, at 11 a.m. A Prebid Conference has been scheduled for Tuesday, November 16, 1999, at 9 a.m. at the Eiseman Prussian Media Room in Pitt Stadium, Pittsburgh, PA. Contact: Marty Wood, (412) 394-6888. All contractors who have secured contract documents are invited and urged to attend this Prebid Conference.

Department: General Services
Location: University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA
Duration: 88 calendar days from date of initial job conference for completion of the entire project
Contact: Contract and Bidding Unit, (717) 787-6556

FDC-424-339 General construction of a 40' x 48' maintenance building (masonry foundation, wood frame with siding and shingled roof and site work). Project is at Memorial Lake State Park. Bid documents may be requested on or after November 22, 1999.

Department: Conservation and Natural Resources
Location: East Hanover Township
Duration: 90 days
Contact: Construction Management Section, (717) 787-5055

015DGS960-26Revised Rebid Project title: Construction of Pennsylvania Veterans' Memorial. Brief description: Construction of a Veterans' Memorial structure with concrete and stone walls, amphitheater seating, water pools/fountains, trees, landscaping, paved surfaces and parking. Work includes general, Plumbing and Electrical Construction. Estimated range: \$2,000,000 to \$5,000,000. General, Plumbing and Electrical Construction. Plans deposit: \$50 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed. Mail requests to: Department of General Services, Room 107, Headquarters Buildings, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 8, 1999, at 2 p.m.

Department: General Services
Location: National Cemetery, Ft. Indiantown Gap, Lebanon County, PA
Duration: 320 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS1103-48ST2 Project title: Structural Steel. Brief description: All work necessary to furnish and install structural steel. Estimated range: Over \$10,000,000. Structural Steel Construction. Plans deposit: \$200 per set. Payable to: Pitt-Center Partners. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$50 per set or provide your express mail account number to the office listed. Mail requests to: Pitt-Center Partners, 1020 Lebanon Road, West Mifflin, PA 15122-1036, Attn: Marlene Martak, (412) 462-9300. Bid date: Wednesday, December 1, 1999, at 11 a.m. A Prebid Conference has been scheduled for Tuesday, November 16, 1999, at 11 a.m. at the Eiseman Prussin Media Room in Pitt Stadium, Pittsburgh, PA. Contact: Marty Wood, (412) 394-6888. All contractors who have secured contract documents are invited and urged to attend this Prebid Conference.

Department: General Services
Location: University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA
Duration: 253 calendar days from date of initial job conference for completion of the entire project
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS251-524 Project title: Remove and Replace Windows and Doors. Brief description: Replace windows and doors in garage area. Estimated range: Under \$100,000. General Construction. Plans deposit: \$25 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. 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. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 1, 1999, at 1 p.m.

Department: General Services
Location: PennDot Maintenance Building, Bortondale, Delaware County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS574-24 Project title: New High Security Residential Housing Unit. Brief description: New, two story women's prison with general construction of masonry, precast concrete and steel framing, security systems and sitework. Work includes HVAC, plumbing, fire protection and electrical construction. Estimated range: \$2,000,000 to \$5,000,000. General, HVAC, Plumbing and Electrical Construction. Plans deposit: \$175 per set. Payable to: HLM Design of the Northeast. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed. Mail requests to: HLM Design of the Northeast Architects, Engineering and Planning, One Commerce Square, 2005 Market St., Suite 610, Philadelphia, PA 19103, (215) 564-9977. Bid date: Wednesday, December 8, 1999, at 2 p.m. A controlled onsite walk through has been scheduled for Thursday, November 18, 1999, at 10 a.m. at the State Correctional Institution, Muncy, PA. Meet at the Front Gate. Contact: Jeff Hill, (215) 564-9977. All contractors who have secured contract documents are invited and urged to attend this site walk through.

Department: General Services
Location: State Correctional Institution, Muncy, Lycoming County, PA
Duration: 300 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

KUCC-0003 Kutztown University is seeking qualified vertical and electrical contractors for the elevator modernization project for Deatrick, Johnson and Bonner Halls at Kutztown University. Bid packages are available for a nonrefundable fee of \$50 from John Holton, RPA Associates, 3 Park Plaza, Wyomissing, PA, (610) 374-6144. Bid packages are available November 15, 1999, through prebid. A prebid meeting has been scheduled for November 30, 1999, at 10 a.m. in Room OM-26, Old Main Building. Bids are to be received on December 15, 1999, no later than 2 p.m. in the Office of Planning and Construction, Room 236. Bids will be opened on December 15, 1999, at 2 p.m. Nondiscrimination and equal opportunity are policies of the Commonwealth of Pennsylvania and the State System of Higher Education.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: The university anticipates issuing the NTP on or before March 3, 2000 with work to be completed on or before August 12, 2000
Contact: Barbara Barish, (610) 683-4602

015DGS972-12 Project title: Fire and Security Renovations. Brief description: Replace all existing fire and security alarm devices and panels. Provide new fire and security alarm devices and panels at selected buildings. Estimated range: \$100,000 to \$200,000. Electrical Construction. Plans deposit: \$25 per set. Payable to: Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed 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. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 8, 1999, at 2 p.m.

Department: General Services
Location: Landis Valley Museum, Lancaster, Lancaster County, PA
Duration: 180 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

FBP-07-0007 Removal of existing structures; excavating, backfilling and compacting; boulders; E & S measures; select material surfacing; water supply line; traffic signing; landscaping, plain and reinforced concrete structures (6 c.m.); structural steel; and Glulam timber bridge superstructure and timber railing. Bid documents may be requested on or after November 15, 1999.

Department: Conservation and Natural Resources
Location: Poe Paddy State Park, Haines Township
Duration: Complete all work by October 31, 2000
Contact: Construction Management Section, (717) 787-5055

Engineering Services—14

RFP 98-32 New Products Evaluation Program/Forensic Analysis Special Testing. This project for the Department of Transportation would provide for: the expedient consideration, evaluation and implementation of promising new technologies and products; and the conduct of forensic analysis and special testing of specific materials on a priority basis. Detailed requirements and the RFP are available on a fax request. Fax requests including: name, company name, address, phone no., fax no. and the RFP no., to Roberta Cooper at (717) 783-7971.

Department: Transportation
Location: Statewide
Duration: 5 years w/possible extension
Contact: Catherine Swatek, (717) 787-1368

08430AG2443 Three open-end contracts for various engineering and environmental services in Engineering District 1-0, that is, Crawford, Erie, Forest, Mercer, Venango and Warren Counties.

Department: Transportation
Location: Engineering District 1-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2445 To provide construction inspection and documentation services on S. R. 0119, Section 492, U. S. 0119 rehabilitation, Indiana County.

Department: Transportation
Location: Engineering District 10-0
Duration: Thirty (30) days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2447 To provide preliminary engineering, environmental studies, final design, consultation during construction and shop drawing review on two landslide investigation and remediation projects: S. R. 0279, Section A48—Mt. Nebo Road Slide and S. R. 0279, Section A46—Retaining Wall Number 4, both in Allegheny County.

Department: Transportation
Location: Engineering District 11-0
Duration: Thirty (30) days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2446 To provide construction inspection and documentation services on S. R. 0022, Section 480, U. S. 0022/U. S. 0119 interchange reconstruction, Indiana County.

Department: Transportation
Location: Engineering District 10-0
Duration: Thirty (30) days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2444 Open-end contract for various engineering services in Engineering District 10-0, that is, Armstrong, Butler, Clarion, Indiana and Jefferson Counties.

Department: Transportation
Location: Engineering District 10-0
Duration: Sixty (60) Months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2441 Open-end contract for construction inspection services in Engineering District 10-0, that is, Armstrong, Butler, Clarion, Indiana and Jefferson Counties.

Department: Transportation
Location: Engineering District 10-0
Duration: Sixty (60) Months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2442 Open-end contract for various engineering and environmental services on traffic and maintenance type projects in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties.

Department: Transportation
Location: Engineering District 8-0
Duration: Sixty (60) Months
Contact: Consultant Agreement Division, (717) 783-9309

Environmental Maintenance Services—15

12DR01 To provide on-call drilling equipment for soils and geological engineering investigation on various types of terrain. Also, to provide maintenance and protection of traffic during drilling operations when required. Contract will include renewal language similar to "By mutual consent of both parties, this contract shall be renewable for one (1) year periods for a total of four (4) such renewals." Letters of Interest must be received no later than close of business on the Friday after the last days advertisement in the *Pennsylvania Bulletin*.

Department: Transportation
Location: Fayette, Greene, Washington and Westmoreland Counties
Duration: February 1, 2000 to January 31, 2001
Contact: D. Michael Kuhn, (724) 439-7245

OSM 56(7116)101.1 Subsidence Control, Tire Hill, involves an estimated: drilling of 11 boreholes, 2,053 tons of flushing material and sealing 13 boreholes. Bid documents will be issued November 12, 1999. Requests for bid documents must be accompanied by payment (\$10) before they will be sent. One hundred percent (100%) of this project is financed by the Federal government under The Surface Mining Control and Reclamation Act of 1977. Federal funds available for this program total \$20 million for Pennsylvania's 1999 Abandoned Mine Lands Grant.

Department: Environmental Protection
Location: Conemaugh Township
Duration: 70 days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994

Extermination Services—16

036 The contract will provide for a pest and insect control program for the hospital. Services shall be performed twice monthly or more frequently if required. Copies of the bid proposal can be obtained by contacting the Allentown State Hospital, (610) 740-3428 or fax (610) 740-3432.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

Firefighting Services—18

00972007 Provide service to test all smoke detectors throughout Mayview State Hospital. For complete bid information, please fax request to Fred Molisee, (412) 257-6761. Include company name, address, phone, contact person, Federal identification number, and if the company is a minority or women owned business, also include which bid package you are requesting.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017
Duration: July 1, 2000—June 30, 2005
Contact: F. Molisee, (412) 257-6215

Bid # 8004 Furnish all labor, materials and equipment to inspect for leaks, defective parts, material, and the like, and make repairs as necessary to put extinguishers in proper working order. Vendor must furnish all new repair parts. Estimated number of units: 450. 225-# 10 dry chemical hydrotest. 225-# 10 dry chemical recharge. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Butler Headquarters, 200 Barracks Road, Butler, PA 16001-2689
Duration: December 1, 1999 to June 30, 2002
Contact: Donna Enders, (717) 783-5484

Food—19

6035 Ice tea, decaffeinated, diet for January through June 2000. Container size must be 1/2 pint. Specifications and delivery dates available upon request from agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: January through June 2000
Contact: Jack W. Heinze, (717) 772-7435

6018 Juices, frozen of various flavors for January through June 2000. Container size must be 4 ounce. Specifications and delivery dates available upon request from agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: January through June 2000
Contact: Jack W. Heinze, (717) 772-7435

6022 Pies and cakes, fresh for January through June 2000. Specifications and delivery dates available upon request from agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: January through June 2000
Contact: Jack W. Heinze, (717) 772-7435

M-876 Meats and meat products; poultry and poultry products; fish; cheeses. To be delivered only at request of facility.

Department: Labor and Industry
Location: F.O.B. Shipping Platform, 727 Goucher Street, Johnstown, PA 15905
Duration: January, February, March, 2000
Contact: Christine A. Sloan, Purchasing Agent, (814) 255-8228

4233 Perishable foods: Prepared salads, dairy products and drinks, prepared vegetables, frozen juice, poultry and poultry products, fresh fruits and vegetables, pies and cakes—fresh, frozen vegetables, fish and fish products—frozen, ice cream and sherbet, meat and meat products, miscellaneous frozen foods, bread, rolls and related products—fresh. Various deliveries beginning January 1, 2000 and ending March 31, 2000.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017
Duration: January 1, 2000 through March 31, 2000
Contact: F. Molisee, (412) 257-6215

HVAC—22

90880017 Install air handling units in Dorms A and B located at Youth Forestry Camp No. 3, R. D. 1, Box 175, James Creek, PA 16657. Complete specifications will be mailed with bid.

Department: Public Welfare
Location: Youth Forestry Camp No. 3, R. D. 1, Box 175, James Creek, PA 16657
Duration: Anticipated start date of December 1, 1999 through June 30, 2000
Contact: Dee Kuhn, Purchasing Agent, (717) 789-5509

M-496 Contractor shall repair all high mast, perimeter and street lighting at the State Correctional Institution at Mahanoy, 301 Morea Road, Schuylkill County, Frackville, PA. Requests for bid packages to be made in writing to the purchasing agent at the facility.

Department: Corrections
Location: State Correctional Institution at Mahanoy, 301 Morea Road, Schuylkill County, Frackville, PA 17932
Duration: January 1, 2000 to June 30, 2002
Contact: Ann M. Gavala, Purchasing, (570) 773-2158

FDC-424-340 All electrical work associated with the construction of a new 40' x 48' wood frame maintenance building at Memorial Lake State Park. Bid documents may be requested on or after November 22, 1999.

Department: Conservation and Natural Resources
Location: East Hanover Township
Duration: 90 days
Contact: Construction Management Section, (717) 787-5055

FDC-424-634 All plumbing work associated with the construction of a new 40' x 48' wood frame maintenance building at Memorial Lake State Park. Bid documents may be requested on or after November 22, 1999.

Department: Conservation and Natural Resources
Location: East Hanover Township
Duration: 90 days
Contact: Construction Management Section, (717) 787-5055

90873040 Calibrate, adjust and provide emergency service to the boiler controls located in the power plant of the Harrisburg State Hospital. Controls consist of Bailey, Fisher, Porter Steam Flow Transmitters and Recorders and also Cleaver Brooks Boiler with Fire-Eye Boiler Control Systems, Copes Vulcan water level controls.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets Power Plant, Building No. 44, Harrisburg, PA 17105-1300
Duration: The approximate start date is February 1, 2000, through June 30, 2003, a period of 29 months
Contact: Jack W. Heinze, PA III, (717) 772-7435

FDC-424-635 All mechanical work (HVAC) associated with the construction of a new 40' x 48' wood frame maintenance building at Memorial Lake State Park. Bid documents may be requested on or after November 22, 1999.

Department: Conservation and Natural Resources
Location: East Hanover Township
Duration: 90 days
Contact: Construction Management Section, (717) 787-5055

Janitorial Services—23

PB 0930003 General cleaning contract for offices, lunch rooms, training room, lavatories, consisting of 5,607 square feet. Cleaning to be done at the main office building in Ebensburg.

Department: Transportation
Location: PENNDOT—Maintenance Building, 4595 Admiral Perry Highway, Ebensburg, PA 15931
Duration: January 1, 2000 to December 31, 2000 with three 1-year renewal options
Contact: Greg Stotz or Gail Prave, (814) 472-7100

00972006 Contractor shall furnish all labor, materials and equipment necessary to clean, sight and touch, all glass windows and glass door panels twice annually in various buildings at Mayview State Hospital. Bids can be obtained by faxing complete company name, address, phone, fax and contact person to Purchasing at (412) 257-6761 or call the number listed in this publication.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599
Duration: July 1, 2000 through June 30, 2005
Contact: Frederick R. Molisee, (412) 257-6215

SP 91742016 Vendor to provide janitorial services, covering the Cherrywood Building, DPW Office Complex Two, located on the campus of Harrisburg State Hospital. Space to be serviced consists of approximately 54,500 square feet of general office space. Interested vendors may obtain a detailed copy of the specifications by faxing a request to the Division of Procurement at (717) 787-3560.

Department: Public Welfare
Location: Division of Office Services, Cherrywood Building/DPW Office Complex 2, Harrisburg State Hospital Grounds, Harrisburg, PA 17105
Duration: January 1, 2000 to June 30, 2000
Contact: Barry Malone, (717) 705-3917

Lodging/Meeting Facilities—27

SP 3590007313 Provide lodging, meeting rooms and meals for the Department of Environmental Protection Workshop for approximately 125–150 attendees.

Department: Environmental Protection
Location: Within a 10-mile radius of downtown Danville, PA
Duration: Through June 30, 2000
Contact: Sherry Morrow, (717) 772-1216

Medical Services—29

035 To provide the services of a radiation physicist to the radiology and dental clinic of this hospital. The service shall consist of quarterly inspection visits to help maintain radiation safety vigilance. The service will also insure that this hospital is in compliance with all State and Federal inspection agencies. Copies of the bid proposal can be obtained by contacting the purchasing department of the Allentown State Hospital.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

032 To provide maintenance/preventive maintenance for all bio-medical equipment. A copy of the bid packet can be obtained by contacting the purchasing department at (610) 740-3428 or by fax (610) 740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

034 Provide a medical monitoring service for employees involved with asbestos abatement program and respirator use. The service shall include pulmonary function examinations, X-rays and medical history profiles. The services shall be completed by a physician licensed as a Class B Reader. Copies of the bid packet can be obtained by contacting the purchasing department at (610) 740-3428 or fax (610) 740-3432.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

031 Provide for the rebuilding and repair of electric motors. The vendor is responsible for the pick-up and delivery of the motors. Motors that are too large to transport will be repaired onsite. Copies of the bid proposal can be obtained by contacting the hospital purchasing department.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

030 Request the need for a cardiologist/internal medicine specialist, out-patient/as needed only, at the Allentown State Hospital. Cardiology services are to include internal medicine and EKG readings. A copy of the bid packet can be obtained by contacting the purchasing department at (610) 740-3428 or by fax (610) 740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

Property Maintenance—33

NE-1999 Furnish and place armor stone (approximately 3,150 tons) at the Pennsylvania Fish and Boat Commission's North East Marina, Erie County, PA. Armor stone will be placed by barge from the water. Also, provide dredging services for approximately 7,000 c.y. of material to be removed from marina using waterborne equipment. Dredged material to be placed in parking area at site. In addition, removal of navigational hazards in Lake Erie located close to the marina. Price will include all mobilization, demobilization, equipment, tools, labor and work incident thereto. All work to be performed prior to May 21, 2000.

Department: Fish and Boat Commission
Location: North East Marina, 11950 East Lake Road, North East, PA 16428
Duration: March 1, 2000 through May 31, 2000
Contact: Kathi Tibbott, (814) 359-5131

Real Estate Services—35

373883 Lease office space to the Commonwealth of Pennsylvania, PA State Police, 4,847 useable sq. ft. of new or existing office/hangar space, parking for 14 vehicles, in Venango County, PA within the Venango Regional Airport, Franklin, PA. Proposals due: January 4, 2000. Solicitation No.: 92885.

Department: State Police
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1999-2000
Contact: John Hocker, (717) 787-4396

373883 Lease office space to the Commonwealth of Pennsylvania, Department of Labor and Industry, 12,190 useable sq. ft. new/existing office space, situated within the corporate limits of Johnstown, Cambria County, PA. Proposals may be submitted separate or combined offices. Bureau of Worker's Compensation, 7,272 useable sq. ft. of office space with 12 staff parking spaces and an additional 30 public parking spaces within a 3 block radius. State Workmen's Insurance Fund, 4,918 useable sq. ft. with 25 staff parking spaces. Combined useable square footage for office space is 12,190 useable sq. ft. with 37 staff parking spaces and an additional 30 public parking spaces within a 3 block radius. Proposals due: December 27, 1999. Solicitation No.: 92917.

Department: Labor and Industry
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: Indeterminate 1999-2000
Contact: Jennings Ward, (717) 787-7412

Sanitation—36

SP 38210902 Sealed bids will be received at Department of Conservation & Natural Resources, Park Region No. 2, P. O. Box 387, Prospect, PA 16052-0387, and then publicly opened and read. A bid opening date has not yet been set. For solid waste collection and disposal at Moraine—McConnell's Mill State Park Complex. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Moraine State Park.

Department: Conservation and Natural Resources
Location: Moraine—McConnell's Mill State Park Complex, 225 Pleasant Valley Road, Portersville, PA 16051-9650
Duration: January 1, 2000 to December 31, 2001
Contact: Obie Derr, (724) 368-8811

Security Services—37

00900001 Provide security guard service for the Bucks County Assistance Office. The proposed tour of duty will be for one guard to work Monday—Friday, exclusive of State holidays. The hours will be 7:15 a.m.—5:15 p.m. (including the lunch hour). Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Bucks County
Duration: July 1, 2000—June 30, 2005
Contact: Rose Wadlinger, (717) 783-3767

Vehicle, Heavy Equipment—38

032 Provide for the maintenance and repair of two case wheel tractors with backhoes and frontend loaders, also one Caterpillar diesel frontend loader.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498
Duration: July 1, 2000 to June 30, 2004
Contact: Lois Kerbacher, (610) 740-3428

Miscellaneous—39

SP 3890070 Services required to provide all labor, equipment and supervision necessary to properly process (pick up, box and deliver) surplus electronic data processing equipment on an as-needed basis Statewide.

Department: Conservation and Natural Resources
Location: Throughout all of Pennsylvania
Duration: Termination date June 30, 2001
Contact: Ruth Dewaelsche, (717) 783-0760

99-33 The contractor shall provide as needed registered dietitian services to the inmates admitted to the forensic treatment center. Approximately 8 hours per week (two 4-hour days).

Department: Corrections
Location: State Correctional Institution, Route 6 East, Canaan Township, Waymart, PA 18472
Duration: January 1, 2000 to December 31, 2002
Contact: John Ondash, (570) 488-2513

51-99-39 Toner for Lexmark Printer No. 1382150 for the Lexmark UDS 9619-RFI printer; Toner Cartridge No. 4049.

Department: Public Welfare
Location: Philadelphia CAO Office Supports, Room 701-99-39, 1400 Spring Garden Street, Philadelphia, PA 19130
Duration: ASAP
Contact: Geary Kauffman, (717) 783-5675

IFB No. 99-003 Software package to automate the manual work paper process within the Department of the Auditor General. All requests must be in writing and faxed to Andrea Quigley at (717) 787-2518.

Department: Auditor General
Location: Harrisburg, PA
Duration: January 1, 2000 through December 31, 2001
Contact: Andrea Quigley, (717) 787-4993

08-I-99 Re-Advertisement (ORG 08/28/99) interpreters for persons who are deaf or hard of hearing. Services to be performed in the following counties: Cumberland, Dauphin, Juniata, Lebanon, Mifflin and Perry. Evening and/or weekend assignments possible. Estimated 650 hours per contract year.

Department: Labor and Industry
Location: Office of Vocational Rehabilitation, Harrisburg District Office, 2971-B North Seventh Street, Harrisburg, PA 17110
Duration: 2 year contract with two 1-year options
Contact: Norman J. Kee, (717) 705-0450

SBC 102005 Pennsylvania Department of Transportation, Butler County, District 1020, is soliciting the services of individuals, firms or corporations to pick up and properly dispose of road-killed deer carcasses.

Department: Transportation
Location: Butler County, District 1020, State Routes
Duration: Two (2) years, renewable for 2 years thereafter
Contact: Andrew Skunda, (724) 284-8226

MN-99-0365 Contractor shall provide labor and repair parts to emergency generator and engine for start-up located at the State Correctional Institution at Cresson. Service to include, but not limited to, the removal of radiator, replace radiator core and reinstall radiator, gaskets for radiator, refill system with distilled water and diesel engine approved antifreeze to a reading of minus 45 degrees minimum. Remove and replace all belts and battery cables. Remove and replace all oil/air filters. Perform engine tune-up to include adjusting valves and fuel injection system and all gaskets needed. Radiator must be a Prefex No. R9341N Core. Vendor to conduct onsite visit to inspect generator for work to be performed and repair parts necessary. Vendor shall return after the electrical hook ups are finished to test generator under an electrical load. Parts and labor must be warranted. Vendor to specify warranty period.

Department: Corrections
Location: State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630
Duration: December 1, 1999—June 30, 2000
Contact: Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, Ext. 166

3785 Monocular Night Vision Viewers. Specifications: must have built in system that prevents "whiting out," must be battery operated, must have a "low battery" indicator. Batteries must be able to be changed by user, water resistant, monocular design, must have at least 40 degree field of view, must have a carrying case, must be no more than 8" long, 4" high, 2-1/2" wide, must have auto focus, must have a focus range of 1' to infinity, must have an automatic brightness control. (Model ITT Night Quest 260).

Department: Probation and Parole Board
Location: 1101 South Front Street, Suite 5500, Harrisburg, PA 17104
Duration: Indeterminate 1999-2000
Contact: Charles Hartman, (717) 787-3469

3500-01687 Vendor to provide all equipment, parts and labor to resurface flooring in the Tray Room of the kitchen located at the State Correctional Institution, Graterford. Floor is 20' x 60'.

Department: Corrections
Location: State Correctional Institution, Graterford, Box 246, Route 29, Graterford, PA 19426
Duration: 3 months
Contact: Kelly Richardson, (610) 489-4151

SP 3881139006 The Department of Conservation & Natural Resources, Bureau of Forestry, District 13 requires the planting of 23,800 tree seedlings, on approximately 124.5 acres of State Forest Land, in Shippen Township, Grove Township, Gibson Township, and Lumber Township, Cameron County, Jones Township, Elk County. Seedlings will be provided by the Bureau of Forestry. 1,300 seedlings will require Tubex tree shelters and 2,500 seedlings will be marked with flags. The Tubex tree shelters and flagging will be supplied by the Bureau of Forestry. Call (814) 486-3353 for a site visit. Bids will be opened at 2 p.m. on December 9, 1999 at the District 13 Office in Emporium, PA.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, District 13, P. O. Box 327, Emporium, PA 15834
Duration: June 30, 2000
Contact: Robert W. Martin, Jr., District Forester, (814) 486-3353

X7599 Provide approximately 640 Hewlett Packard and IBM Lexmark Cartridges.

Department: Environmental Protection
Location: Harrisburg, PA
Duration: Need to be delivered by November 26, 1999
Contact: Dawn Levarto, (717) 787-9645

3500-01685 Vendor to provide to the State Correctional Institution, Graterford razor wire 24/30, 20 ft. coils (252 coils), wall brackets (201 each) and support cables 9 gauge strand wire (4,020 feet). This is a supply request.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426
Duration: 3 months
Contact: Kelly Richardson, (610) 489-4151

105004 Removal and disposal of road-killed deer from all State routes in Jefferson County along or within 30 feet from the edge of the pavement. Interchange areas such as off and on ramps will be included as part of this contract. If deer is not dead, the contractor must inform the Department, State Police, local police or Game Commission. Once police officer or Game Commission officer has killed the animal, the contractor may then remove the carcass. Upon notification of road kill, the contractor is required to pick up/remove all deer pieces within 24 hours of call. If there are no pieces to clean up or deer is no longer physically there, contractor will be paid 25% of bid price for responding to the call. Disposal site must be approved by the Department of Environmental Protection.

Department: Transportation
Location: All State routes in Jefferson County
Duration: January 1, 2000 through April 30, 2001
Contact: Janice L. Redding, (814) 938-6300

SP-90879006 Sexuality Therapist.

Department: Public Welfare
Location: Selingsgrove Center, Box 500, Route 522, Selingsgrove, PA 17870
Duration: January 1, 2000 to June 30, 2000
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

08-H-99 Re-Advertisement (ORG 08/28/99) interpreters for persons who are deaf or hard of hearing. Services to be performed in: Adams, Franklin, Lancaster and York Counties. Evening and/or weekend assignments possible. Estimated 900 hours per contract year. Contractor must be able to provide one or more interpreters on any day as needs dictate.

Department: Labor and Industry
Location: Office of Vocational Rehabilitation, 2550 Kingston Road, Suite 101, York, PA 17402
Duration: 2 year contract w/two 1-year options
Contact: Norman J. Kee, (717) 705-0450

3197 25 sets of lighting equipment. Each set consisting of the following: 3 SP Studio Systems, Model # 72 AC nonvariable strobe unit, manufacturer, Rokunar; 3 # SLS-LS8A, 8.5 ft. tripod light stand for strobe with 3 position thumb-screw height adjustment, manufacturer, Rokunar; 1 18% gray (# 70 "storm gray") widetone seamless paper 12 yd. long x 53" wide, for backdrop, manufacturer: Savage Universal Corp., Tempe, AZ; 1 the polevaul # 60115 support stand for paper roll described above, 8.5 ft. high and 9.5 wide; consists of two upright tripods and one crossbar, with 2-position thumb-screw variable height adjustment, manufacturer, Savage Universal Corp., Tempe, AZ. Two hours set-up and consultation for each of the sites.

Department: Probation and Parole Board
Location: 1101 South Front Street, Suite 5500, Harrisburg, PA 17104; Questions, call Stephene Csonka at (717) 783-6237
Duration: Indeterminate 1999-2000
Contact: Charles Hartman, (717) 787-3469

[Pa.B. Doc. No. 99-1950. Filed for public inspection November 12, 1999, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
1014159-01	11/2/99	Peirce Phelps Inc.	166,091.00
1044119-01	11/2/99	Galey and Lord Inc.	37,000.00
1076209-01	11/2/99	Lynch Dis- play Vans Inc.	241,338.00
1080049-01	11/2/99	Lampshire Enterprises Inc. dba Gas Service and Supply	89,125.00
1093119-01	11/2/99	Galey & Lord	81,200.00
1103219-01	11/2/99	SAI Comput- ers	14,520.00
1121119-01	11/2/99	J. Weinstein and Sons	27,750.00
1130119-01	11/2/99	Eckert Ma- chines Corp.	84,936.00

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
1149119-01	11/2/99	Consolidated Steel Ser- vices Inc.	20,300.00
1149119-02	11/2/99	Beaver Steel Services Inc.	18,760.00
6750-03 RIP # 1	11/1/99	HPI Interna- tional Inc.	90,000.00
8176650-01	11/2/99	Cummins Power Sys- tems Inc.	59,900.00
8505040-01	11/2/99	Terre Hill Silo dba Terre Hill Concrete Prod.	27,252.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-1951. Filed for public inspection November 12, 1999, 9:00 a.m.]

