



Volume 28 (1998)

Pennsylvania Bulletin
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December 12, 1998 (Pages 6047-6150)

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PENNSYLVANIA BULLETIN

Volume 28
Saturday, December 12, 1998 • Harrisburg, Pa.
Number 50
Pages 6047—6150

Agencies in this issue:

The General Assembly
The Courts
Department of Banking
Department of Education
Department of Environmental Protection
Department of General Services
Department of Public Welfare
Department of Revenue
Department of State
Department of Transportation
Fish and Boat Commission
Insurance Department
Liquor Control Board
Pennsylvania Public Utility Commission
Turnpike Commission

Detailed list of contents appears inside.

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

No. 289, December 1998

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. 340
(800) 334-1429 ext. 340 (toll free, out-of-State)
(800) 524-3232 ext. 340 (toll free, in State)

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

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

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ISBN 0-8182-0004-9

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

Contents

THE GENERAL ASSEMBLY

Recent actions during the 1998 regular session of the General Assembly 6066

THE COURTS

CIVIL PROCEDURAL RULES

Amendment of rules governing subpoena to attend and testify; no. 305 doc. no. 5 6069

JUDICIAL CONDUCT

Amendment of Canon 7B(2) of the Code of Judicial Conduct; no. 199 judicial administration doc. no. 1 . . 6069

Amendment of Rule 15D(4) of the rules governing standards of conduct of district justices; no. 117 magisterial docket; no. 1 book 2 6069

Amendment to the rules of procedure of the Court of Judicial Discipline; doc. no. 1 JD 94 6068

JUDICIAL SYSTEM GENERAL PROVISIONS

Prohibited political activity by court-appointed employees; no. 201 judicial administration doc. no. 1 . 6068

LOCAL COURT RULES

Bradford County

Rule of civil procedure no. 1301; no. 95IR000066 . . . 6070

Carbon County

Amendment to Local Rule L1302 governing the selection of arbitrators and Rule L1305 governing conduct of hearing; no. 98-2338 6071

Lycoming County

Amendments to Orphans' Court Rule L3.4, 98-01895 . 6072

Amendments to rule of criminal procedure L300; 98-01895 6073

Amendments to rules of civil procedure; 98-01895 . . 6073

Amendments to rules of criminal procedure; 98-01895 6077

Somerset County

Consolidated rules of court; no. 98 miscellaneous 1998 6077

EXECUTIVE AGENCIES

DEPARTMENT OF BANKING

Notices

Action on applications 6086

DEPARTMENT OF EDUCATION

Notices

Eisenhower Postsecondary Grant Application Guidelines for professional development programs 6087

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Air Quality Technical Advisory Committee 6121
Applications, actions and special notices 6088

Availability of technical guidance 6121
Source Water Assessment Program Citizens and Technical Advisory Committees joint meeting 6122

DEPARTMENT OF GENERAL SERVICES

Notices

Contract awards 6142

Request for bids 6122

State contracts information 6133

DEPARTMENT OF PUBLIC WELFARE

Notices

Availability of the FY 1999 low-income home energy assistance program State plan 6122

DEPARTMENT OF REVENUE

Notices

Cigarette tax notice 6122

Rates of tax on aviation gasoline and jet fuel for 1999; oil company franchise tax rate for 1999 . . . 6123

Zero emission vehicles notice 6124

DEPARTMENT OF STATE

Notices

State Athletic Commission; public meetings for 1999 . 6124

DEPARTMENT OF TRANSPORTATION

Rules and Regulations

Temporary registration cards and plates (correction) . 6082

Notices

Armstrong County—finding 6124

Notice to contractors/engineers 6124

Notice of intent to promulgate regulation and request for public participation 6125

Retention of engineering firms 6125

FISH AND BOAT COMMISSION

Rules and Regulations

Boating 6081

Fishing 6081

Proposed Rulemaking

Additional extension of public comment period 6084

INSURANCE DEPARTMENT

Notices

Application for acquisition of a domestic stock casualty insurance corporation 6128

Application for acquisition of stock of Penn Treaty Life Insurance Company 6128

Application for merger of a domestic stock life insurance corporation with and into a nondomestic stock life insurance corporation; revision of comment period 6128

Review procedure hearings; cancellation or refusal of insurance 6129

Review procedure hearings under the Unfair Insurance Practices Act 6129

Now Available Online at <http://www.pabulletin.com>

6050

LIQUOR CONTROL BOARD

Notices

Expiration of leases 6130

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Statements of Policy

Resolution of issues common to complaints involving
66 Pa.C.S. § 1529.1 (relating to duty of owners of
rental property) 6085

Notices

Bell Atlantic-Pennsylvania, Inc. and MAW Commu-
nications, Inc.—telecommunications 6130

TURNPIKE COMMISSION

Notices

Request for proposals (2 documents) 6131
Retention of an engineering or construction manage-
ment firm 6131

READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211
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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1998.

4 Pa. Code (Administration)

Adopted Rules

1	466
6	4619
5	471, 1746, 2128, 2366
7	356

Proposed Rulemaking

116	2817
117	2822

Statements of Policy

9	49, 382, 1640, 1842, 2045, 2414, 2511, 2929, 4949, 5259, 5345, 5989
---------	--

7 Pa. Code (Agriculture)

Proposed Rulemaking

130d	4923
------------	------

10 Pa. Code (Banks and Banking)

Adopted Rules

7 (with correction)	5094, 5340
11	14
13	14
17	14
35	14
41	14, 2687

Proposed Rulemaking

41	44
----------	----

Statements of Policy

41	1956
81	2049

12 Pa. Code (Community and Economic Development)

Adopted Rules

63	4629
135	4893

Proposed Rulemaking

33	1530
----------	------

Statements of Policy

61	1139
123	3807

16 Pa. Code (Community Affairs)

Proposed Rulemaking

81	5249
83	5249
85	5249
87	5249
91	5249

Statements of Policy

45	5136, 5578
----------	------------

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

21	6039
----------	------

19 Pa. Code (Corporations and Business Associations)

Adopted Rules

41	799
----------	-----

22 Pa. Code (Education)

Adopted Rules

14	1002
101	2580
201	5226
211	5226
213	2688, 5226
215	5226
342 (with correction)	1004, 1135

Proposed Rulemaking

4	3875
14	4939
16	4939
33	3506
44	2148
121	1535
201	1543
211	1543
213	1543
215	1543
342	4939
701	3412

25 Pa. Code (Environmental Protection)

Adopted Rules

77 (with correction)	619, 801
78	1234
79	1234
80	1234
86	15, 2227
87	2215, 2227
88	2215, 2227
89	2227, 2761
90	2227
93 (with correction)	137, 1633, 3378, 4510
94	4517
103	18
121	5973
126	5973
128	4525
129	4525
131	4525
139	2035, 4525
216	4894
218	4894
221	4894
223	4894
227	4894
228	4894
245 (with correction)	1135
803 (with correction)	3588
901	1136
1021	4714

Proposed Rulemaking

86	941
92	4431
93	1635, 3507, 4431
95 (with correction)	4431, 5577
96	4431
97	4431
102	769
109	2265

121	4792, 4867
126	4792
129	4867
139	4792
215	881
217	881
219	881
220	881
224	881
225	881
226	881
230	881
232	881
250	4073
271	4319
272	4319
273	4319
277	4319
278	4319
279	4319
281	4319
283	4319
285	4319
287	4073
288	4073
289	4073
291	4073
295	4073
297	4073
299	4073
1021	807

Statements of Policy

83	4634
----	------

28 Pa. Code (Health and Safety)

Adopted Rules

6	5094
51	2643
136	2643
138	2643
139	2643
158	2643

Proposed Rulemaking

6	485, 1008
---	-----------

Statements of Policy

9	5011
---	------

31 Pa. Code (Insurance)

Adopted Rules

1	3753
5	3753
7	3753
9	3753
27	2406
41	4530
57	4531
67	5482
71 (with correction)	1401, 1518
73 (with correction)	1401, 1518, 1941
103	3755
113	1235, 1518
117	3756
131	1314
135	3758
137	1237

Proposed Rulemaking

33	5246
35	4932
64	4931
67a	5246
84	4794
84a	4927
121	3805
123	4932
124	4932
125	4796

Statements of Policy

301	5019
-----	------

34 Pa. Code (Labor & Industry)

Adopted Rules

50	5867
65	21
122	329
123	329
125	5459
127	329
131	329

Proposed Rulemaking

61	2925
63	2925
65	2925
121	4603

37 Pa. Code (Law)

Adopted Rules

81	2500
91	4719
93	2501, 4719
203	2924

Proposed Rulemaking

31	2037
33	2037
203	2925
309	5343

40 Pa. Code (Liquor)

Adopted Rules

3	1418
5	1418
9	279
11	279, 5103
13	1418, 4920
15	1418

Proposed Rulemaking

11	2591
13	488

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	5869
9	3273
15	5340
16	1315, 1316, 4721
23	2586
25	3282
27	4532, 5241, 5485
31	5870
33	2589
35	3938
36	1941
41	2412

Proposed Rulemaking

1 1559
 15 3414
 16 814
 21 2693
 31 2289, 2927
 33 (with correction) 3293, 3296, 3593
 36 2036
 41 1421

Statements of Policy

21 5345
 43b 5883
 61 382

52 Pa. Code (Public Utilities)

Adopted Rules

1 647
 3 647, 3760, 5769
 5 647, 801, 5769
 21 647
 23 647
 29 647
 31 647
 37 801
 53 801
 54 3283, 3760, 3775, 3780, 3791
 55 801
 56 801, 3379
 57 3385, 5770
 58 25
 59 3050
 63 3394
 64 3394
 65 801, 804
 69 801
 71 801

Proposed Rulemaking

3 2143
 5 2143
 32 2146
 53 508
 53a 508
 54 490, 493, 501, 508, 514, 518, 2139
 57 493, 4724
 63 3059

Proposed Statements of Policy

41 3959
 69 1425, 5497, 6085

55 Pa. Code (Public Welfare)

Adopted Rules

141 3939
 175 3939
 177 3939
 181 2810
 183 3939

Proposed Rulemaking

140 1531
 141 2287
 147 2287
 181 1531
 289 2287
 3480 1079
 3490 1079
 3680 953, 1320
 3710 953, 1320
 3760 953, 1320

3800 (with correction) 953, 1138, 1320
 3810 953, 1320
 5310 953, 1320
 6400 953, 1320

Statements of Policy

259 3301
 1101 138
 1163 2150
 1187 138

58 Pa. Code (Recreation)

Adopted Rules

21 1238
 51 30, 1521, 1753
 53 30, 4788
 61 5103
 63 1753
 65 1754, 1755, 4788, 6081
 91 4789
 93 30, 34, 40, 1006, 4788, 6081
 95 4789
 97 4789
 109 30, 4789, 5984
 113 4789
 135 2504
 139 2504, 5486
 141 2504, 3801, 5486
 143 1316, 3801, 5487
 147 1316

Proposed Rulemaking

53 1837, 5132
 61 45, 1322, 1322, 1758, 1840, 3591, 4542, 5779, 6084
 65 45, 1322, 1322, 1758, 1937, 3058, 5134
 75 3591, 4542, 5779, 6084
 91 1533
 93 1837, 3057, 5132
 95 1533
 97 1533, 5131
 109 1533, 1954, 5132
 103 1533
 133 5244
 135 1243
 139 1243, 3804
 141 1243, 2814, 3804
 143 2814
 145 5244
 147 5244
 163 4797
 165 4797

61 Pa. Code (Revenue)

Adopted Rules

6 1522
 8a 1522
 9 5488, 5492
 35 (with correction) 1522, 1836
 47 5488, 5492
 71 979
 72 979
 73 979
 75 979
 76 979
 77 979
 79 979
 83 979
 85 979
 103 5104
 117 5669

155 5986
 162 4630
 858 5342
 865 5342
 870 3945

Proposed Rulemaking

7 366
 31 366
 32 366, 1320
 33 366
 34 366
 42 366
 44 366
 45 366
 46 366
 47 366
 58 366
 101 1946
 155 380

Statements of Policy

60 3418
 170 5986

64 Pa. Code (Securities)

Adopted Rules
 203 2509

Proposed Rulemaking

202 3950
 206 3950
 302 3950
 606 3950
 609 3950
 610 3950

Statements of Policy

604 3302

67 Pa. Code (Transportation)

Adopted Rules
 43 (with correction) 5872, 6082
 71 364
 75 364
 83 364
 105 3588
 175 5670

Proposed Rulemaking

60 2139
 63 2139
 255 2814
 449 2510

70 Pa. Code (Weights, Measures and Standards)

Proposed Rulemaking
 1 5109
 2 5109
 3 5109
 4 5109
 5 5109
 6 5109
 7 5109
 8 5109
 9 (with correction) 5109, 5244
 10 5109
 21 5109
 35 5109
 39 5109

Statements of Policy

39 2416

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules
 7 2283, 5849

204 Pa. Code (Judicial System General Provisions)

Adopted Rules
 29 (with correction) . . . 3252, 3253, 3502, 3586, 5667, 6068
 71 (with correction) 3503
 81 5479
 83 2024
 89 1834, 3504
 91 1933
 211 5966
 215 3928

207 Pa. Code (Judicial Conduct)

Adopted Rules
 1 1632
 5 359, 6068
 7 2806
 21 1388
 33 5849, 6069
 51 5850, 6069
 119 2131
 303 2283

Proposed Rulemaking

1 795
 3 1632
 5 5330
 7 2025
 119 646

210 Pa. Code (Appellate Procedure)

Adopted Rules
 33 4624

225 Pa. Code (Rules of Evidence)

Unclassified 2369, 4787

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules
 100 3928
 200 359, 3928, 3929, 3930, 6069
 400 3373, 3928
 1000 3928
 1300 3930
 1900 1391
 2950 2026
 3000 2026
 4000 2026, 2131, 4175

Proposed Rulemaking

200 3253, 5759
 400 5570
 1300 5759
 1910 1216
 2120 5570
 2150 5570
 2170 5570
 3000 5759
 4000 2032, 3253

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules
 50 1126
 100 1126
 300 4624

1100	4883
1400	480
6000	4625
Unclassified	5330

Proposed Rulemaking

20	475, 1505
50	1510
100	1505, 3931
300	475, 3931, 5089, 5967
305	276
1100	475, 5967, 5968
6000	3931
9000	5969

246 Pa. Code (Minor Court Civil Rules)**Proposed Rulemaking**

100	2685
300	2685

249 Pa. Code (Philadelphia Rules)

Unclassified (with correction)	997, 1516, 2919, 2920, 3021, 3373, 3586, 3935, 4627, 5336, 5668, 5850
--------------------------------------	--

252 (Allegheny County Rules)

Unclassified	133, 135, 1936, 3373, 5479
--------------------	----------------------------

255 Pa. Code (Local Court Rules)

Unclassified	8, 9, 10, 135, 136, 277, 481, 482, 646, 795, 796, 798, 1000, 1128, 1132, 1233, 1312, 1516, 1750, 1751, 1834, 1835, 1939, 2033, 2132, 2283, 2285, 2403, 2404, 2405, 2499, 2578, 2685, 2686, 2806, 2808, 2921, 2922, 2923, 3024, 3048, 3255, 3257, 3258, 3504, 3587, 3752, 3936, 3937, 4176, 4177, 4178, 4179, 4243, 4509, 4627, 4891, 5092, 5093, 5225, 5338, 5339, 5572, 5573, 5574, 5575, 5576, 5668, 5851, 5882, 5971, 6070, 6071, 6072, 6073, 6077
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PLEASE NOTE

The pagination for the December 5, 1998 (Vol. 28, No. 49) issue of the *Pennsylvania Bulletin* was incorrect. Consequently, the Table of Contents and List of Chapters Affected listed in the issue were also incorrect.

Printed below is a list of the incorrect pages and their corresponding correct pages. Also, note the correct Table of Contents and List of Chapters Affected immediately following.

The following information is printed as a regular part of the issue of December 12. In addition, this information is also printed as a detachable part of this issue. Please remove the yellow detachable version and insert in the December 5th issue to reference proper citation.

THE COURTS

<i>Incorrect Pages</i>	<i>Correct Pages</i>	<i>Incorrect Pages</i>	<i>Correct Pages</i>
5866	5966	5903	6003
5867	5967	5904	6004
5868	5968	5905	6005
5869	5969	5906	6006
5870	5970	5907	6007
5871	5971	5908	6008
5872	5972	5909	6009
		5910	6010
		5911	6011
		5912	6012
		5913	6013
		5914	6014
		5915	6015
		5916	6016
		5917	6017
		5918	6018
		5919	6019
		5920	6020
		5921	6021
		5922	6022
		5923	6023
		5924	6024
		5925	6025
		5926	6026

RULES AND REGULATIONS

<i>Incorrect Pages</i>	<i>Correct Pages</i>	<i>Incorrect Pages</i>	<i>Correct Pages</i>
5873	5973	5927	6027
5874	5974	5928	6028
5875	5975	5929	6029
5876	5976	5930	6030
5877	5977	5931	6031
5878	5978	5932	6032
5879	5979	5933	6033
5880	5980	5934	6034
5881	5981	5935	6035
5882	5982		
5883	5983		
5884	5984		
5885	5985		
5886	5986		
5887	5987		
5888	5988		

STATEMENTS OF POLICY

<i>Incorrect Pages</i>	<i>Correct Pages</i>	<i>Incorrect Pages</i>	<i>Correct Pages</i>
5889	5989		
5890	5990		

NOTICES

<i>Incorrect Pages</i>	<i>Correct Pages</i>	<i>Incorrect Pages</i>	<i>Correct Pages</i>
5891	5991		
5892	5992		
5893	5993		
5894	5994		
5895	5995		
5896	5996		
5897	5997		
5898	5998		
5899	5999		
5900	6000		
5901	6001		
5902	6002		

STATE CONTRACTS INFORMATION

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5927	6027
5928	6028
5929	6029
5930	6030
5931	6031
5932	6032
5933	6033
5934	6034
5935	6035

PART II

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5939	6039
5940	6040
5941	6041
5942	6042
5943	6043
5944	6044
5945	6045

Contents

THE COURTS

CRIMINAL PROCEDURAL RULES

- Rule 303 relating to arraignment and Rule 1117 relating to presence of defendant 5967
 Rule 1117 relating to presence of defendant 5968
 Rule 9022 relating to filings 5969

DISCIPLINARY BOARD OF THE SUPREME COURT

- Notice of suspension 5972

JUDICIAL SYSTEM GENERAL PROVISIONS

- Promulgation of Consumer Price Index and judicial salaries pursuant to Act 51 of 1995; No. 200
 Judicial Administration doc. no. 1 5966

LOCAL COURT RULES

Fayette County

- Local Rule 1901: prompt disposition of matters; termination of inactive cases; No. 2243 of 1998, G.D. 5971

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

- Commission meeting and public hearing 5991

DEPARTMENT OF BANKING

Notices

- Action on applications 5991

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Rules and Regulations

- State forests (Part II) 6039

DEPARTMENT OF ENVIRONMENTAL PROTECTION

See Also ENVIRONMENTAL QUALITY BOARD

Notices

- Applications, actions and special notices 5994
 Availability of technical guidance 6014

DEPARTMENT OF GENERAL SERVICES

Notices

- Contract awards 6035
 State contracts information 6027

DEPARTMENT OF HEALTH

Notices

- Application of Allegheny University Hospital—Canonsburg for exception to 28 Pa. Code § 107.25(b)(8) 6014
 Application of Clearfield Hospital for exception to 28 Pa. Code § 107.25(b)(8) 6014

- Application of Ellwood City Hospital for exception to 28 Pa. Code § 153.12, Universal Accessibility Standards 4.21.6 6015

- Application of Hanover General Hospital for exception to:
 28 Pa. Code § 139.12(a) 6015
 28 Pa. Code § 139.13(a) AIA 7.4B Table 5 6015

- Application of Healthsouth Rehabilitation Hospital of Altoona for exception to 28 Pa. Code § 107.2 6016

- Application of Warren General Hospital for exception to 28 Pa. Code § 109.2 6016
 Health Policy Board; meeting notice 6016

DEPARTMENT OF REVENUE

Rules and Regulations

- Single factor apportionment and student loan assets exempt by public policy; corporation taxes 5986

DEPARTMENT OF TRANSPORTATION

Notices

- Open-end contract for design support services 6016

ENVIRONMENTAL QUALITY BOARD

Rules and Regulations

- New Motor Vehicle Emissions Control Program 5973

EXECUTIVE BOARD

Statements of Policy

- Reorganization of the Department of Military Affairs 5989

FISH AND BOAT COMMISSION

Rules and Regulations

- Operation of personal watercraft 5984

Notices

- Additional restrictions on Fish and Boat Commission property 6019

HISTORICAL AND MUSEUM COMMISSION

Notices

- National Register nominations to be considered at the Historic Preservation Board meeting 6019

HOUSING FINANCE AGENCY

Notices

- Request for proposals; 1999 tax-exempt qualified residential rental facilities seeking private activity bond allocations 6019

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

- Actions taken by the Commission 6020

Now Available Online at <http://www.pabulletin.com>

INSURANCE DEPARTMENT

Notices

Application for voluntary surrender of Pennsylvania
Certificate of Authority to operate a continuing
care retirement community..... 6022
Children's Health Insurance Program; meeting no-
tice 6022
List of names of qualified unlicensed reinsurers 6022
Workers' Compensation Security Fund assessment .. 6024

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Petition of The Pennsylvania Telephone Association
for waiver of 52 Pa. Code § 64.41; doc. no. P-
00981357..... 6025

TURNPIKE COMMISSION

Notices

Request for bids (2 documents) 6026

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1998.

4 Pa. Code (Administration)

Adopted Rules

1	466
6	4619
5	471, 1746, 2128, 2366
7	356

Proposed Rulemaking

116	2817
117	2822

Statements of Policy

9	49, 382, 1640, 1842, 2045, 2414, 2511, 2929, 4949, 5259, 5345, 5989
---	--

7 Pa. Code (Agriculture)

Proposed Rulemaking

130d	4923
------	------

10 Pa. Code (Banks and Banking)

Adopted Rules

7 (with correction)	5094, 5340
11	14
13	14
17	14
35	14
41	14, 2687

Proposed Rulemaking

41	44
----	----

Statements of Policy

41	1956
81	2049

12 Pa. Code (Community and Economic Development)

Adopted Rules

63	4629
135	4893

Proposed Rulemaking

33	1530
----	------

Statements of Policy

61	1139
123	3807

16 Pa. Code (Community Affairs)

Proposed Rulemaking

81	5249
83	5249
85	5249
87	5249
91	5249

Statements of Policy

45	5136, 5578
----	------------

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

21	6039
----	------

19 Pa. Code (Corporations and Business Associations)

Adopted Rules

41	799
----	-----

22 Pa. Code (Education)

Adopted Rules

14	1002
101	2580
201	5226
211	5226
213	2688, 5226
215	5226
342 (with correction)	1004, 1135

Proposed Rulemaking

4	3875
14	4939
16	4939
33	3506
44	2148
121	1535
201	1543
211	1543
213	1543
215	1543
342	4939
701	3412

25 Pa. Code (Environmental Protection)

Adopted Rules

77 (with correction)	619, 801
78	1234
79	1234
80	1234
86	15, 2227
87	2215, 2227
88	2215, 2227
89	2227, 2761
90	2227
93 (with correction)	137, 1633, 3378, 4510
94	4517
103	18
121	5973
126	5973
128	4525
129	4525
131	4525
139	2035, 4525
216	4894
218	4894
221	4894
223	4894
227	4894
228	4894
245 (with correction)	1135
803 (with correction)	3588
901	1136
1021	4714

Proposed Rulemaking

86	941
92	4431
93	1635, 3507, 4431
95 (with correction)	4431, 5577
96	4431
97	4431
102	769
109	2265

121	4792, 4867
126	4792
129	4867
139	4792
215	881
217	881
219	881
220	881
224	881
225	881
226	881
230	881
232	881
250	4073
271	4319
272	4319
273	4319
277	4319
278	4319
279	4319
281	4319
283	4319
285	4319
287	4073
288	4073
289	4073
291	4073
295	4073
297	4073
299	4073
1021	807

Statements of Policy

83	4634
----	------

28 Pa. Code (Health and Safety)

Adopted Rules

6	5094
51	2643
136	2643
138	2643
139	2643
158	2643

Proposed Rulemaking

6	485, 1008
---	-----------

Statements of Policy

9	5011
---	------

31 Pa. Code (Insurance)

Adopted Rules

1	3753
5	3753
7	3753
9	3753
27	2406
41	4530
57	4531
67	5482
71 (with correction)	1401, 1518
73 (with correction)	1401, 1518, 1941
103	3755
113	1235, 1518
117	3756
131	1314
135	3758
137	1237

Proposed Rulemaking

33	5246
35	4932
64	4931
67a	5246
84	4794
84a	4927
121	3805
123	4932
124	4932
125	4796

Statements of Policy

301	5019
-----	------

34 Pa. Code (Labor & Industry)

Adopted Rules

50	5867
65	21
122	329
123	329
125	5459
127	329
131	329

Proposed Rulemaking

61	2925
63	2925
65	2925
121	4603

37 Pa. Code (Law)

Adopted Rules

81	2500
91	4719
93	2501, 4719
203	2924

Proposed Rulemaking

31	2037
33	2037
203	2925
309	5343

40 Pa. Code (Liquor)

Adopted Rules

3	1418
5	1418
9	279
11	279, 5103
13	1418, 4920
15	1418

Proposed Rulemaking

11	2591
13	488

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	5869
9	3273
15	5340
16	1315, 1316, 4721
23	2586
25	3282
27	4532, 5241, 5485
31	5870
33	2589
35	3938
36	1941
41	2412

Proposed Rulemaking

1 1559
 15 3414
 16 814
 21 2693
 31 2289, 2927
 33 (with correction) 3293, 3296, 3593
 36 2036
 41 1421

Statements of Policy

21 5345
 43b 5883
 61 382

52 Pa. Code (Public Utilities)

Adopted Rules

1 647
 3 647, 3760, 5769
 5 647, 801, 5769
 21 647
 23 647
 29 647
 31 647
 37 801
 53 801
 54 3283, 3760, 3775, 3780, 3791
 55 801
 56 801, 3379
 57 3385, 5770
 58 25
 59 3050
 63 3394
 64 3394
 65 801, 804
 69 801
 71 801

Proposed Rulemaking

3 2143
 5 2143
 32 2146
 53 508
 53a 508
 54 490, 493, 501, 508, 514, 518, 2139
 57 493, 4724
 63 3059

Proposed Statements of Policy

41 3959
 69 1425, 5497

55 Pa. Code (Public Welfare)

Adopted Rules

141 3939
 175 3939
 177 3939
 181 2810
 183 3939

Proposed Rulemaking

140 1531
 141 2287
 147 2287
 181 1531
 289 2287
 3480 1079
 3490 1079
 3680 953, 1320
 3710 953, 1320
 3760 953, 1320

3800 (with correction) 953, 1138, 1320
 3810 953, 1320
 5310 953, 1320
 6400 953, 1320

Statements of Policy

259 3301
 1101 138
 1163 2150
 1187 138

58 Pa. Code (Recreation)

Adopted Rules

21 1238
 51 30, 1521, 1753
 53 30, 4788
 61 5103
 63 1753
 65 1754, 1755, 4788
 91 4789
 93 30, 34, 40, 1006, 4788
 95 4789
 97 4789
 109 30, 4789, 5984
 113 4789
 135 2504
 139 2504, 5486
 141 2504, 3801, 5486
 143 1316, 3801, 5487
 147 1316

Proposed Rulemaking

53 1837, 5132
 61 45, 1322, 1322, 1758, 1840, 3591, 4542, 5779
 65 45, 1322, 1322, 1758, 1937, 3058, 5134
 75 3591, 4542, 5779
 91 1533
 93 1837, 3057, 5132
 95 1533
 97 1533, 5131
 109 1533, 1954, 5132
 103 1533
 133 5244
 135 1243
 139 1243, 3804
 141 1243, 2814, 3804
 143 2814
 145 5244
 147 5244
 163 4797
 165 4797

61 Pa. Code (Revenue)

Adopted Rules

6 1522
 8a 1522
 9 5488, 5492
 35 (with correction) 1522, 1836
 47 5488, 5492
 71 979
 72 979
 73 979
 75 979
 76 979
 77 979
 79 979
 83 979
 85 979
 103 5104
 117 5669

155 5986
 162 4630
 170 5986
 858 5342
 865 5342
 870 3945

Proposed Rulemaking

7 366
 31 366
 32 366, 1320
 33 366
 34 366
 42 366
 44 366
 45 366
 46 366
 47 366
 58 366
 101 1946
 155 380

Statements of Policy

60 3418
 170 5986

64 Pa. Code (Securities)

Adopted Rules

203 2509

Proposed Rulemaking

202 3950
 206 3950
 302 3950
 606 3950
 609 3950
 610 3950

Statements of Policy

604 3302

67 Pa. Code (Transportation)

Adopted Rules

43 5872
 71 364
 75 364
 83 364
 105 3588
 175 5670

Proposed Rulemaking

60 2139
 63 2139
 255 2814
 449 2510

70 Pa. Code (Weights, Measures and Standards)

Proposed Rulemaking

1 5109
 2 5109
 3 5109
 4 5109
 5 5109
 6 5109
 7 5109
 8 5109
 9 (with correction) 5109, 5244
 10 5109
 21 5109
 35 5109
 39 5109

Statements of Policy

39 2416

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

7 2283, 5849

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29 (with correction) 3252, 3253, 3502, 3586, 5667
 71 (with correction) 3503
 81 5479
 83 2024
 89 1834, 3504
 91 1933
 211 5966
 215 3928

207 Pa. Code (Judicial Conduct)

Adopted Rules

1 1632
 5 359
 7 2806
 21 1388
 33 5849
 51 5850
 119 2131
 303 2283

Proposed Rulemaking

1 795
 3 1632
 5 5330
 7 2025
 119 646

210 Pa. Code (Appellate Procedure)

Adopted Rules

33 4624

225 Pa. Code (Rules of Evidence)

Unclassified 2369, 4787

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

100 3928
 200 359, 3928, 3929, 3930
 400 3373, 3928
 1000 3928
 1300 3930
 1900 1391
 2950 2026
 3000 2026
 4000 2026, 2131, 4175

Proposed Rulemaking

200 3253, 5759
 400 5570
 1300 5759
 1910 1216
 2120 5570
 2150 5570
 2170 5570
 3000 5759
 4000 2032, 3253

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

50 1126
 100 1126
 300 4624

1100 4883
 1400 480
 6000 4625
 Unclassified 5330

Proposed Rulemaking

20475, 1505
 50 1510
 100 1505, 3931
 300 475, 3931, 5089, 5967
 305 276
 1100 475, 5967, 5968
 6000 3931
 9000 5969

246 Pa. Code (Minor Court Civil Rules)

Proposed Rulemaking

100 2685
 300 2685

249 Pa. Code (Philadelphia Rules)

Unclassified (with correction)997, 1516, 2919, 2920,
 3021, 3373, 3586, 3935, 4627, 5336, 5668, 5850

252 (Allegheny County Rules)

Unclassified 133, 135, 1936, 3373, 5479

255 Pa. Code (Local Court Rules)

Unclassified8, 9, 10, 135, 136, 277, 481,
 482, 646, 795, 796, 798, 1000, 1128,1132, 1233, 1312,
 1516, 1750, 1751, 1834,1835, 1939, 2033, 2132, 2283,
 2285, 2403, 2404, 2405, 2499, 2578, 2685, 2686, 2806,
 2808, 2921, 2922, 2923, 3024, 3048, 3255, 3257, 3258,
 3504, 3587, 3752, 3936,3937, 4176, 4177, 4178, 4179,
 4243, 4509, 4627, 4891, 5092, 5093, 5225, 5338, 5339,
 5572, 5573, 5574, 5575, 5576, 5668, 5851, 5882, 5971

THE GENERAL ASSEMBLY

Recent Actions During the 1998 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 1998 Regular Session.

1998 ACTS—ACTS 99 through 112 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1998-99	Nov. 17	HB1304	PN3896	60 days	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—disposition of decedent's remains
1998-100	Nov. 17	SB1013	PN2210	Immediately	Job Enhancement Act—enactment
1998-101	Nov. 24	HB2209	PN2919	Immediately	Repeals—obsolete laws relating to annexing of adjacent territory by borough or incorporated town
1998-102	Nov. 24	HB1660	PN3934	60 days	POW/MIA Memorial Highway, Marty Godra Memorial Bridge and POW/MIA Remembrance Highway—designation
1998-103	Nov. 24	SB1051	PN1806	60 days	Domestic Relations Code (23 Pa.C.S.)—standby guardians for minors
1998-104	Nov. 24	SB670	PN712	Immediately	Municipalities—sale of real and personal property
1998-105	Nov. 24	SB542	PN1206	60 days	Optional Third Class City Charter Law—fines and penalties
1998-106	Nov. 24	SB491	PN1989	60 days	Infrastructure Development Act—long-term vacant commercial site projects inclusion into infrastructure development program and job retention
1998-107	Nov. 24	SB263	PN313	60 days	Private Driver Education or Training School Act—regulating mileage and age of driver training vehicles
1998-108	Nov. 24	SB211	PN940	60 days	Borough Code, The—tax levies
1998-109	Nov. 24	SB1385	PN1997	Immediately*	Pennsylvania Securities Act of 1972—omnibus amendments
1998-110	Nov. 24	SB1372	PN2019	60 days	Motor Vehicle Chop Shop and Illegally Obtained and Altered Property Act—enactment
1998-111	Nov. 24	SB1192	PN1854	Immediately	Crime Victims Act—enactment
1998-112	Nov. 24	HB1172	PN3733	1 year	Real Estate Licensing and Registration Act—omnibus amendments

* with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

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

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

Legislative Bills and Documents

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

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

CARL MEASE,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 98-2013. Filed for public inspection December 11, 1998, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

Prohibited Political Activity by Court-Appointed Employees; No. 201 Judicial Administration Doc. No. 1

Order

Per Curiam

And Now, this 24th day of November, 1998, the prohibition against political activity by court-appointed employees is hereby reaffirmed, and the following guidelines, as amended this date, are intended to clarify the policy which was previously approved by this Court. These guidelines, as amended, shall be effective immediately.

Mr. Justice Castille files a dissenting statement which is joined by Mr. Justice Nigro and Madame Justice Newman.

Dissenting Statement

MR. JUSTICE CASTILLE

I respectfully dissent to this amendment to the Guidelines regarding political activity by Court-appointed employees. I believe that allowing court-appointed employees to participate in elective partisan political activity presents, at a minimum, the appearance of impropriety. By not requiring court-appointed employees to resign their respective positions in order to campaign on a partisan basis, this amendment gives rise to the inescapable conclusion that the judicial system itself is involved in partisan electoral politics, thereby raising an appearance of bias. I believe that the better practice is to require the resignation of any court-appointed employee who wishes to seek elective office, as the Guidelines presently require.

Mr. Justice Nigro and Madame Justice Newman join in this dissenting statement.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter M. PROHIBITED POLITICAL ACTIVITY BY COURT-APPOINTED EMPLOYEES GUIDELINES REGARDING POLITICAL ACTIVITY BY COURT-APPOINTED EMPLOYEES

1. *Definitions.*

(a) The term "partisan political activity" shall include, but is not limited to, running for public office, serving as a party committee-person, working at a polling place on Election Day, performing volunteer work in a political campaign, soliciting contributions for political campaigns, and soliciting contributions for a political action committee or organization, but shall not include involvement in non-partisan or public community organizations or professional groups.

(b) The term "court-appointed employees" shall include, but is not limited to, all employees appointed to and who are employed in the court system, statewide and at the county level, employees of the Administrative Office of Pennsylvania Courts, Court Administrators and their employees and assistants, court clerks, secretaries, data processors, probation officers, and such other persons serving the judiciary.

2. *Prohibition of Partisan Political Activity.*

(a) Court-appointed employees shall not be involved in any form of partisan political activity.

(b) This prohibition shall not apply to court-appointed employees who are duly sworn Court-appointed full-time masters and members of Board of Viewers, who are attorneys in good standing admitted to the practice of law in this Commonwealth, who may become candidates for higher judicial office. Said employees shall, during such candidacy, be subject to the provisions of the Code of Judicial Conduct and, particularly, Canon 7, which governs judicial campaigns.

3. *Termination of Employment.*

Except as provided in paragraph 2(b), above, henceforth, a court-appointed employee engaging in partisan political activity shall cease such partisan political activity at once or shall be terminated from his or her position. In the event an employee chooses to become a candidate for any office, such employee shall be terminated, effective the close of business on the first day of circulating petitions for said office.

4. *President Judge.*

The President Judge of each appellate court or county court of common pleas shall be responsible for the implementation of these guidelines and shall be subject to the review of the Judicial Inquiry and Review Board for failure to enforce.

[Pa.B. Doc. No. 98-2014. Filed for public inspection December 11, 1998, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART IV. COURT OF JUDICIAL DISCIPLINE [207 PA. CODE CH. 5]

Amendment to the Rules of Procedure of the Court of Judicial Discipline; Doc. No. 1 JD 94

Per Curiam

Order

And Now, this 24th day of November, 1998, the Court, pursuant to Article 5, Section 18(b)(4) of the Constitution of Pennsylvania, having adopted a proposed amendment to Rule of Procedure No. 502(F), as more specifically hereinafter set forth, *It Is Hereby Ordered*:

That Rule of Procedure 502(F) shall become effective immediately.

Annex A**TITLE 207. JUDICIAL CONDUCT****PART IV. COURT OF JUDICIAL DISCIPLINE****ARTICLE II. PROCEEDINGS BASED ON THE FILING OF FORMAL CHARGES****CHAPTER 5. TRIAL PROCEDURES****Rule 502. Trial. Stipulations of Fact. Conclusions of Law. Withdrawal of Complaints or Withdrawal of Counts.**

(A) The trial shall be held before the Court and shall be open to the public.

(B) Conduct of Trial.

(1) All testimony shall be under oath.

(2) The Board and the Judicial Officer shall be permitted to present evidence and examine and cross-examine witnesses. The Judicial Officer may, but shall not be required to, testify.

(3) At the conclusion of the trial, the Board and the Judicial Officer may, at the request of the Court, present oral argument and shall submit proposed findings of fact and conclusions of law.

(4) The trial shall be recorded verbatim. Requests and orders for transcripts shall be governed by Pa.R.J.A. 5000.5. Any party requesting notes of testimony shall bear the cost of transcription. When the notes of testimony have been transcribed, the court reporter shall first submit the transcript to the Clerk. Following receipt and review of the transcript, the court shall lodge the transcript and shall inform the court reporter of said lodging. In no instance shall the court reporter provide a version of the transcript to a requesting party until the transcript is lodged, and the Clerk has informed the court reporter and the parties that the transcript has been lodged.

(C) Any witness shall have the right to be represented by counsel, but the witness-counsel shall not participate in the trial except by permission of the Court.

(D) Stipulations of Fact.

(1) In lieu of a trial, the parties may submit to the Court an agreed statement of all facts necessary to a decision of the issues in the case. Said statement as submitted shall be binding upon the parties and shall be adopted by the Court as the facts of the case upon which the decision shall be rendered. When submitted, any such statement shall include a signed waiver of any right to trial granted under the Constitution and the Rules of this Court.

(2) The parties may submit stipulations as to issues of fact to which they agree, but which do not resolve all relevant issues of fact. In such case, the parties shall be bound by the stipulations as submitted and the Court shall proceed to trial on all other remaining factual issues.

(E) Conclusions of Law.

At the close of the evidence, the parties may submit suggested Conclusions of Law which the Court may consider in rendering the decision, however, said conclusions when submitted are not binding upon the Court.

(F) Withdrawal of Complaints or Withdrawal of Counts.

The Board may file a motion to withdraw a Complaint or any of the Counts in a Complaint, which, in either case, shall be supported by good cause.

[Pa.B. Doc. No. 98-2015. Filed for public inspection December 11, 1998, 9:00 a.m.]

PART II. CONDUCT STANDARDS**[207 PA. CODE CH. 33]****Amendment of Canon 7B(2) of the Code of Judicial Conduct; No. 199 Judicial Administration Doc. No. 1****Amended Order**

Per Curiam

And Now, this 24th day of November, 1998, the last paragraph of the Order entered by this Court on November 9, 1998, is amended to read as follows: "This Order shall be effective January 1, 1999, and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration."

[Pa.B. Doc. No. 98-2016. Filed for public inspection December 11, 1998, 9:00 a.m.]

PART II. CONDUCT STANDARDS**[207 PA. CODE CH. 51]****Amendment of Rule 15D(4) of the Rules Governing Standards of Conduct of District Justices; No. 117 Magisterial Docket; No. 1 Book 2****Amended Order**

Per Curiam

And Now, this 24th day of November, 1998, the last paragraph of the Order entered by this Court on November 9, 1998, is amended to read as follows: "This Order shall be effective January 1, 1999, and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration."

[Pa.B. Doc. No. 98-2017. Filed for public inspection December 11, 1998, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE**PART I. GENERAL****[231 PA. CODE CH. 200]****Amendment of Rules Governing Subpoena to Attend and Testify; No. 305 Doc. No. 5****Order**

Per Curiam

And Now, this 24th day of November, 1998, the Note to Pennsylvania Rule of Civil Procedure 234.1 is amended to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective January 1, 1999.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 234.1. Subpoena to Attend and Testify.

(a) A subpoena is an order of the court commanding a person to attend and testify at a particular time and place. It may also require the person to produce documents or things which are under the possession, custody or control of that person.

Official Note: See Discovery Rule 4009.1 et seq. for a request upon a party and a subpoena upon a person not a party for the production of documents and things other than at a deposition or a trial.

The twenty-day notice requirement of Rule 4009.21(a) is not applicable to a subpoena issued under Rule 234.1 in connection with a deposition. The provision of Rule 4007.1(d)(2) that materials subpoenaed in connection with a deposition "shall be produced at the deposition and not earlier, except upon the consent of all parties to the action", serves the same purpose as the notice requirement under Rule 4009.21(a).

* * * * *

Explanatory Comment

Several comments from attorneys have indicated that there is confusion as to whether the twenty-day notice requirement prior to service of a subpoena under Rule 4009.21 applies also to a subpoena under Rule 234.1. Rule 4009.21(a) provides for a twenty-day written notice prior to the service of a subpoena for the production of documents or things upon a person who is not a party to an action. Rule 234.1 providing for a subpoena duces tecum in connection with a deposition contains no such requirement. However, Rule 4007.1(a) requires that the party desiring to take the deposition of any person upon oral examination "shall give reasonable notice in writing to every party to the action . . ."

It was not the intent of the Committee that the twenty-day notice requirement be applied to a subpoena issued under Rule 234.1. Upon the adoption of Rule 4009.21, the Supreme Court also amended Rule 4007.1 to provide that materials subpoenaed may not be produced prior to a deposition except upon consent of the parties. The purpose of this amendment was twofold. First, the amendment eliminated the possibility of circumventing the notice provision of Rule 4009.21 by means of a subpoena duces tecum issued in connection with a deposition. Second, the amended rule provided a period of time, i.e. the "reasonable notice," during which other parties to the action could object to the production of the records sought, thereby accomplishing the same function as the notice period under Rule 4009.21. The amended note to Rule 234.1(a) explicitly states this intention.

By the Civil Procedural Rules Committee

EDWIN L. KLETT,
Chairperson

[Pa.B. Doc. No. 98-2018. Filed for public inspection December 11, 1998, 9:00 a.m.]

Title 25—LOCAL COURT
RULES

BRADFORD COUNTY

Rule of Civil Procedure No. 1301; No. 95IR000066

Order

And Now, this 20th day of November, 1998, the Court hereby amends the following Bradford County Rule of Civil Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

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

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

By the Court

JEFFREY A. SMITH,
President Judge

Bradford County Rule of Civil Procedure 1301

1301. Cases for Submission

A. Compulsory arbitration of matters as authorized by Section 7361 of the Judicial Code, 42 Pa.C.S.A. Section 101, et seq, shall apply to all civil cases wherein the amount in controversy, exclusive of interest and costs, shall be twenty thousand dollars (\$20,000.00) or less, including appeals from a civil judgment of a district justice, except those involving title to real estate or actions in equity. Such actions shall be submitted to and heard by a board of arbitration consisting of three attorneys.

B. The amount in controversy generally will be determined by the pleadings or by an agreement of the attorneys, however, the court, on its own motion or on the motion of any party, may, based upon affidavits, depositions, stipulations of counsel or after hearing, determine that the amount actually in controversy does not exceed twenty thousand dollars (\$20,000.00) and enter an order certifying the case to a board of arbitration. In the event that a case within the arbitration limits is consolidated with a case involving more than the arbitration limits after the former has been referred to a board of arbitrators, the order of consolidation will remove the same from the jurisdiction of the board of arbitrators.

C. A civil action will be referred to arbitration by order of court or when either party or its counsel files a praecipe in substantially the form attached, with the prothonotary certifying that the pleadings are closed and the matter is ready for arbitration. A copy of the arbitration praecipe shall immediately be delivered to the Court Administrator by the Prothonotary. The party filing the praecipe shall immediately serve all other counsel and unrepresented parties.

D. Cases subject to compulsory arbitration will not be scheduled for a pre-trial conference. Such cases will, however, come under the caseload control of the court administrator.

1301.1. Agreement of Reference.

Cases, whether or not in litigation and regardless of the amount in controversy, may be heard by a board of arbitration upon agreement of counsel for all parties in the case. Such agreement shall be evidenced by a writing signed by counsel for all sides and shall be filed with the prothonotary, who will forward a copy to the court administrator. Said agreement shall define the issues involved for determination by the board of arbitrators and may contain stipulations with respect to facts.

1302. Selection of Arbitrators.

A. The Court Administrator shall maintain a Master List of Arbitrators consisting of attorneys actively engaged in the practice of law primarily in Bradford County. The Master List shall be maintained in alphabetical order, except for those submitted at a later date in which case they shall be added chronologically based upon the date of application. The Master List shall indicate the Attorney's name, Bar Admission Date and firm or association name.

B. The Court Administrator shall assign each case for which praecipes have been received to an Arbitration Board consisting of three (3) members chosen from the Master List. At least one Arbitrator shall have practiced law for at least three (3) years. No two members shall be appointed from the same firm or association of attorneys, nor shall an attorney be appointed to a Board who shall be related by blood or marriage or who shall be a law partner or an associate of any arbitrator or attorney of record in the case. Any attorney who shall be disqualified for appointment to a Board for any of the foregoing reasons shall be appointed to another Board for which he shall not be disqualified.

C. The Court of Common Pleas will establish the amount and method of compensation for arbitrators. The members of the board shall not be entitled to receive their fees until a report and award has been filed with the Prothonotary. A payment request shall be forwarded to the Court Administrator by the Prothonotary upon the entry of an award so that payment may be processed.

1303. Hearing. Notice.

A. The Court Administrator shall fix a time, date, and place of hearing in accordance with the annual court calendar and shall notify the Arbitrators, all counsel of record, and unrepresented parties. The Hearing notice shall contain the following statement: "This matter will be heard by a board of arbitrators at the time, date, and place specified; but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

B. All requests for continuances shall be in writing in the form set forth by local rule and submitted to the Court Administrator. Continuances which have been submitted less than seven (7) days prior to the date of hearing shall not be granted, except for the most compelling reasons and, in those instances, consideration will be given to requiring the party requesting the continuance to pay the Board of Arbitrator fees. Any continuance request that the hearing be rescheduled beyond the month in which it was originally scheduled must be accompanied by a relist payment of \$15.00 or a receipt attached verifying payment of the relist fee.

1308. Arbitration Appeal.

An appeal from an award of arbitrators shall be filed in the Office of the Prothonotary in duplicate. The copy of said appeal shall be transmitted immediately to the Court Administrator. The Court Administrator shall schedule a pre-trial conference on the case immediately following receipt of said copy and shall send notice thereof to counsel of record and unrepresented parties.

1312. Award.

A. The oath or affirmation shall be administered by the Prothonotary.

B. The Arbitration Report and Award shall be in the form set forth in Rule 1312 of the Pennsylvania Rules of Civil Procedure.

IN THE COURT OF COMMON PLEAS OF BRADFORD COUNTY, PENNSYLVANIA

VS. NO:

PRAECIPE FOR APPOINTMENT OF ARBITRATORS TO THE PROTHONOTARY OF SAID COURT:

The undersigned requests you to appoint a Board of Arbitrators and certifies that:

1. _____ The amount in controversy is \$ _____
2. _____ The pleadings are closed.
3. _____ An agreement of reference has been filed of record.
4. _____ Estimate of hearing time required.

Record appearances have been entered for:

Plaintiff by _____

Defendant by _____

Attorney for _____

[Pa.B. Doc. No. 98-2019. Filed for public inspection December 11, 1998, 9:00 a.m.]

CARBON COUNTY

Amendment to Local Rule L1302 Governing the Selection of Arbitrators and Rule L1305 Governing Conduct of Hearing; No. 98-2338

Administrative Order No. 14-1998

And Now, this 23rd day of November, 1998, it is hereby Ordered and Decreed that, effective January 7, 1999, the Carbon County Court of Common Pleas hereby Amends Local Rule L1302 governing procedures for the Selection of Arbitrators and Local Rule L1305 governing procedures for the Conduct of Hearing in arbitration cases.

It is further Ordered and Decreed that seven (7) certified copies of this Administrative Order shall be filed with the Administrative Office of Pennsylvania Courts; two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and one (1) certified copy shall be filed with the Pennsylvania Civil Procedural Rules Committee.

By the Court

JOHN P. LAVELLE,
President Judge

Rule L1302. Selection of Arbitrators.

(1) Each attorney who is a member of the Bar of this Court, who maintains his or her principal office within Carbon County, Pennsylvania, and who expresses a willingness to serve shall be eligible for inclusion on the "List of Arbitrators".

(2) Each attorney who satisfies the requirements of L1302(1) and who is actively engaged in the practice of law in this Court for at least ten (10) years shall be eligible for inclusion on the "List of Chairpersons of Boards of Arbitrators".

(3) The composition of the board of arbitrators shall be as prescribed by Pa. R.C.P. 1302. The Court Calendar Officer shall designate a chairman and two (2) arbitrators from separate lists of attorneys selected by the Court to serve as chairman and as arbitrators respectively, and shall make necessary substitutions from said lists.

(4) If, after the board is sworn and hearing commenced, but before a decision is rendered, an arbitrator is unable to continue his services because of death, disability or a conflict of interest, or for good cause is unwilling to continue (report of which shall be made by the Court Calendar Officer to the President Judge), the case shall be decided by the remaining arbitrators. If the remaining arbitrators cannot agree, they shall so notify the Court Calendar Officer who shall then appoint a third arbitrator to rehear and decide the case jointly with them.

(5) If an arbitrator wishes to be replaced, he shall notify the Court Calendar Officer at least two (2) court days before the scheduled hearing. If an arbitrator without having given said notice fails to serve on two (2) occasions without having offered to provide a substitute, he shall be removed from the list of persons qualified to act as arbitrator until otherwise ordered by the Court.

(6) Notice of the appointment of arbitrators and the time and place of arbitration shall be given by the Court Calendar Officer in accordance with Pa. R.C.P. 1303 and served as prescribed by Pa. R.C.P. 233. The Notice shall include the following language:

"The matter will be heard by a board of arbitrators at the time, date, and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge."

Rule L1305. Conduct of Hearing.

(1) On the date fixed for the hearing, the chairman and the members of the panel shall take their oaths of office before the Prothonotary and shall organize for the hearing at least fifteen (15) minutes before the scheduled time. The panel shall conduct the hearing in accordance with Pa. R.C.P. 1304 and 1305. The chairman of the panel shall preside and see to the proper conduct of the hearing. He shall announce all rulings of a majority of the panel pertaining to the law and/or the admissibility of evidence and be responsible for the proper filing of the award. Hearings shall be held in such place as shall be designated by the Court Calendar Officer.

(2) If a hearing is held and cannot be concluded on the initial day scheduled within the time as indicated on the certificate of readiness, a continued hearing shall be scheduled by the chairman with the Court Calendar Officer and notice thereof given either at the conclusion of the hearing or as provided in Carbon Civ. L1302(4).

(3) If case is settled less than 2 days before the Arbitration hearing, one of the attorneys must appear before the Board of Arbitrators and have an Award entered by agreement. If settled more than 2 days before, Plaintiff's attorney must file a praecipe to strike case from arbitration list because case is settled and notify Panel.

(4) The matter will be heard by a board of arbitrators at the time, date and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge. A party is present if the party or an attorney who has entered an appearance on behalf of the party attends the hearing.

[Pa.B. Doc. No. 98-2020. Filed for public inspection December 11, 1998, 9:00 a.m.]

LYCOMING COUNTY**Amendments to Orphans' Court Rule L3.4, 98-01895****Order**

And Now, this 18th day of November, 1998, it is hereby *Ordered and Directed* as follows:

1. Lycoming County Orphans' Court Rule L3.4 is hereby promulgated.

2. The Prothonotary is directed to:

a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.

b. Distribute two (2) certified copies of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. File one (1) certified copy of this order with the Pennsylvania Orphans' Court Rules Committee.

d. Forward one (1) copy of this order to the *Lycoming Reporter* for publication therein.

e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.

f. Keep continuously available for public inspection copies of this order.

3. The rules revision approved by this order shall become effective 30 days after their publication in the *Pennsylvania Bulletin*.

By the Court

CLINTON W. SMITH,
President Judge

L3.4. Motion Procedures. The provisions of Lyc. Co.R.C.P. L206 shall apply to all filings in the Orphans' Court which are intended to be brought before the court for hearing, argument, conference of similar dispositive action.

[Pa.B. Doc. No. 98-2021. Filed for public inspection December 11, 1998, 9:00 a.m.]

LYCOMING COUNTY

Amendments to Rule of Criminal Procedure L300;
98-01895

Order

And Now, this 18th day of November, 1998, it is hereby Ordered and Directed as follows:

1. Lycoming County Rule of Criminal Procedure L300 is hereby promulgated.

2. The Prothonotary is directed to:

a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.

b. Distribute two (2) certified copies of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. File one (1) certified copy of this order with the Pennsylvania Criminal Procedural Rules Committee.

d. Forward one (1) copy of this order to the *Lycoming Reporter* for publication therein.

e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.

f. Keep continuously available for public inspection copies of this order.

3. The rules revision approved by this order shall become effective 30 days after their publication in the *Pennsylvania Bulletin*.

By the Court

CLINTON W. SMITH,
President Judge

L300. Motion Procedures. The procedures under Lyc. Co.R.C.P. L206 shall apply to all filings in the Criminal Court which are intended to be brought before the court for hearing, argument, conference or similar dispositive actions. A rule to show cause should be filed only under circumstances where the use of such rule is required by an applicable Pennsylvania Rule of Criminal Procedure, statute or by controlling case law.

[Pa.B. Doc. No. 98-2022. Filed for public inspection December 11, 1998, 9:00 a.m.]

LYCOMING COUNTY

Amendments to Rules of Civil Procedure; 98-01895

Order

And Now, this 18th day of November, 1998, it is hereby Ordered and Directed as follows:

1. Lycoming County Rules of Civil Procedure L212, L216, L1314 and L1920.16 are hereby rescinded.

2. Lycoming County Rules of Civil Procedure L212, L216, L1920.16 and L4005 are hereby promulgated.

3. Lycoming County Rules of Civil Procedure L227.1, L902, L1301.1, L1302, L1302.1, L1303, L1304, L1304.1, L1306, L1308, L1311 and L1920.42 are hereby revised as indicated on the following:

4. The Prothonotary is directed to:

a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.

b. Distribute two (2) certified copies of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. File one (1) certified copy of this order with the Pennsylvania Civil Procedural Rules Committee.

d. Forward one (1) copy of this order to the *Lycoming Reporter* for publication therein.

e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.

f. Keep continuously available for public inspection copies of this order.

5. The rules revisions approved by this order shall become effective 30 days after their publication in the *Pennsylvania Bulletin*.

By the Court

CLINTON W. SMITH,
President Judge

L212. Pre-trial Conferences and Trial Scheduling.

A. *Trial list.* Cases may be placed on the trial list in the manner set forth in Lyc. Co. R.C.P. L1007 or, in a case not subject to the requirements of rule L1007, by praecipe filed with the prothonotary.

B. *Pre-trial conferences.*

(1) The court administrator shall schedule a pre-trial conference to be held at least fifteen (15) days before the first day of the session of trials during which the case is listed.

(2) On or before the date set for the pre-trial conference, each party shall file a pre-trial statement. A copy of the pre-trial statement shall be handed to the judge conducting the pre-trial conference at the time of the pre-trial conference. The pre-trial statement shall be in substantially the following form:

(Caption) CASE NO. _____
NAME OF PARTY _____
ATTORNEY'S NAME _____
JUDGE _____
DATE OF PRE-TRIAL _____

LYCOMING COUNTY CIVIL PRE-TRIAL
STATEMENT

- List all parties and counsel to the action.
- Brief narrative statement of the submitting party's version of the case. Attach any helpful diagram.
- Legal theory of liability. List those theories upon which you will rely, as each party may be limited to those theories at trial.
- If there is a counterclaim, set forth the theory of liability and contentions on damages.
- If an agreement is involved in this action is it written or oral? _____. Quote the provisions of the agreement which are central to this dispute.
- Damages—List types and amounts of damages claimed.
- Names of witnesses:
 - Definite witnesses and scope of testimony (liability, damages or both).
 - Possible witnesses and scope of testimony (liability, damages or both).

8. Expert witnesses—List name and speciality and attach all expert reports.

9. Exhibits—list all exhibits and indicate whether or not they have been shown to opposing counsel. Each party may be limited to the use of the listed exhibits at trial.

10. Scheduling—List any unusual scheduling problems which are anticipated.

11. Requested stipulations (Qualifications of experts, admissibility of documents without custodian, special damages, etc.).

12. Unusual legal issues—issues on which trial briefs should be required.

13. Has there been a timely demand for a jury trial? Yes _____ No. _____. Number of jurors demanded? _____ 8 _____ 12.

14. Estimated time to try.

15. Outstanding motions:

16. Counsel are required to be prepared to inform the court of the demand and offer and to discuss settlement. (Party must be available in person or by phone at the time of pre-trial conference for purpose of settlement discussions).

17. Miscellaneous—List any matter which you feel is important but which has not been covered.

C. *Listing of cases.* One week before the session of trial commences, the court administrator shall serve upon all counsel (and parties not represented by counsel) a final list of cases to be tried during the term. The listing will have prior approval from the trial judge.

D. *Re-pretrials of continued cases.* Where a continuance is allowed (see Lyc. Co. R.C.P. L216) after pre-trial conference, the case will be rescheduled for trial. A re-pretrial conference will be held. At any such re-pretrial conference, the pretrial memorandum previously submitted shall be updated if appropriate, but otherwise need not be resubmitted.

E. *Striking cases from trial list.* Cases listed for trial shall remain so listed until settled of record, or until a verdict, adjudication or nonsuit is entered, or unless removed by order of court.

L216. Continuances.

A. *Time limitations.* Applications for continuance under Pa.R.C.P. No. 216 shall be submitted no later than the time set for pre-trial conferences.

B. *Prior commitments of counsel.* No continuances will be granted by reason of prior commitment of counsel in any court, state or federal, where such commitment was reasonably foreseeable and counsel has not made a reasonable attempt to secure substitute counsel.

C. *Form.* All requests for continuances of any matter before the court or board of arbitration shall be made in writing on a form supplied by the district court administrator. Any such request shall be filed with the prothonotary and be immediately forwarded to the court administrator.

L1920.16. Bifurcation.

A. A praecipe to transmit record requesting entry of a divorce decree under Domestic Relations Code § 3301(c) or § 3301(d) should not be filed prior to the resolution of all other claims raised unless an order has been entered permitting bifurcation or the other party consents to

bifurcation. The filing party must indicate in the praecipe to transmit that either, (1) there are no outstanding claims, or (2) bifurcation has been consented to by the other party, as verified by an affidavit attached to the praecipe to transmit, or approved by court order, a copy of which is attached to the praecipe to transmit. Where the other party does not consent to bifurcation, a request for bifurcation shall be made by motion in accordance with the procedure set forth in Lyc. Co. R.C.P. L206, and may be referred by the court, in its discretion, to the family court hearing office for hearing thereon.

B. A motion for appointment of master to hear a claim for divorce on "fault" grounds may include a request for bifurcation. If such a request is included, the master shall rule on both the claim for divorce and the request for bifurcation. If both are granted, the master shall forward to the court a proposed decree, retaining jurisdiction of all outstanding claims. If the request for bifurcation is denied, assuming the claim for divorce is granted, no decree shall be entered until all remaining claims are resolved.

L4005. Interrogatory Limits.

In the case of interrogatories served pursuant to Pa.R.C.P. No. 4005, the first set of interrogatories propounded to a party may not exceed fifty (50) in number, including subparts, whether or not they are separately numbered. In the event that the response given to the first set of interrogatories is considered by the requesting party to indicate a need for additional interrogatories, a second set of interrogatories, limited to fifty (50) including subparts, may be served upon a party. The second set of interrogatories must be case specific. The responding party shall not be compelled to answer any interrogatories beyond the number allowed under this rule. The court may, in its discretion, allow additional interrogatories to be served in an appropriate case.

L227.1. Post-Trial Relief. Any motion for post-trial relief shall be filed in accordance with Lyc. Co. R.C.P. L206. [duplicate with one copy being forwarded by the prothonotary to the court administrator

NOTE: This rule was derived from former Lyc. Co. R.C.P. L252. The remaining portions of Rule L252 that have not been carried over into Rule L227.1 have been superseded by Pa.R.C.P. 227.1.]

L902. Appeal [as Supersedeas] of a District Justice Judgment for Possession of Real Property.

A. [In lieu of bond, a party against whom a district justice has entered a judgment for the possession of real property may make rental payments becoming due during the court common pleas proceedings by depositing with the prothonotary an amount equal to the rental payments due in the month the appeal is taken and thereafter the tenant shall make each succeeding rental payment to the prothonotary on the date payment is due under the lease agreement, or on the first following business day. If the appellant files a bond or is permitted to deposit rental payments with the prothonotary in lieu of a bond, the prothonotary shall make upon the notice of copies a notation that it will separate as a supersedeas when received by the district justice.] A landlord's application under Pa.R.C.P.D.J. No. 1008B for the payment of sums deposited with the prothonotary shall be in the form of a motion and shall comply with Lyc. Co. R.C.P. L206.

[B. The failure of the tenant to make payments when and as required by subsection A of this rule shall operate as a termination of the supersedeas.

C. In the event the supersedeas has been terminated by virtue of the failure of the tenant to make payments when and as required, the prothonotary, upon praecipe of the party or whose behalf the district justice entered the judgment for possession, shall issue a notice of termination of the supersedeas which will evidence the termination of the supersedeas when received by the district justice.

D. At the conclusion of the proceedings or upon termination of the supersedeas, payments under this rule shall, by order of court, be applied to the payment of any judgment, including costs, against the tenant, with any excess deposits refunded to the tenant.

E.]B. At any stage of the proceedings following the filing of any appeal, either party may make an application for relief to the court, where relief is sought from scheduled payments, for special or unusual expenses, or to resolve other matters related to the appeal. The matter shall be heard within **[five (5)] fourteen (14)** days of filing.

[F. Allowance of in forma pauperis status by the court shall not relieve tenant from payments under this rule.]

L1301.1. Agreement of Reference. Cases, whether or not in litigation, regardless of the amount in controversy, may be heard by a board of arbitration upon agreement of counsel for all parties in the case. Such agreement shall be evidenced by a writing signed by counsel for all sides and shall be filed with the prothonotary, who will forward a copy to the court administrator. Said agreement shall define the issues involved for determination by the board and **[when agreeable,]** shall also contain any stipulations with respect to facts. In such cases, the agreement shall take the place of the pleadings in the case and be filed of record.

L1302. List of Arbitrators.

A. The court administrator shall keep a current list of all members of the bar qualified and willing to act as arbitrators.

B. Any attorney not wishing to serve as an arbitrator shall notify the court administrator in writing.

C. An attorney may remove his or her name from the arbitrators list **[provided that]** and such resignation shall not affect his or her obligation or qualification to serve as an arbitrator upon any case to which he or she has been appointed by the court.

L1302.1. Selection of Arbitrators.

A. Upon receipt of a praecipe, the court administrator shall nominate from the list of attorneys a board of potential arbitrators. The nominations shall be made at random, except where an attorney is excused by reason of incapacity, illness, or other disqualification. No more than one member of a family, firm, professional corporation, or association shall be nominated to serve on one potential board.

B. [In cases where the amount in controversy is more than two thousand (\$2,000) dollars, the] The court administrator shall nominate to the potential board **[three (3)] four (4)** attorneys plus three (3) attorneys for each party involved. The list of attorneys nominated to the potential board shall be sent by the court administrator to each party or his or her attorney **[within five (5) days of the receipt of the praecipe]**. Each party in the case or counsel for each party may strike off up to three (3) attorneys so named and return the list to the court administrator within five (5) days of receipt. If any or all parties strike the same name or fail to exercise their right to strike off three names from the potential board, the first three (3) remaining names will make up the board of arbitrators. The fourth listed attorney shall become an alternate arbitrator, who will serve only if one of the first three is unable to serve or is disqualified from serving.

[C. In cases where the amount in controversy is two thousand (\$2,000) dollars or less, the court administrator shall nominate a list of three (3) attorneys plus one (1) attorney for each party involved. The list of attorneys nominated to the potential board shall be sent by the court administrator to each party or his attorney within (5) five days of the receipt of the praecipe. Each party in the case or counsel for each party may strike off one (1) attorney so named and return the list to the court administrator within five (5) days of receipt. If both or all parties strike the same name or no name from the list, the first three (3) remaining names will make up the board.

[D.]C. As soon as the court administrator receives that returned list from the parties (or after five (5) days if a list is not returned) each arbitrator and the alternate shall be notified of his or her selection. A final board list shall be sent to the parties or their attorneys.

L1303. Scheduling of Hearings.

A. The court calendar shall reflect that two rooms will be reserved for at least two days out of each month, for the purpose of holding simultaneous arbitration hearings, to the extent that there are cases to be heard.

B. Upon the receipt of a praecipe, pursuant to L1301, the office of the district court administrator shall schedule the case to be arbitrated for a one-half day hearing, to commence at either nine o'clock a.m. or one o'clock p.m., in one of the two rooms reserved.

C. After having been identified as a member of an arbitration panel under the methods set forth previously in L1302.1, and after having been scheduled to serve on an arbitration panel on a date certain, pursuant to B above, should an arbitrator be unable to serve due to a conflict of interest, conflict in scheduling, or other such reason, it shall be that panel member's responsibility **[to make a reasonable effort to find a potential substitute. The panel member will then identify the potential substitute to each party, or their representatives, who will then communicate their concurrence or objection in writing to the panel member seeking to be substituted within five days.]** to notify the district court administrator who shall then advise the alternate of his or her substitution. If further substitution is required, the district court administrator shall select an arbitrator.

L1304. Arbitrator's Questions. **[Conduct of Hearings. The conduct of all hearings, generally and with respect to the admissibility of evidence, shall be as set forth in Pa.R.C.P. Nos. 1304, 1305 and 1308(a).]** Arbitrators shall exercise reasonable restraint in the questioning of witnesses. **[Witness fees shall be taxed as costs, as in other actions.]**

L1304.1. Continuances.

A. Continuances shall be granted only by court order for good cause shown on notice sent by the court administrator to the parties and the court. Requests for continuances shall be submitted in writing on forms provided by the court administrator. An application for continuance should be filed not later than three (3) days prior to the scheduled date for the arbitration hearing.

B. Upon failure of a party to appear at a scheduled arbitration hearing, the arbitrators shall proceed ex parte and render an award on the merits.

L1306. Awards. [A.] After the case has been heard, the arbitrators shall make their **[report]** award, **[which shall be signed by at least a majority of them. An award must be submitted]** within ten (10) days after the day of the hearing or the last adjournment thereof.

[B. The award shall be transmitted through the court administrator for filing with prothonotary.

C. The prothonotary shall enter the award of the arbitrators in the appearance docket and shall index the same in the judgment index. If an appeal is taken, the prothonotary shall notify the court administrator, who shall place it on the next pre-trial list.

D. Upon the award being indexed, the prothonotary shall give immediate written notice of the award to all the parties or their attorneys by regular mail.]

L1308. Compensation for Arbitrators.

A. Each of the three members of an arbitration panel shall receive compensation in the amount of \$100.00 per case for which the member serves as an arbitrator. A substitute arbitrator who does not serve shall receive \$50.00.

B. Each arbitrator shall be entitled to receive additional compensation at the rate of twenty-five (\$25.00) dollars per hour in any case in which the actual time spent in the hearing exceeds three and one-half (3½) hours.

C. Upon the filing of the board's report or award, the prothonotary shall certify to the county controller that the report or award, if any, has been filed, together with the names of the members of the board serving in the case. The county shall then pay the aforesaid fee to each member of the board serving on the case in accordance with subsection A of this rule.

D. In the event that a case shall be settled or withdrawn or otherwise terminated by or between the parties at any time prior to the date scheduled for hearing, the board members shall not be entitled to the aforesaid fee. If the case is settled, withdrawn, or otherwise terminated by or between the parties, on the date scheduled for

hearing but prior to the scheduled starting time, the panel members shall be entitled to one-half (½) of the base fee as set forth in subsection A of this rule. The attorney for the plaintiff in all cases which are settled, withdrawn, or otherwise terminated at any time prior to the arbitration hearing shall notify the court administrator, who will then in turn file with the prothonotary the appropriate award form indicating disposition of the case and the amount of compensation due members of the arbitration board.

L1311. Appeals.

[A. Any party to the proceeding may appeal from the decision or award of the arbitrators to the court of common pleas, upon repayment to the county of the fees of the members of the board. Said appeal shall be taken not later than thirty (30) days after the date of the entry of the award of the arbitrators on the docket. Repayment to the county of the fees of the members of the board shall not be taxed as costs or be recoverable in any proceeding. A de novo appeal shall be allowed as a matter of course upon the filing of the affidavit of appeal and recognizance, and upon the aforesaid repayment of the arbitrator's fees.

B.] The prothonotary shall notify the court administrator of all appeals from arbitration. All arbitration appeals shall immediately be scheduled for pre-trial conference and trial by the court administrator at the earliest practical date.

[C. If no appeal is filed within thirty (30) days, judgment shall be taken on the award.]

L1920.42. Affidavit and Decree Under **[Sections 3301]** § 3301(c) or **[3301]** § 3301(d) of the Domestic Relations Code.

A. A copy of the praecipe to transmit record, proposed divorce decree and notice that decree will be entered **[shall be served upon opposing counsel or party and a certificate of service shall be filed]** (unless notice has been waived under Pa.R.C.P. **[Any objection to the entry of the final decree shall be in writing and filed within ten (10) days from the date the praecipe is filed. A hearing on the objection may be scheduled before the court or a master or hearing officer as the court deems appropriate]** No. 1920.42(e) shall be served upon opposing counsel or party and a certificate of service shall be filed.

B. If related claims are resolved by means of a written agreement between the parties, a copy of the agreement may be attached to the praecipe to transmit record along with an appropriate proposed decree. If related claims are pending, the attached proposed decree shall contain a provision reserving the court's jurisdiction over the unresolved issues.

C. A decree will not be entered unless the appropriate administrative fee has been paid to the prothonotary or the court has granted leave to proceed in forma pauperis.

[Pa.B. Doc. No. 98-2023. Filed for public inspection December 11, 1998, 9:00 a.m.]

LYCOMING COUNTY

Amendments to Rules of Criminal Procedure; 98-01895

Order

And Now, this 18th day of November, 1998, it is hereby Ordered and Directed as follows:

1. Lycoming County Rule of Criminal Procedure L101A is hereby rescinded.
2. Lycoming County Rule of Criminal Procedure L107A is hereby promulgated.
3. The Prothonotary is directed to:
 - a. File seven (7) certified copies of this order with the Administrative Office of the Pennsylvania Courts.
 - b. Distribute two (2) certified copies of this order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
 - c. File one (1) certified copy of this order with the Pennsylvania Criminal Procedural Rules Committee.
 - d. Forward one (1) copy of this order to the *Lycoming Reporter* for publication therein.
 - e. Forward one (1) copy to the chairman of the Lycoming County Customs and Rules Committee.
 - f. Keep continuously available for public inspection copies of this order.
4. The rules revision approved by this order shall become effective 30 days after their publication in the *Pennsylvania Bulletin*.

By the Court

CLINTON W. SMITH,
President Judge

L107A. Approval of Police Complaints and Arrest Warrant Affidavits by the Attorney for the Commonwealth. The District Attorney of Lycoming County having filed a certification pursuant to Pa.R.Crim. P. 107, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedures, charging any felony or the following misdemeanors where the victim is less than 18 years of age:

- Simple Assault [18 Pa.C.S.A. § 2701];
 Unlawful Restraint [18 Pa.C.S.A. § 2702];
 False Imprisonment [18 Pa.C.S.A. § 2703];
 Recklessly Endangering Another Person [18 Pa.C.S.A. § 2705];
 Luring a Child Into a Motor Vehicle [18 Pa.C.S.A. § 2710];
 Indecent Assault [18 Pa.C.S.A. § 3126];
 Concealing the Death of a Child [18 Pa.C.S.A. § 4302];
 Endangering the Welfare of a Child [18 Pa.C.S.A. § 4304];
 Corruption of Minors [18 Pa.C.S.A. § 6301];

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing.

[Pa.B. Doc. No. 98-2024. Filed for public inspection December 11, 1998, 9:00 a.m.]

SOMERSET COUNTY

Consolidated Rules of Court; No. 98 Miscellaneous 1998

Adopting Order

Now, this 17th day of November, 1998, it is hereby Ordered:

1. The following designated Somerset County Rules of Judicial Administration (Som. R.J.A.) following hereto, are hereby adopted as Rules of this Court, effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Som. R.J.A. 4010	Dockets For Proceedings In Civil Division
Som. R.J.A. 4020	Clerk Of Court's Dockets
Som. R.J.A. 4030	Juvenile Cases
Som. R.J.A. 4040	Numbering, Combined Numbering
Som. R.J.A. 4041	Filing Of Schedules And Trial Lists
Som. R.J.A. 4050	Captions
Som. R.J.A. 4060	Docket Entries

2. The Somerset County Court Administrator shall:

A. File ten (10) certified copies of this Order with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order with the Pennsylvania Civil Procedural Rules Committee; and

D. File proof of compliance with this Order in the docket for these Rules, which shall include a copy of each transmittal letter.

By the Court

EUGENE E. FIKE, II,
President Judge

RULES OF COURT

Records Of The Court—Dockets

Som. R.J.A. 4010. Dockets For Proceedings In Civil Division.A. *Civil Docket.*

1. Every adverse proceeding at law or in equity, whether in the form of an action, motion, petition or other application which seeks or requires court action for its completion, shall be entered only in the Civil Docket, except (i) proceedings required to be entered in the divorce, judgment, mechanics lien, domestic relations, older adults or miscellaneous dockets; and (ii) proceedings incidental to a proceeding filed in the divorce, judgment, mechanics lien, Domestic Relations, older adults or miscellaneous dockets, which shall be entered only in the docket of the proceeding to which it is incidental.

Note: For example, a petition to open a confessed judgment, and a writ of execution upon a confessed judgment are incidental to the confession; similarly, a motion for the appointment of a master in divorce is incidental to the divorce action.

(Formerly R-46-110).

2. All execution proceedings shall be docketed in the Civil Docket as part of the civil action in which execution is issued, and all execution papers shall be captioned and filed as part of such civil action. Executions shall continue to be noted in the judgment index as heretofore.

Note: Verdicts will be entered in the judgment index, if for payment of money.

(Formerly R46-107).

3. All petitions for the appointment of viewers filed pursuant to Article V, § 502 of the Eminent Domain Code, (26 P. S. § 1-502) shall be docketed in the Civil Docket. A docket entry shall be made on the Civil Docket referring by docket number to the declaration of taking.

(Derived from former R21-102).

Note: The Civil Docket was formerly known as the Continuance Docket. The name change was effected by former Local Rule R46-101, adopted September 2, 1970, effective January 1, 1971, No. 40 Miscellaneous 1970.

The Equity Docket was abolished by former Local Rule R46-109, adopted November 21, 1973, effective January 1, 1974, No. 55 Miscellaneous 1973. All equity proceedings are entered only in the Civil Docket and shall continue to be indexed as heretofore.

B. Judgment Docket.

1. The Judgment Docket shall contain: (i) all proceedings for the entry of judgment by confession, whether or not for money, pursuant to an instrument authorizing such confession; and (ii) all proceedings for the entry of judgment by transfer, transcript, exemplification or similar procedure.

2. Such proceedings shall not otherwise be docketed but they shall continue to be indexed as heretofore.

Note: See Pa. R.C.P. 3001, et seq. governing transfer of judgments between counties. See, also, 23 Pa.C.S.A. § 4352(d) (support arrearages); 42 Pa.C.S.A. § 9728 (restitution, fines, costs, etc. in criminal proceedings).

Verdicts will be entered in the judgment index, if for payment of money.

(Formerly R46-108).

C. Divorce Docket.

The Divorce Docket shall contain all actions of divorce and actions for annulment of marriage. Such actions shall not be entered in the Civil Docket or any other official docket of the court. Such actions shall continue to be indexed in the ejection and miscellaneous index as heretofore.

Note: Ancillary claims for support and alimony pendente lite will be docketed in the Domestic Relations Section's docket when the separate complaint is filed with the Domestic Relations Section, as required by Som. R.C.P. 1920.31.

(Formerly R46-106).

D. Mechanics Lien Docket.

The Mechanics Lien Docket shall contain the record of mechanics lien proceedings.

E. Miscellaneous Docket.

1. Non-adverse or ex parte proceedings shall be entered in the Miscellaneous Docket, unless otherwise provided by rule of court or special order.

2. Returns of tax sales by the Tax Claim Bureau, filed for confirmation according to law, shall be filed in the Miscellaneous Docket. See 72 P. S. 5860.607.

3. A declaration of taking in eminent domain, although adverse, shall be filed in the Miscellaneous Docket.

Note: A non-adverse or ex parte proceedings is one which involves only the party or parties filing it. See

C.J.S. Actions. As indicated in the foregoing Rule, returns of tax sales and declaration of taking in eminent domain are to be filed in the Miscellaneous Docket by specific direction contained in this Rule.

(Formerly R46-111 and R46-112).

F. Domestic Relations Docket.

All support and non-support proceedings shall be entered in a separate docket which shall be known as "Domestic Relations Docket", which shall be maintained by the Domestic Relations Section.

(Formerly R46-103).

G. Older Adults Protective Services Docket.

All proceedings under the Older Adults Protective Services Act, 1987, November 6, P. L. 381, No. 79 § 1 et seq., 35 P. S. § 10225.101 et seq., as amended, shall be entered in a docket designated "Older Adults Protective Services Docket".

Note: See Som. R.C.P. 1908 governing proceedings under the Older Adults Protective Services Act.

Som. R.J.A. 4020. Clerk Of Court's Dockets.

A. Criminal Docket.

The Criminal Docket shall contain all criminal adversary proceedings.

Note: The Criminal Docket was formerly comprised of the Oyer and Terminer and Quarter Sessions Dockets, which were combined into a single Criminal Docket by former Local Rule R46-102, adopted September 2, 1970, effective January 1, 1971, 40 Miscellaneous 1970.

B. Special Docket.

The Special Docket shall contain all proceedings not otherwise docketed in the office of the Clerk of Courts.

(Formerly R46-104).

Note: The Special Docket was formerly known as the Miscellaneous Docket. The name change was effective by former Local Rule R46-104, adopted September 2, 1970, effective January 1, 1971, 40 Miscellaneous 1970.

Road and bridge cases filed in the office of the Clerk of Courts are entered in the Special Docket. The former road and bridge docket was abolished by former Local Rule R46-118, adopted December 20, 1977, effective January 1, 1978, No. 15 Miscellaneous 1977.

See, also, Som. R.C.P. 207.2 pertaining to pleadings and orders in road and bridge cases.

Som. R.J.A. 4030. Juvenile Cases.

Custody of the dockets and official file papers of the Juvenile Court shall be with the Probation Department which shall be responsible for the care and safekeeping of the records, making docket and index entries, maintaining the docket and indices in current condition, taking and keeping minutes of Juvenile Court sessions, and otherwise handling and maintaining the records as required by these Rules or by a special order of court.

(Formerly R46-113).

Som. R.J.A. 4040. Numbering. Combined Numbering.

A. All proceedings shall be numbered consecutively, beginning each calendar year with number one, without use or reference to terms or sessions of court.

(Formerly R46-105).

B. Each case or separately captioned proceeding shall be assigned a separate docket number in the appropriate docket, except that all filings during the calendar year shall be filed and docketed to a single number for that year in the following proceedings:

1. Consolidated Rules of Court (Miscellaneous Docket);
2. Civil Trial Lists and Civil Trial Schedules (Miscellaneous Docket);
3. Argument Court Schedules (Miscellaneous Docket);
4. Criminal Trial Lists and Criminal Trial Schedules (Special Docket);
5. Juvenile Court Schedules (Miscellaneous Docket);
6. Appointment Orders, judicial staff (Miscellaneous Docket);
7. Appointment Orders, public officers (Miscellaneous Docket), except election officers;
8. Election Orders, including appointments of election officers (Special Docket);
9. Office and Duty Schedules, District Justices (Special Docket);
10. District Justice Assignment Orders (Special Docket);
11. Jury Precepts and Venires, civil juries (Miscellaneous Docket); and
12. Jury Precepts and Venires, criminal (petit juries) (Special Docket).

(Formerly R46-120).

Som. R.J.A. 4041. Filing Of Schedules And Trial Lists.

A. The Administrator shall file a copy of each Civil Trial List and a copy of each Civil Trial Schedule, to the Miscellaneous Docket. All such Lists and Schedules issued for trial sessions of the calendar year shall be filed in that year to a single docket number.

(Formerly R46-701).

B. The Administrator shall file a copy of each Argument Court Schedule to the Miscellaneous Docket. All such Schedules issued for Argument Court sessions of the calendar year shall be filed in that year to a single docket number which shall be separate from that used for the Trial Lists and Schedules.

(Formerly R46-702).

C. The Administrator shall file a copy of each Criminal Trial List and a copy of each Criminal Trial Schedule to the Special Docket. All such Lists and Schedules issued for trial sessions of the calendar year shall be filed in that year to a single docket number.

(Formerly R46-703).

D. The Administrator shall file all revised and supplementary Lists and Schedules issued, so that the Docket and the filed papers shall reflect accurately and completely the issued Lists and Schedules for the Civil Trial, Criminal Trial and Argument sessions of the Court.

(Formerly R46-705).

E. Each List and Schedule shall be enclosed in a filing cover which shall be properly endorsed with the caption, docket number, title of the List or Schedule enclosed, and the term and dates of the sessions covered.

(Formerly R46-706).

Som. R.J.A. 4050. Captions.

All actions and proceedings shall be captioned so as to indicate by the docket designation the nature of the proceeding and the place of filing, with the docket to be designated by full docket name or by an appropriate abbreviation as follows:

A. Prothonotary's Office:

No.	Civil	19
No.	Divorce	19
No.	Judgment	19
No.	Mechanics	19
No.	Miscellaneous	19
No.	Aging	19

B. Clerk of Court's Office:

No.	Criminal	19
No.	Special	19

C. Clerk of Orphans' Court:

No.	Adoption	19
No.	Estate	19
No.	Incapacitated Person	19
No.	Marriage	19

D. Domestic Relations Office:

No.	Domestic	19
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E. Probation Office:

No.	Juvenile	19
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(Formerly R46-201).

Som. R.J.A. 4060. Docket Entries.

A. Except in the Orphans' Court Division, the custodian of each docket shall make a record in the appropriate docket of each Court proceeding filed, showing the following:

1. A case heading showing the names and designations of the parties, docket number, names of counsel of record, and a marginal notation of costs taxed and paid;
2. Each paper or document filed in the case, except that no such entry need be made of orders making special assignment of District Justices (Special Docket);
3. A record of distribution of documents, as provided in Som. R.J.A. 400. F.;
4. The transmittal to the Court of transcripts by the Prothonotary;
5. In eminent domain cases, a cross-reference in the Civil Docket to the Declaration of Taking in the Miscellaneous Docket, as provided in Som. R.J.A. 4010; and
6. Any other fact occurring or action taken concerning the case, as may be desired by the custodian, or as may be specially requested by any party or his counsel upon payment of the prescribed fee.

B. Docket entries shall concisely state:

1. Date of filing the document;
2. Date of occurrence of other fact or action noted;
3. Nature of description of document, fact or action noted;
4. The information required in Part C of this Rule.

C. Docket entries need not state the contents of any document, except:

1. Entry of appearance by counsel shall state the name of counsel and shall specify the party for whom counsel appears.

2. Final decrees and orders in civil proceedings in the Prothonotary's office, other than divorce decrees, shall be transcribed on the docket in full.

3. Entry of the filing of Mechanics Liens and Municipal Claims shall state the name of the municipality in which the land is located.

4. In road and bridge proceedings, the final Court Order relocating, altering or otherwise affecting any road or bridge, as prescribed in Som. R.C.P. 207.2, shall be transcribed in full (Special Docket).

5. Inactive case docket entries shall conform to Som. R.J.A. 1901.5; and

6. The date or dates of service, and the name or names of the persons served, shown in any return, affidavit or acceptance of service shall be stated.

7. The contents of any other document as may be requested by any party or his counsel, upon payment of the prescribed fee.

Note: Decrees and Orders of Court, lien releases and agreements, mechanics liens and municipal claims, etc., will not be recorded in full unless specially requested under C. 7., supra.

(Formerly R46-119).

[Pa.B. Doc. No. 98-2025. Filed for public inspection December 11, 1998, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing

The Fish and Boat Commission (Commission) by this order amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this amendment under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendment relates to fishing.

A. *Effective Date*

This amendment will go into effect on January 1, 1999.

B. *Contact Person*

For further information on the amendment, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This final rulemaking is available electronically through the Commission's Web site at <http://www.fish.state.pa.us>.

C. *Statutory Authority*

This amendment is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The amendment is designed to update, modify and improve Commission regulations pertaining to fishing. The specific purpose of the various amendments is described in more detail under the summary of changes.

E. *Summary of Changes*

Section 65.24 (relating to miscellaneous special regulations). A few years ago when regulations were amended for the lower 13.5 miles of the Little Juniata River, a 2.1 mile stretch was left with an older set of regulations that are not appropriate at this time. Inventory information has confirmed that the 2.1 mile section from the mouth of Bald Eagle Creek downstream to the railroad bridge at the east (downstream) border of Ironville supports only a sparse trout population as coldwater habitat in this portion of the stream is marginal for the year round survival of trout. Therefore, the Commission believes that this 2.1 mile section does not warrant management under miscellaneous special regulations and has removed this section from the list of waters subject to special regulations. This section now will be managed under Statewide regulations that are already in place on the upstream portion of the Little Juniata River from the headwaters downstream to the confluence of Bald Eagle Creek.

F. *Paperwork*

The amendment will not increase paperwork or create new paperwork requirements.

G. *Fiscal Impact*

The amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The amendment will impose no new costs on the private sector or the general public.

H. *Public Involvement*

A notice of proposed rulemaking containing the proposed amendment was published at 28 Pa.B. 3058 (July

4, 1998). The Commission did not receive any public comments regarding the proposal.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and no comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 28 Pa.B. 3058.

(b) The Executive Director will submit this order and 28 Pa.B. 3058 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 28 Pa.B. 3058 and deposit them 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

Fiscal Note: Fiscal Note 48A-83 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 98-2026. Filed for public inspection December 11, 1998, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 93]

Boating

The Fish and Boat Commission (Commission) by this order amends Chapter 93 (relating to boat registration and numbering). The Commission is publishing this amendment under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendment deals with boating.

A. *Effective Date*

This amendment will go into effect upon publication of this order in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the amendment, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This final rulemaking is available electronically through the Commission's Web site at <http://www.fish.state.pa.us>.

C. Statutory Authority

This amendment is published under the statutory authority of section 5123 of the code (relating to general boating regulations).

D. Purpose and Background

The amendment is designed to update, modify and improve Commission regulations pertaining to boating. The specific purpose of the amendment is described in more detail under the summary of changes. Prior to consideration by the Commission on final rulemaking, the Commission's Boating Advisory Board considered this change and recommended adoption by the Commission.

E. Summary of Changes

Section 93.5 (relating to display of registration number and validation decal). The Commonwealth has adopted the use of color coded validation decals to identify boats that possess current registrations. The use of validation decals is authorized by the Federal regulations that outline the content and form of state registration systems. At the inception of the Commonwealth's validation decal, the Commission's regulations required that the decal be displayed 3 inches behind the registration number. Several years ago an amendment was approved to allow this decal to be 3 to 6 inches from the number.

33 CFR 174.15 states:

(a) If a state issues validation stickers, its numbering system must contain the requirements that stickers must be displayed within six inches of the number and the stickers must meet the requirements in paragraph (b) and (c) of this section.

(b) Validation stickers must be approximately 3 inches square.

(c) The year in which each validation sticker expires must be indicated by the colors blue, international orange, green and red in rotation beginning with blue for stickers that expire in 1973.

The Commission's regulation currently conforms with these standards but is more strict than required for the display of validation decals. Because the important feature of this regulation is that the decal be displayed and not the exact location of the decal, the Commission has broadened the language of this regulation to allow display anywhere within 6 inches of the number.

F. Paperwork

The amendment will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The amendment will impose no new costs on the private sector or the general public.

H. Public Involvement

A notice of proposed rulemaking containing the proposed amendment was published at 28 Pa.B. 3057 (July 4, 1998). The Commission did not receive any public comments regarding the proposal.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45

P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and no comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 93, are amended by amending § 93.5 to read as set forth at 28 Pa.B. 3057.

(b) The Executive Director will submit this order and 28 Pa.B. 3057 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 28 Pa.B. 3057 and deposit them 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

Fiscal Note: Fiscal Note 48A-81 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 98-2027. Filed for public inspection December 11, 1998, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 43]

[CORRECTION]

Temporary Registration Cards and Plates

Errors occurred in a Department of Transportation rulemaking which appeared at 28 Pa.B. 5872, 5877 and 5882 (November 28, 1998). The correct versions of §§ 43.9 and 43.12 appear in Annex A, with ellipses referring to the existing texts of the regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE III. REGISTRATION

CHAPTER 43. TEMPORARY REGISTRATION CARDS AND PLATES

§ 43.9. Bond.

* * * * *

(d) *Limitations of bond.* The bond required under this section shall cover transactions in which the Commonwealth or a person specified in subsection (a), has sustained a monetary loss due to the agent, dealer or manufacturer submitting a dishonored or uncollectible check to the Commonwealth (including protest and uncollectible check fees), or failing to remit to the Common-

wealth a fee or tax when the monetary loss is incurred in connection with the business of the dealer or manufacturer. A check which is dishonored upon presentment, or an application for title or registration which is received without a required fee or tax, shall constitute a monetary loss. Failure to pay a monetary penalty within 45 days of assessment shall also constitute a monetary loss. The bond required under this section may not cover a loss for a transaction which is not mentioned in this subsection relating to the issuance of temporary registration cards or plates in connection with the business of the dealer, manufacturer or full agent. If the dealer, manufacturer or full agent has one or more branch offices, the amount of the bond shall be increased by the amount specified in subsection (b) for each branch office, except that the total amount of the bond will not be required to exceed \$200,000.

(e) *Bond already on file.* An authorized dealer, manufacturer or full agent who has filed a bond with the Commonwealth will not be required to file a separate bond under this section, if the bond already on file with the Commonwealth is in the name of the Commonwealth and at least equal to the amount and coverage of the bond required under this section.

* * * * *

§ 43.12. Use of temporary registration plate.

* * * * *

(c) *Expiration of temporary registration plates.* Temporary registration plates shall expire as follows:

(1) *Rules pertaining to cardboard plates.*

(i) A cardboard temporary registration plate shall expire and become void upon the occurrence of one of the following:

- (A) Issuance of registration from another state.
- (B) Rescission of a contract to purchase a vehicle.
- (C) Expiration of 30 days from the date of issuance.

(ii) Upon expiration of a cardboard temporary registration plate, the person to whom it was issued shall destroy it.

(2) *Rules pertaining to metal plates.* A metal temporary registration plate may not be used after the expiration of 60 days from the date of issuance of the temporary card and plate until the registrant receives a regular registration card from the Bureau.

* * * * *

[Pa.B. Doc. No. 98-1944. Filed for public inspection November 28, 1998, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 61 AND 75]

Additional Extension of Public Comment Period

On August 1, 1998, the Fish and Boat Commission (Commission) published a notice of proposed rulemaking (Regulation No. 48A-82) in the *Pennsylvania Bulletin* at 28 Pa.B. 3591, seeking public comments, objections or suggestions about proposed changes to its threatened and endangered species regulations. The Commission twice has extended the public comment period.

The Commission is again extending the public comment period. The Commission extends the public comment period to March 15, 1999. Interested persons are invited to submit written comments, objections or suggestions about the proposed amendments to the Executive Director, Pennsylvania Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, on or before March 15, 1999. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically at "regulations@fish.state.pa.us." A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 98-2028. Filed for public inspection December 11, 1998, 9:00 a.m.]

STATEMENTS OF POLICY

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[L-00980137]

Resolution of Issues Common to Complaints Involving 66 Pa.C.S. § 1529.1 (Relating to Duty of Owners of Rental Property)

The Pennsylvania Public Utility Commission has extended the time period in which comments may be filed to the above-captioned proposed policy statement. The proposed policy statement was published at 28 Pa.B. 5497 (October 31, 1998). Interested persons may submit written comments, an original and 15 copies, to Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 by the close of business on Monday, January 5, 1999. Reply comments may be submitted by close of business on Tuesday, January 19, 1999.

Parties that have already provided comments at this docket may submit supplemental comments by January 5, 1999. Note that parties submitting supplemental comments are not precluded from submitting reply comments.

The contact persons for this proposed policy statement are Patricia Krise Burket, Law Bureau, (717) 787-3464 and David Lewis, Bureau of Consumer Services, (717) 783-5187.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-2029. Filed for public inspection December 11, 1998, 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 December 1, 1998.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-30-98	ACNB Corporation, Gettysburg, to acquire 100% of the voting shares of Farmers National Bancorp, Inc., Newville, and indirectly acquire Farmers National Bank of Newville, Newville	Gettysburg	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-1-98	Three Rivers Bank and Trust Company Jefferson Borough Allegheny County Purchase of assets/assumption of liabilities of one branch office of First Western Bank, N.A., located at: 451 Hyde Park Road Leechburg Westmoreland County	Jefferson Borough	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-23-98	Millennium Bank Malvern Chester County	1200 Broadcasting Rd. Wyomissing Berks County	Approved
11-23-98	Abington Savings Bank Jenkintown Montgomery County	101 Ft. Washington Ave. Fort Washington Montgomery County	Approved
11-23-98	Abington Savings Bank Jenkintown Montgomery County	667 Welsh Road Huntingdon Valley Lower Moreland Twp. Montgomery County	Approved
11-23-98	Penn Security Bank and Trust Company Scranton Lackawanna County	Northeast Corner of PA Route 447 and US Business Route 209 East Stroudsburg Monroe County	Opened
11-25-98	Fidelity Deposit and Discount Bank Dunmore Lackawanna County	4010 Birney Avenue Moosic Lackawanna County	Filed
11-30-98	Fulton Bank Lancaster Lancaster County	South York Plaza Pauline Drive York Township York County	Approved

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-20-98	Northern Central Bank Williamsport Lycoming Bank	<i>To:</i> 193A N. Main Street Mansfield Tioga County <i>From:</i> 1199 S. Main Street Mansfield Tioga County (Approved/Unopened)	Effective
11-23-98	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	<i>To:</i> 330 E. Lancaster Ave. Radnor Township Delaware County <i>From:</i> 3 Radnor Corporate Center Radnor Township Delaware County	Filed
11-30-98	Lebanon Valley Farmers Bank Lebanon Lebanon County	<i>Into:</i> Palmyra Shopping Center 901 East Main Street Palmyra Lebanon County <i>From:</i> 41 N. Londonderry Sq. North Londonderry Twp. Lebanon County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-1-98	First Commonwealth Trust Company Indiana Indiana County	501 Penn Street Huntingdon Huntingdon County	Filed

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS**Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
11-25-98	UTI Employees Credit Union Collegeville Montgomery County	206 Jones Boulevard Pottstown Limerick Township Montgomery County	Filed

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 98-2030. Filed for public inspection December 11, 1998, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Eisenhower Postsecondary Grant Application Guidelines for Professional Development Programs

Applications from Pennsylvania nonprofit organizations, which have previously conducted successful reading professional development activities, and Pennsylvania institutions of higher education will be accepted for professional development programs specially designed to improve reading in this Commonwealth. Grant awards will be funded with higher education money authorized by Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382).

The Commonwealth has approximately \$534,267 available for this competition. Awards issued under these guidelines will be for a maximum of three full funding cycles; funding in subsequent years is estimated to be about \$373,987 each cycle. Awards for this competition and the subsequent two funding cycles are specifically contingent upon the appropriation of funds by the Federal government, a valid and comprehensive assessment of the success of the project, including, but not limited to, demonstration of significant increase in participants' knowledge of how children learn to read by pre/postcontent based tests and a fully executed contract/memorandum of understanding.

It is anticipated that \$250,000 or more will be awarded to one to three grant recipients for the first funding cycle. Only applications including commitments from regional sites and those seeking funding for all three cycles will be funded. Funding will be awarded only to the applicant;

funds to support each regional site will be included in the applicant's final grant award.

Copies of the Eisenhower Postsecondary Grant Application (EPGA) guidelines are available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen.html> or from the Issuing Office, which is the sole point of contact for the guidelines: Division of Program Services, Bureau of Postsecondary Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623; TDD (717) 783-8445.

A preproposal conference is scheduled for Monday, January 4, 1999, at 10 a.m. in Heritage Room A, Lobby Level at 333 Market Street, Harrisburg. If special accom-

modations are required to participate in the preproposal conference, contact the Division of Program Services. Written questions are to be submitted by December 28, 1998, on PDE-4658 available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen.html>.

Applications submitted in response to the EPGA guidelines are due in the Division of Program Services no later than 5 p.m., Friday, January 29, 1999.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 98-2031. Filed for public inspection December 11, 1998, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

Where indicated, the EPA, Region III, Regional Administrator has waived 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 0020532. Sewage, **Upper Montgomery Joint Authority**, P. O. Box 6, Pennsburg, PA 18073.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant in Upper Hanover Township, **Montgomery County**. This is an existing discharge to Green Lane Reservoir.

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 2.0 mgd average annual 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	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20		40
Phosphorus (as P)	1.0		2.0
Total Residual Chlorine	0.5		1.2
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		
Mercury	monitor/report		

The EPA waiver is not in effect.

Other Conditions:

Toxics Reduction Evaluation for Mercury
Minimize Stormwater Bypasses.

PA 0052761. Sewage, **Buckingham Valley Nursing Home**, P. O. Box 447, Buckingham, PA 18912.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant in Buckingham Township, **Bucks County**. This is an existing discharge to unnamed tributary to Mill 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 14,000 gpd 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
Total Residual Chlorine		
(0—2 years)	1.2	2.0
(3—5 years)	0.1	0.25
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	
Phosphorus (as P)		
(4-1 to 10-31)	2.0	4.0
Nitrate and Nitrate (as N)		
(7-1 to 10-31)	8	16

The EPA waiver is in effect.

PA 001720. Industrial waste, **Rhodia, Inc.**, CN 7500 Prospect Plains Road, Cranbury, NJ 08512-7500.

This application is for renewal of an NPDES permit to discharge cooling water from an industrial facility serving a phosphorus products manufacturing company located in Falls Township, **Bucks County**. This is an existing discharge to Biles Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 4,000 gallons per day, 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	monitor	monitor	monitor
Suspended Solids	30	60	75
Oil and Grease	15		30
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Dissolved Solids	1,000	2,000	2,500
Phosphorus as P	monitor	monitor	monitor
Sulfide as S	monitor	monitor	monitor
Total Phenols	0.02	0.04	0.05
Total Iron	1.5	3.0	3.75

Other Conditions:

The EPA waiver is in effect.

Thermal Requirements

PA 0057479. Industrial waste, **Metro Machine of PA**, P. O. Box 1860, Norfolk, VA 23501.

This application is for issuance of an NPDES permit to discharge treated process wastewater from dry dock No. 2 at the Philadelphia Naval Complex in Philadelphia, **Philadelphia County**. This is a transfer of an existing discharge to the Delaware River.

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

The proposed effluent limits for Outfall 010, based on an average flow of 1.7 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>
Total Suspended Solids	100	200	250
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Total Iron	monitor/report	monitor/report	
Total Copper	monitor/report	monitor/report	
Total Lead	monitor/report	monitor/report	
Total Zinc	monitor/report	monitor/report	
1, 2, Dichloroethane	monitor/report	monitor/report	
Tetrachloroethylene	monitor/report	monitor/report	
Trichloroethylene	monitor/report	monitor/report	

Other Conditions:

The EPA waiver is in effect.

PA 0057649. Sewage, **Jeanette DeMoreland**, 34 Tohickon Drive, Ottsville, PA 18942.

This application is for issuance of an NPDES permit to discharge treated sewage from DeMoreland single residential STP in Haycock Township, **Bucks County**. This is a new discharge to Dimple 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 400 gpd 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	10		20
Suspended Solids	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		

Other Conditions:

The EPA waiver is in effect.

PA 0055263. Sewage, **Executive Center Condominium Association, c/o B. C. Property Management**, 610 Louis Drive, Suite 303, Warminster, PA 18974.

This application is for renewal of an NPDES permit to discharge treated sewage from a small sewage treatment plant in Plumstead Township, **Bucks County**. This is an existing discharge to an unnamed tributary to the North Branch of Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1,000 gpd 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	10	20
Ammonia (as N)		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	1.2	2.5

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0057576. Sewage, **Bruce K. Entwisle**, 500 Swedesford Road, Lower Gwynedd, PA 19002.

This application is for issuance of an NPDES permit to discharge treated sewage from a single residence sewage treatment plant in Lower Gwynedd Township, **Montgomery County**. This is a new discharge to an unnamed tributary to the Wissahickon 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 700 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
Total Residual Chlorine	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 0057622. Sewage, **Leonard Lowinski and Ira Saft**, 241 and 261 Woodhill Lane, Media, PA 19063.

This application is for issuance of an NPDES permit to discharge treated sewage from a residential sewage treatment plant serving two dwelling units located in Upper Providence Township, **Delaware County**. This is a new discharge to an unnamed tributary to Ridley Creek.

The receiving stream is classified for the following uses: high quality trout stocking fishery.

The proposed effluent limits for Outfall 001, based on an average flow of 1,000 gallons per day 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	10	20
Ammonia (as N) (5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0027154. Sewage, **Borough of Phoenixville**, 140 Church Street, Phoenixville, PA 19460.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant serving Borough of Phoenixville and Schuylkill Township located in Borough of Phoenixville, **Chester County**. This is an existing discharge to Schuylkill River.

The receiving stream is classified for: warm water fishery.

The proposed effluent limits for Outfall 001, based on an average flow of 4.0 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20		40
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	monitor		monitor
pH	within limits of 6.0—9.0 standard units at all times		

Other Conditions:

The EPA waiver is not in effect.

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

PA 0063843. Industrial waste, SIC: 4941, **Milford Borough Municipal Authority**, 120 Pear Alley, P. O. Box 459, Milford, PA 18337.

This proposed action is for issuance of an NPDES permit to discharge treated process wastewater into Vantine Brook in Milford Township, **Pike County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the evaluation was conducted at the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 0.001 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0	
pH	6—9 standard units at all times		

The EPA waiver is in effect.

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

PA 0014605. Industrial waste, SIC: 4951, **United Water Pennsylvania, Inc.**, 4211 East Park Circle, Harrisburg, PA 17111-0151.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Yellow Breeches Creek, in Fairview Township, **York 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 Pennsylvania American located on the Yellow Breeches Creek. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.073 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0—9.0 at all times		
Total Suspended Solids	30	60	75
Total Residual Chlorine	1.0		2.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
Total Iron	2.0	4.0	5.0

Individuals 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 0085600. Industrial waste, SIC: 3089, **Ono Industries, Inc.**, Route 22 West, P. O. Box 150, Ono, PA 17077.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste and stormwater to Reeds Creek, in East Hanover Township, **Lebanon 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 Pennsylvania American Water Company located in South Hanover Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.057 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅	13	26	32
Total Suspended Solids	14	50	62
Oil and Grease	15	29	30
Temperature	87°F		
pH	6.0—9.0		

The proposed effluent limits for Outfall 002 for stormwater are:

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

Individuals 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 0080560. Industrial waste, SIC: 5541, **TA Operating Corporation**, 24601 Center Ridge Road, Westlake, Ohio 44145-5634.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of Manada Creek, in West Hanover Township, **Dauphin 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 Pennsylvania American Water Company located in South Hanover Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15		30
pH (s.u.)		6.0—9.0	

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

The EPA waiver is in effect.

PA 0084255. Sewage, SIC: 6515, **Swatara Mobile Home Park**, 2459 Grace Avenue, Lebanon, PA 17046.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of Swatara Creek, in Swatara Township, **Lebanon 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 Pennsylvania American Water Company located in South Hanover Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0088 mgd are:

<i>Parameter</i>	<i>Average Monthly (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)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Total Residual Chlorine	0.23	0.75
Dissolved Oxygen		minimum of 5.0 at all times
pH		from 6.0—9.0 inclusive
Fecal Coliforms		
(5-1 to 9-30)		200/100 ml as a geometric average
(10-1 to 4-30)		3,200/100 ml as a geometric average

Part C includes a Schedule of Compliance for Total Residual Chlorine.

Individuals 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.

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

PA 0021733. Sewerage, SIC: 4952, **Borough of Watsontown**, P. O. Box 273, Watsontown, PA 17777.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to West Branch Susquehanna River in Watsontown Borough, **Northumberland County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton approximately 4 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.33 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
TSS	30	45	60
Total Cl ₂ Residual (1st month—36th month) (37th month—permit expiration date)	report 1.0		3.3
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)		200 col/100 ml as a geometric mean 2,000 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0114545. SIC: 7215, **Barry Schoenly, c/o Troy Schoenly**, P. O. Box 156, Sylvania, PA 16945.

This proposed action is for renewal of an NPDES permit for discharge of treated industrial waste to South Branch Sugar Creek in Troy Township, **Bradford County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is the Danville Municipal Water Company located approximately 160 miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0092 mgd, are:

<i>Specific Substance</i>	<i>Monthly Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
CBOD ₅	22.0	44.0	55.0
TSS	20.0	40.0	50.0
NH ₃ -N	8.0	16.0	20.0
Oil and Grease	15.0	30.0	30.0
Total Chlorine Residual	monitor		
pH	6.0—9.0 standard units		

The EPA waiver is in effect.

PA 0228061. SIC: 4952, **Rivera Sewer Company of Pennsylvania, Inc.**, Treasure Lake Mini Mall No. 4, DuBois, PA 15801-09010.

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage to Narrows Creek in Sandy Township, **Clearfield County**.

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

For the purposes of modeling for fluoride and nitrate/nitrite, the nearest downstream potable water supply intake is on Redbank Creek at Hawthorn. This intake is 40 river miles downstream; therefore, no limits are necessary.

The proposed effluent limits for Outfall 001, based on a design flow of 1.0 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31) (11-1 to 4-30)	15 25	22.5 40	30 50
Suspended Solids	30	45	60
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	1.5 4.5	2.3 6.9	3.0 9.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Chlorine Residual	0.18		0.58
Dissolved Oxygen		minimum of 6.0 mg/l at all times	
pH		6.0—9.0 at all times	
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	
<i>Other Conditions:</i> none.			
The EPA waiver is in effect.			

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

PA 0210137. Industrial waste, SIC: 7542. **Adesa Pennsylvania Inc., dba Adesa Pittsburgh.**

This application is for renewal of an NPDES permit, to discharge treated industrial waste and stormwater to an UNT to Cool Spring Creek and an UNT to Yellow Creek in Cool Spring Township and Jackson Township in **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stock fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Beaver Falls Municipal Authority on the Beaver River located at Beaver Falls, approximately 42 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.001 mgd, are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)			0.7 gpm
Copper	0.93	1.5	2.3
Lead	0.4	0.8	1.0
Chromium	0.22	0.74	0.74
Zinc	1.1	2.9	2.9
TSS	20	40	50
Oil and Grease	10	20	25
CBOD ₅	50	100	125
D. O.		no less than 3.0 mg/l at all times	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0222739. Sewage. **Blooming Valley United Methodist Church**, 24740 State Street, Meadville, PA 16335.

This application is for a discharge to replace a malfunctioning onlot system. The discharge is to an Unnamed Tributary to Woodcock Creek in Blooming Valley Borough, **Crawford County**. This is a new discharge.

The receiving water is classified for the following uses: high quality cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the City of Franklin on French Creek located at approximately 36 miles below the discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of .0015, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform	200/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0093157. Sewage. **Moraine Camplands Association, Inc.**, 281 Staff Road, Slippery Rock, PA 16057.

This application is for renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to Big Run in Brady Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Camp Allegheny Intake on Slippery Rock Creek located at Wayne Township, Lawrence County, approximately 20 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.05 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
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
Total Residual Chlorine	1.4		3.3
Dissolved Oxygen		minimum of 3 mg/l at all times	
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	
pH		6.0—9.0 at all times	

XX—monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

PA 0000914A2. Industrial waste, SIC: 8731, **Department of Energy**, Pittsburgh Naval Reactors Office, Bettis Atomic Power Lab, 814 Pittsburgh-McKeesport Boulevard, West Mifflin, PA 15122-0109.

This application is for a modification of an NPDES permit to discharge treated groundwater from Bettis Atomic Power Lab in West Mifflin Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters Bull Run classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Western PA Water Company, located at Pittsburgh, Allegheny County approximately 9 miles below the discharge point.

Outfall 007: new discharge, design flow of 0.043 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				
Tetrachloroethylene			0.0022		0.0055
Trichloroethylene			0.005		0.0125
1,2-Dichloroethylene			0.005		0.0125
TSS			30		75
Dissolved Iron					7.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA 0097462. Industrial waste, SIC: 4941, **Cherry Tree Borough Municipal Authority**, P. O. Box 125, Cherry Tree, PA 15724.

This application is for renewal of an NPDES permit to discharge treated process water from the Cherry Tree Water Treatment Plant in Susquehanna Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Peg Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Clearfield Municipal Water Treatment Plant, located at Clearfield, 30 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0009 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 (mgd)	monitor and report				
Suspended Solids			30		60
Iron			2		4
Aluminum			4		8
Manganese			1		2

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine (1st month—36th month) (37th month—expiration)			0.5	monitor and report	1.25
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PAS206108. Industrial waste, SIC: 3466, **William Croushere, Anchor Hocking Packaging Company**, 1840 Baldrige Street, Connellsville, PA 15425.

This application is for an issuance of an NPDES permit to discharge stormwater from the Anchor Hocking Packaging Company in South Connellsville, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as a HQ-CWF fishery with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls 001, 002 and 003: new discharge, design flow of n/a mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Aluminum					monitor and report
Total Iron					monitor and report
Total Zinc					monitor and report
NO ₂ -NO ₃					monitor and report

The EPA waiver is in effect.

PA 0030864. Sewage, **Western Beaver County School District**, 343 Ridgemont Drive, Midland, PA 15059.

This application is for renewal of an NPDES permit to discharge treated sewage from the Fairview Elementary School STP in Ohioville Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to Headwaters of Island Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the City of East Liverpool, Ohio on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0065 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia-Nitrogen (5-1 to 10-31)	2.3			4.6
(11-1 to 4-30)	6.6			13.2
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0033294. Sewage, **Franklin Manor Utilities, Ltd.**, 37 Highland Avenue, Washington, PA 15301.

This application is for renewal of an NPDES permit to discharge treated sewage from Franklin Manor Sewage Treatment Plant in South Franklin Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Chartiers Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Western Pennsylvania Water Company.

Outfall 001: existing discharge, design flow of 0.06 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia-Nitrogen (5-1 to 10-31)	1.4			2.8
(11-1 to 4-30)	2.8			5.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.1			0.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0095150. Sewage, **Evan Ford**, Box 349, Bunola, PA 15020.

This application is for renewal of an NPDES permit to discharge treated sewage from the Evan Ford Mobile Home Park Sewage Treatment Plant in Forward Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as 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 Western Pennsylvania Water Company.

Outfall 001: existing discharge, design flow of 0.028 mgd.

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

The EPA waiver is in effect.

PA 0098060. Sewage, **Eugene J. Smith, Jr.**, R. D. 1, Box 341-J, Lancaster Road, Fombell, PA 16123.

This application is for renewal of an NPDES permit to discharge treated sewage from the Smithwind Mobile Home Park STP in Franklin Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as tributary of Slippery Rock Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Beaver Falls Municipal Authority.

Outfall 001: existing discharge, design flow of .0022 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.5			5.0
(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			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.06			0.14

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0098451. Sewage, **The Manufacturers Water Company**, 244 Walnut Street, Johnstown, PA 15901.

This application is for renewal of an NPDES permit to discharge treated sewage from the Bethco Pines Recreation Area Sewage Treatment Plant in Conemaugh Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Quemahoning Reservoir, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Waterworks on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.007 mgd.

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

The EPA waiver is in effect.

PA 0204587. Sewage, **James C. Noel**, 108 Front Street, Fallentimber, PA 16639.

This application is for renewal of an NPDES permit to discharge treated sewage from the Noel's-Zimmerman Treatment Plant in White Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Clearfield Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company—Milton, on the West Branch Susquehanna River.

Outfall 001: existing discharge, design flow of 0.018 mgd.

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

The EPA waiver is in effect.

PA 0204927. Sewage, **Barr Area Municipal Authority**, Box 45, Nicktown, PA 15762.

This application is for a renewal of an NPDES permit to discharge treated sewage from Norcam/Nov-Tech Industries Sewage Treatment Plant in Barr Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Hoppel Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Clearfield Municipal Authority located on the West Branch Susquehanna River.

Outfall 001: existing discharge, design flow of .002625 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10	15		20
Suspended Solids	10	15		20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0	4.5		6.0
(11-1 to 4-30)	9.0	13.5		18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0218014. Sewage, **Gary E. and Connie L. Nicewonger**, R. D. 1, Box 148, Armagh, PA 15920.

This application is for issuance of an NPDES permit to discharge treated sewage from the proposed Nicewonger Mobile Home Park STP in East Wheatfield Township, **Indiana County**.

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

Outfall 001: new discharge, design flow of .005 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			2.0
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0061212	Mik-Joan, Inc. 655 Route 61 Orwigsburg, PA 17961	Schuylkill North Manheim Twp.	Mahannon Creek	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

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

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

A. 6798411. Sewage, submitted by **West Manchester Township Sewer Authority**, 2501 Catherine Street, York, PA 17404 in West Manchester Township, **York County** to construct pumping station and force main was received in the Southcentral Region on November 12, 1998.

A. 0598405. Sewage, submitted by **Nancy R. Miller**, R. D. 1, Box 98, Manns Choice, PA 15550 in Napier Township, **Bedford County** to construct a small flow sewage treatment system to serve Rebecca's Personal Care Home was received in the Southcentral Regional Office on November 12, 1998.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

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

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 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 Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

NPDES Permit PAS10-G344. Stormwater. **Hankin Builders**, 717 Constitution Drive, P. O. Box 562, Exton, PA 19341, has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Shamona Creek.

NPDES Permit PAS10-J043. Stormwater. **YMCA of Philadelphia & Vacinity**, 2000 Market Street, Philadelphia, PA 19103-3304, has applied to discharge stormwater from a construction activity located in Middletown Township, **Delaware County**, to Rocky Run/Chester Creek.

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

Carbon County Conservation District, District Manager, 5664 Interchange Road, Leighton, PA 18235-5114, (610) 377-4894.

NPDES Permit PAS101318. Stormwater. **Hickory Run Sports Complex**, Robert McColley, 750 Bethlehem Pike, Ambler, PA 19002, has applied to discharge stormwater from a construction activity located in Penn Forest Township, **Carbon County**, to Yellow Run.

Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

NPDES Permit PAS10Q166. Stormwater. **King Interests**, William F. King, III, 504 Carnegie Center, Princeton, NJ 08540, has applied to discharge stormwater from a construction activity located in South Whitehall Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS107204. Stormwater. **Lightning Oil Company, Ltd.**, 225A Swede Road, Tidioute, PA 16351, has applied to discharge stormwater from a construction activity located in Limestone and Watson Townships, **Warren County**, to Jaybuck Run and East Branch Hickory Creek.

NPDES Permit PAS10E068. Stormwater. **Woodberry Village L. P.**, 429 Fourth Avenue, Suite 1002, Pittsburgh, PA 14219, has applied to discharge stormwater from a construction activity located in Buffalo Township, **Butler County**, to Little Buffalo Creek.

SAFE DRINKING WATER

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

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

A. 0998509. Public water supply. **North Wales Water Authority**, 200 West Walnut Street, P.O. Box 1339, North Wales, PA 19454. This proposal involves the construction of a 4.0 mg water storage tank. This project will also include the demolition of the existing 3.5 mg High Point Standpipe in New Britain Township, **Bucks County**.

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

4596505. Public water supply. **Pennsylvania American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033, Steven J. Seidl. This proposal involves the former Fairview, NUI—Pine Hill, NUI Summit Point, and Pocono Mountain Industrial Park Water Systems. The systems will be connected with PCP and PFE Water Systems to improve reliability. Improvements will be made at individual well sites to improve reliability. It is located in the Borough of Mt. Pocono and Coolbaugh Township, **Monroe County**.

5498510. Public water supply. **West Penn Pines Mobile Home Park.** This proposal involves the construction of two 60 gallon permitted wells with disinfection and manganese sequestering supplying a 344 single family modular housing unit development with 4" and 8" PVC pipe. Storage will be provided by a .307 million gallon tank. It is located in West Penn Township, **Schuylkill County**.

Engineer: George W. Rudy, Rudy Engineering.

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 and 303 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 identifies a site where a person

proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

Vilsmeier Auction Co., Montgomery Township, **Montgomery County**. Sunand Mabbula, P.G., Hardy Environmental Services, 425 Old Airport Road, New Castle, DE 19720, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX, polycyclic aromatic hydrocarbons and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard.

Tower Bridge North, No. 6, Conshohocken Borough, **Montgomery County**. Michael M. Meloy, Manko, Gold & Katcher, LLP, City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, polycyclic aromatic hydrocarbons and petroleum hydrocarbons; and groundwater contaminated with lead, heavy metals, solvents, BTEX, polycyclic aromatic hydrocarbons and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted.

Kathaila Residence, Upper Southampton Township, **Bucks County**. Environmental Services, Brian R. Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, 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 standard.

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

Distribution Pole 26142S34603, Lower Paxton Township, **Dauphin County**. **Pennsylvania Power & Light Company**, Two North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard.

A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on September 11, 1998.

Defense Distribution Depot Susquehanna PA, Fairview Township, **York County**. Defense Logistics Agency, DDSP, 2001 Mission Drive, New Cumberland, PA 17070-5002, has submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with solvents. The applicant proposes to remediate the site to meet a combination of the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* and the *Harrisburg Patriot News* on October 27, 1998.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.

Former National Granulating Corporation, Inc. Facility, City of Washington, **Washington County**. Timothy T. Ratvasky, WEG Engineering, 575 William Pitt Way, Pittsburgh, PA 15238, and Detroit Street Partners, L. P., 4839 Campbells Run Road, Pittsburgh, PA 15205-1386 has submitted a Notice of Intent to Remediate soil contaminated with zinc and SVOCs. The applicant proposes to remediate the site to meet the Statewide standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Observer/Reporter*, Washington, PA on October 28, 1998.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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 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 a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This

period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, a 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 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:

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

Defense Distribution Depot Susquehanna PA, Fairview Township, **York County**. Defense Logistics Agency, DDSP, 2001 Mission Drive, New Cumberland, PA 17070-5002, has submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with solvents. The applicant proposes to remediate the site to meet a combination of the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* and the *Harrisburg Patriot News* on October 27, 1998.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101069. SECCRA Landfill, 261 W. Street Road, Kennett Square, PA 19348-1615. Application was received for a permit renewal. No modifications proposed. The application was received in the Southeast Regional Office on November 10, 1998.

Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

A. 300655. NGK Metals Landfill, NGK Metals Corporation (150 Tuckerton Road, Reading, PA 19612-3367). Application for major modification for residual waste landfill closure plan for a site in Muhlenberg Township, **Berks County**. Application determined to be administratively complete in the Regional Office November 19, 1998.

Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6848.

Permit No. 100691. A permit application to renew the facility's operating permit was received from **Waste Management of Pennsylvania, Inc.** (Greater Erie Transfer Station and Recycling Center), 1159 West 16th Street, Erie, PA 16502. This application was received in the Regional Office on September 17, 1998.

AIR QUALITY

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. Any 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, (717) 826-2531.

40-313-030C: KAMA Corp. (699 Dietrich Avenue, Hazleton, PA 18201) for operation of polymer and extrusion operations in the City of Hazleton, **Luzerne County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

OP-53-0005A: CNG Transmission Corp. (445 West Main Street, Clarksburg, WV 26302) for operation of five 2,000 horsepower natural gas-fired reciprocating internal combustion engines and a natural gas-fired heater at the Harrison Compressor Station in Harrison Township, **Potter County**. The heater is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

Nitrogen Oxides (NO_x) Allowance Program

Proposed revisions to Title V/State Only Operating Permits to include conditions relating to NO_x Allowance Requirements in 25 Pa. Code §§ 123.101-123.120.

The Department of Environmental Protection (Department) intends to issue new or revise existing Title V/State Only Operating Permits to include provisions of 25 Pa. Code §§ 123.101-123.120 (relating to NO_x allowance requirements). These regulations establish an NO_x budget and an NO_x allowance trading program for NO_x affected sources for the purpose of achieving the health-based ozone ambient air quality standard. An NO_x affected source is defined as a fossil fuel fired indirect heat exchange combustion unit with a maximum rated heat input capacity of 250 MMBtu/hour or more and all fossil fuel fired electric generating facilities rated at 15 megawatts or greater or any other source that voluntarily opts to become an NO_x affected source.

The new or revised Title V/State only operating permits will require the owner or operator of each NO_x affected source to hold a quantity of NO_x allowances meeting the requirements of 25 Pa. Code §§ 123.110(a) by December 31, of each calendar year. One NO_x Allowance is the limited authorization to emit one ton of NO_x during the NO_x Allowance Control Period, which begins May 1 of each year and ends September 30 of the same year. The NO_x allowances held in the source's current year NO_x Allowance Tracking System (NATS) account must be equal to or greater than the total NO_x emitted from the source during the year's NO_x allowance control period. The initial NO_x allowance control period begins on May 1, 1999.

The new or revised Title V/State only operating permits will also include emission monitoring, reporting and recordkeeping requirements for each NO_x affected source. NO_x emissions from each NO_x affected source shall be monitored in accordance with 25 Pa. Code §§ 123.108 and the procedures contained in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO_x Budget Program."

Persons wishing to file protests or comments on the proposed Title V/Operating Permits must submit the protest or comments within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed permits. Comments or protests filed at the above address must include a concise statement of the objections to the issuance of the 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* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permits and other relevant information are available for review at the following address.

Bureau of Air Quality: Division of Permits, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

67-2009: Solar Turbines, Inc. (P. O. Box 856376, San Diego, CA 92138-5376) located in Springettsbury Township, York County.

NOx Affected Sources

Turbine #1	Point ID. : 031	Allowance: 33
Turbine #2	Point ID. : 032	Allowance: 33
Turbine #3	Point ID. : 033	Allowance: 33
Turbine #4	Point ID. : 034	Allowance: 33
Turbine #5	Point ID. : 035	Allowance: 33
Turbine #6	Point ID. : 036	Allowance: 32

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, (717) 826-2531.

45-313-009E: Heico Chemicals, Inc. (Route 611, P. O. Box 730, Delaware Water Gap, PA 18327) for modification of a chemical manufacturing operation in Delaware Water Gap Borough, **Monroe County**.

48-309-105: Keystone Cement Co. (P. O. Box A, Bath, PA 18014) for construction of a materials additive system at State Routes 329 and 987, East Allen Township, **Northampton County**.

54-313-068A: Air Products and Chemical Co., Inc. (P. O. Box 351, Tamaqua, PA 18252) for modification of a vapor degreaser at State Routes 1019 and 1020, Rush Township, **Schuylkill County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

14-310-022: Glenn O. Hawbaker, Inc. (450 East College Avenue, Bellefonte, PA 16823) for construction of a fine aggregate washing plant in Spring Township, **Centre County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the applica-

tion is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

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

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal 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.

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

Coal Applications Received

17880129. Permit Renewal, **K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of bituminous strip mine in Chest Township, **Cambria County**, affecting 244.4 acres, receiving stream unnamed tributaries of Rock Run and Rock Run. Application received November 19, 1998.

32980114. **Simpson Coal Company** (R. D. 1, Box 244, New Alexandria, PA 15670), commencement, operation and restoration of bituminous strip-auger mine in Young Township, **Indiana County**, affecting 67.5 acres, receiving stream unnamed tributaries of Blacklegs Creek to Blacklegs Creek to Conemaugh River. Application received November 16, 1998.

11880201. Permit Renewal, **Ebensburg Power Company** (20 S. Van Buren Avenue, P. O. Box 351, Barberton, OH 44203-0351), commencement, operation and restoration of a coal refuse reprocessing mine in Cambria Township, **Cambria County**, affecting 56.5 acres, receiving stream an unnamed tributary to South Branch Blacklick Creek and the South Branch of Blacklick Creek. Application received November 20, 1998.

56980109. **Mountaineer Mining Corporation** (1010 Garrett Shortcut Road, Berlin, PA 15530), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 29.4 acres, receiving stream Hays Run and Buffalo Creek and Unnamed Tributaries to Hays Run and Buffalo Creek. Application received November 23, 1998.

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

26980104. **Gary Gioia Coal Company** (319 Karen Drive, Elizabeth, PA 15037). Permit application received for a bituminous surface mining operation located in Wharton Township, **Fayette County**, affecting 100.4 acres. Receiving streams: unnamed tributary to Big Sandy Creek to Cheat River and McIntire Run, and Big Sandy Creek to Cheat River. Application received: November 9, 1998.

30940102(T). **Shafer Brothers Construction, Inc.** (668 Lower Hildebrand Road, Morgantown, WV 26505). Application to transfer permit currently issued to Patriot Mining Company, Inc., for continuing operation and reclamation of a bituminous surface mine located in Greene Township, **Greene County**, affecting 17.0 acres. Receiving streams: unnamed tributary of Whitely Creek. Application received: November 10, 1998.

65980105. **Joseph Rostosky Coal Company** (R. R. 3, Box 112, Monongahela, PA 15063). Permit application received for a bituminous surface mining operation located in Rostraver Township, **Westmoreland County**, affecting 28.8 acres. Receiving streams: unnamed tributary to Monongahela River to Monongahela River. Application received: November 16, 1998.

03960104. **Thomas J. Smith, Inc.** (R. D. 1, Box 260-D, Shelocta, PA 15774). Application received for an incidental boundary correction and stream variances at an existing bituminous surface/auger mining site located in South Bend Township, **Armstrong County**, affecting 154.6 acres. Receiving streams: Lindsay Run and unnamed tributary to Lindsay Run. Application received: November 20, 1998.

65980104. **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319). Application received for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland**

County, proposed to affect 340.0 acres. Receiving streams: unnamed tributaries of Miller Run and Miller Run to Loyalhanna Creek to the Conemaugh River. A social and economic justification is included with this application. Application received: November 16, 1998.

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

49980101. **High Mountain Coal Company** (307 West Main Street, Girardville, PA 17935), commencement, operation and restoration of an anthracite surface mine operation in East Cameron Township, **Northumberland County** affecting 115.0 acres, receiving stream—Mahanoy Creek. Application received November 13, 1998.

54830207R3. **Blaschak Coal Corp.** (P. O. Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine/coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 280.0 acres, receiving stream—Mahanoy Creek. Application received November 18, 1998.

49960201C. **Split Vein Coal Company** (R. R. 1, Box 1027, Paxinos, PA 17360), correction to an existing anthracite surface mine/coal refuse reprocessing to include a haul road in Mt. Carmel Township, **Northumberland County**, affecting 77.5 acres, receiving stream—Locust Creek. Application received November 13, 1998.

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

Noncoal Applications Received

6276SM6AC3. **Union Quarries, Inc.** (P. O. Box 686, Carlisle, PA 17103), renewal of NPDES Permit No. PA0223310 in West Donegal Township, **Lancaster County**, receiving stream—unnamed tributary to Donegal Creek. Application received November 13, 1998.

13930301C2. **Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit No. PA0595829 in Penn Forest Township, **Carbon County**, receiving stream—Stony Creek. Application received November 23, 1998.

5477SM1A1C2. **Glasgow, Inc.** (P. O. Box 1089, Glenside, PA 19038-1089), depth correction to an existing quarry operation in Plymouth Township, **Montgomery County** affecting 75.19 acres, receiving stream—none. Application received November 23, 1998.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

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

Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.

E13-115. Encroachment. **PA Department of Transportation**, District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing structure and to construct and maintain a spread box beam bridge having a span of 75.1 feet with an underclearance of 18 feet across Aquashicola Creek (TSF, MF) to replace the existing structurally inadequate bridge. The project is located at the intersection of S. R. 0248 and Aquashicola Creek (Palmerton, PA Quadrangle N: 7.8 inches; W: 15.5 inches), Lower Towamensing Township, **Carbon County** (Philadelphia District, U. S. Army Corps of Engineers).

E35-289. Encroachment. **William Bracey, Bill's Supermarket**, Route 435, Moscow, PA 18444. To place fill in 3.7 acres of PEM/SS wetlands and to construct and maintain a 16-foot × 3-foot concrete box culvert in a tributary to Roaring Brook (HQ-CWF). The project is part of the Bill's Shopping Center expansion project and includes the construction of a 65,000 square foot anchor store building and nine other smaller retail and service buildings totaling 92,400 square feet and associated parking facilities. The project is located immediately northwest of the intersection of S. R. 0435 and S. R. 0502 (Moscow, PA Quadrangle N: 10.8 inches; W: 2.3 inches), Covington Township, **Lackawanna County**. (Baltimore District, U. S. Army Corps of Engineers).

E39-358. Encroachment. **Laughlin Real Estate, Inc.**, 156 Tamarac Circle, Shillman, NJ 08558. To construct and maintain a precast concrete spread box beam bridge having a span of 45 feet with an underclearance of approximately 4.5 feet across Little Cedar Creek (HQ-CWF) and to construct and maintain two 15-inch diameter R.C.P. stormwater outfall structures in the floodway of Little Cedar Creek. The project is associated with Cedar Creek Farm, a 299 unit residential development, and is located immediately southeast of the intersection of S. R. 0022 and S. R. 0309 (Allentown West, PA Quadrangle N: 17.6 inches; W: 7.6 inches), South Whitehall Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

E39-359. Encroachment. **PA Department of Transportation**, District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To place fill in 1.1 acres of forested wetlands located approximately 0.1 mile west of the intersection of S. R. 0309 and S. R. 2023 (Vera Cruz Road) (Allentown West, PA Quadrangle N: 10.4 inches; W: 9.0 inches), in Upper Saucon Township, **Lehigh County**. To excavate and regrade along 775 linear feet of the channel and floodway of a tributary to Saucon Creek for the construction of a 3.65 acre wetland mitigation area and is located approximately 0.6 mile south of the intersection of S. R. 2020 and S. R. 2029 (Limeport Pike) (Allentown East, PA Quadrangle N: 0.4 inch; W: 10.3 inches), in Lower Milford

Township, **Lehigh County** (Philadelphia District U. S. Army Corps of Engineers). The project's purpose is to resolve an outstanding violation for fill in 1.1 acres of forested wetlands.

E40-510. Encroachment. **Blue Ridge Industries, Ltd.**, 306 Northeastern Building, 8 West Broad Street, Hazleton, PA 18201-6486. To repair and maintain the existing 6.7-foot × 6.7-foot precast concrete arch railroad culvert in a tributary to Black Creek (CWF), with work consisting of replacing the undermined, displaced culvert sections and restoring/protecting approximately 140 linear feet of downstream channel. The channel work will include placement of fill to restore the eroded area, and constructing a trapezoidal R-7 riprap-lined channel and plunge pools. The project is located approximately 250 feet west of S. R. 0081, approximately 2,000 feet south of the intersection of S. R. 0081 and S. R. 0093 (Conyngham, PA Quadrangle N: 18.4 inches; W: 4.9 inches), Hazle Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E45-363. Encroachment. **Six Eleven Development Corporation**, 14 North Sixth Street, Stroudsburg, PA 18360-2123. To place fill in approximately 1.35 acres of PFO wetlands for the purpose of constructing a commercial/retail development and associated parking lots. The project is located between S. R. 0080 and S. R. 0611, approximately 0.5 mile east of S. R. 0033 (Saylorsburg, PA Quadrangle N: 22.3 inches; W: 2.0 inches), Stroud Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E54-259. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103-4724. To maintain a road crossing of a tributary to Upper Little Swatara Creek, consisting of two 48-inch CMP culverts. The road crossing was constructed under authorization of emergency permit No. EP5497402. The project is located on S. R. 3002, Segment 0170, Offset 0153, approximately 200 feet east of the intersection of S. R. 3002 in T-671 (Swatara Hill, PA Quadrangle N: 19.1 inches; W: 2.7 inches), Wayne Township, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

E54-260. Encroachment. **Municipal Authority of the Borough of Orwigsburg**, 209 North Warren Street, P. O. Box 128, Orwigsburg, PA 17961. To place and maintain approximately 1,320 l.f. of 18-inch diameter PVC sanitary sewer line in PEM/SS/FO wetlands along the eastern streambank of Mahannon Creek and a tributary thereof and to construct and maintain a channel change having a length of approximately 80 feet in a tributary to Mahannon Creek along T693 (Ridge Road). This work is associated with the proposed Relief Sewer Trunk Line Project, beginning at S. R. 0443 (West Market Street) and continuing south to T693 (Orwigsburg, PA Quadrangle N: 4.6 inches; W: 14.6 inches), Orwigsburg Borough, **Schuylkill County** (Philadelphia District, U. S. Army Corps of Engineers).

E54-261. Encroachment. **Pine Grove Girls Softball Association**, R. R. 4, Box 608, Pine Grove, PA 17963. To construct and maintain two softball fields in the floodway of Swatara Creek (CWF) with work including the following: excavation and placement of the excavated material to provide a level surface, placement of 4 inches of stone and 4 inches of sand within the infield areas, construction of two dugouts and construction of a chainlink fence around one field and near the infield of the other field. The project is located on the east side of S. R. 0125 (Tulpehocken Street), approximately 0.25 mile south of

the intersection of S. R. 0125 and S. R. 3002 (Pine Grove, PA Quadrangle N: 10.5 inches; W: 2.5 inches), Pine Grove Borough, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

E66-119. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501-0111. To remove the existing structure and to construct and maintain a two-span prestressed concrete box beam-bridge, having normal spans of 73.5 feet and an underclearance of approximately 18.6 feet across Tunkhannock Creek (CWF). The project is located along S. R. 1017, Section 770, approximately 45 feet upstream from the existing bridge (Factoryville, PA Quadrangle N: 21.2 inches; W: 6.3 inches), in Nicholson Township, **Wyoming County** (Baltimore District, U. S. Army Corps of Engineers).

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

E11-270. Encroachment. **Carrolltown Borough Municipal Authority**, P. O. Box 37, Carrolltown, PA 15722. To remove the existing structures and to construct and maintain two low flow roadway crossings each consisting of three 12-inch CPP culverts and an 18-inch CPP culvert in an unnamed tributary to Chest Creek known locally as Bender Run (HQ-CWF) for the purpose of providing access to the Hoover Public Water Supply Well located just north of the Carrolltown Airport (Carrolltown, PA Quadrangle N: 18.0 inches; W: 8.0 inches) in East Carroll Township, **Cambria County**.

ENVIRONMENTAL ASSESSMENT

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor; P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

EA10-002C0. Environmental Assessment. **Seven Fields Development Company** (2200 Garden Drive, Suite 200, Seven Fields, PA 16046). To breach and abandon a farm pond dam across a tributary to Kaufman Run (WWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2,100 feet southwest of the intersection of S. R. 0228 and Hesperheide Road (Mars, PA Quadrangle N: 11.20 inches; W: 7.85 inches) in Adams Township, **Butler 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.

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

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

Permit No. 4598404. Sewerage. **Pierce and Sons**, P. O. Box 4, East Stroudsburg, PA 18301. Permit to construct a sewage treatment facility with elevated sand mound beds disposal system, located in Smithfield Township, **Monroe County**.

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

WQM Permit No. 4698433. Sewerage. **Upper Gwynedd Township**, Parkside Place, P. O. Box 1, West Point, PA 19486. This project is for the construction and operation for the replacement of the Sumneytown Pike sanitary sewer located in Upper Gwynedd Township, **Montgomery County**.

WQM Permit No. 4698429. Sewerage. **Limerick Township Municipal Authority**, P. O. Box 29, 529 King Road, Royersford, PA 19468. This project is for the construction and operation of a sewage pump station to serve Limerick Medical Center located in Limerick Township, **Montgomery County**.

WQM Permit No. 4698430. Sewerage. **Horsham Township Sewer Authority**, 617 B Horsham Road, Horsham, PA 19044. This project is for the construction and operation of a sewage pump station to serve two small subdivisions known as Bevivino Tract and the Marino/Nagel Tract located in Horsham Township, **Montgomery County**.

NPDES Permit No. PA0056812, Amendment No. 1. Sewerage. **YMCA of Pottstown and Upper Perkiomen Valley**, Adams and Jackson Streets is authorized to discharge from a facility located at YMCA of Pottstown and Upper Perkiomen Valley Swimming Pool located in Upper Hanover Township, **Montgomery County** to receiving waters named Macoby Creek.

NPDES Permit No. PA0056073. Sewage. **Dr. Russell H. and Susan H. Vreeland**, 219 Valley Green Drive, Coatesville, PA 19320 is authorized to discharge from a facility located in West Caln Township, **Chester County** to an unnamed tributary of Rock Run.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4795.

Permit No. 0598201. Sewage. **South Central Counties Solid Waste Agency**, P. O. Box 136, Hopewell, PA 16650. This permit approves the construction of industrial waste treatment facilities and constructed wetlands in Broad Top Township, **Bedford County**.

Permit No. 0694418 (98-1). Sewage. **Borough of Kutztown**, 45 Railroad Street, Kutztown, PA 19530-1112. This amended permit approves modifications to the construction of sewage treatment facilities in Kutztown Borough, **Berks County**.

NPDES Permit No. PA0044521, Amendment No. 1. Sewerage. **Franklin County General Authority**, 5000 Letterkenny Road, Suite 320, Chambersburg, PA 17201-8382 is authorized to discharge from a facility located in Letterkenny Township, **Franklin County** to the receiving waters named Dennis Creek.

NPDES Permit No. PA0024023. Sewerage. **Bernville Borough Authority, c/o E. Thomas Sheetz**, Secretary, P. O. Box 73, Bernville, PA 19506 is authorized to discharge from a facility located in Bernville Borough, **Berks County** to the receiving waters named Northkill Creek.

NPDES Permit No. PA0083879, Amendment No. 1. Industrial. **WSI Hopewell Landfill, Inc.**, Lexington Office Park, 420 Bedford Street, Suite 300, Lexington, MA 02173 is authorized to discharge from a facility located in Broad Top Township, **Bedford County** to the receiving waters named Sandy Run.

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

NPDES Permit No. PA0044547. Sewerage. **Hills Creek State Park**, R. R. 2, Box 328, Wellsboro, PA 16901-9676. Applicant is authorized to discharge treated sewerage facility located at Charleston Township, **Tioga County**.

NPDES Permit No. PA0209302. Sewerage Amendment. **Richmond Township Municipal Authority**, 563 Valley Road, Mansfield, PA 16933. Proposed action is to amend the NPDES permit for the proposed Mann Creek Heights sewage treatment facility. The scope of the project has been downsized to provide maximum capacity mgds. Facility is located at Richmond Township, **Tioga County**.

NPDES Permit No. PA209074. Sewerage Amendment. **Hidden Valley Mobile Home Park**, R. D. 2, Box 856, Lock Haven, PA 17745. The applicant granted permission to expand their sewage treatment plant to serve an additional 19 mobile homes. The sewage treatment system will be changed to treat the additional flows. The facility is located at Woodward Township, **Lycoming County**.

NPDES Permit No. PA0024538, Amendment. Sewerage. **Beech Creek Borough Authority**, P. O. Box 216, Beech Creek, PA 16822. Applicant granted permission to expand the existing sewage treatment plant to serve Beech Creek Borough, **Clinton County**.

NPDES Permit No. PA0010596. Industrial waste. **Shamokin Township Realty Inc.**, 1100 Flushing Avenue, Brooklyn, NY 11237. Renewal granted to discharge treated industrial waste to Bennys Run in Shamokin Township, **Northumberland County**.

NPDES Permit No. PA0208787. Industrial waste. **Sun Company Inc. (R&M)**, 301 West Hiawatha Blvd., Syracuse, NY 13204. Renewal granted to discharge

treated wastewater to the West Branch Susquehanna River. Facility located at Armstrong Township, **Lycoming County**.

WQM Permit No. 5996407-A1. Sewerage. **Richmond Township Municipal Authority**, 563 Valley Road, Mansfield, PA 16933. The proposed action is to amend the Water Quality Management permit for the proposed Mann Creek Heights sewage treatment facility. Facility is located at Richmond Township, **Tioga County**.

WQM Permit No. 4198201. Industrial waste. **Williamsport Wire Rope Inc.**, P. O. Box 3188, Williamsport, PA 17701. Approval granted to construct a new rinse wastewater treatment system replacing the old treatment system to a facility located at Williamsport, **Lycoming County**.

INDIVIDUAL PERMITS

(PAS)

The following approvals for coverage under NPDES Individual Permit for Discharge of Stormwater from Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by an aggrieved person 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

Southcentral Region: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PAS-10-O-075. Industrial NPDES. **Lancaster County Solid Waste Management Authority**, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604. To implement an erosion and sedimentation control plan for the construction of the Frey Farm Landfill Leachate Force Main and Pump Station on 9.2 acres in Manor Township, **Lancaster County**. The project is located between the Frey Farm Landfill and the Lancaster Area Sewer Authority Waste Water Treatment Plant located at Anchor Road (Safe Harbor, PA Quadrangle N: 17.1 inches; W: 10.8 inches). Drainage will be to Wissler Run, Manns Run and Witmers Run.

INDIVIDUAL PERMITS

(PAR)

The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, 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 approves the following coverages under the specific General Permit.

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.

*List of NPDES and/or other
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 Contract 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

Facility Location

*County and
Municipality*

Permit No.

*Applicant Name
and Address*

*Receiving Stream
or Body of Water*

*Contact Office and
Telephone No.*

Carbon County East Penn Township	PAR101321	Carbon County Bridge #6 Road Relocation Project County of Carbon c/o Charles Getz P. O. Box 129 Jim Thorpe, PA 18229	Lehigh River	Carbon CD (610) 377-4894
Lehigh County N. Whitehall Township	PAR10Q115	Grace Beck 2852 Woodbine St. Slatington, PA 18080	Rockdale Creek	Lehigh CD (610) 391-9583
Crawford County City of Meadville	PAR102316	Ladd Lingo Wesbury United Methodist Retirement Community 31 North Park Avenue Meadville, PA 16335	Bennyhoff Creek	Crawford Conservation District 1012 Water Street, Suite 18 Meadville, PA 16335 (814) 724-1793
Erie County McKean Borough	PAR10K118	St. Francis Xavier Church 8880 Main Street McKean, PA 16426	Elk Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Lawrence County Neshannock Township	PAR103730	Leo Golba A. G. Dev. Co. Adams Grove 233 West Parkside Drive New Castle, PA 16105	Unnamed Tributary to Shenango River	Lawrence Conservation District Lawrence Co. Government Center 430 Court Street New Castle, PA 16101-3593 (724) 652-4512

NOTICES

6111

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Caln Township Chester County	PAR10-G289	P & B Developers 1575 Poorhouse Road Downingtown, PA 19335	Valley Run	Chester County Conservation District 601 Westtown Road, Suite 240 P. O. Box 2747 West Chester, PA 19380
Cumru Township Berks County	PAR-10-C245	Phila. Suburban Water Company Berks Division 17 Village Center Drive Reading, PA 19607-3343	UNT Schuylkill River	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C246	Clearview Heights Glenn Sandritter President North American Homes P. O. Box 380 Temple, PA 19560	Laurel Run	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
South Heidelberg Township Berks County	PAR-10-C248	Int. Forino Properties LP Anthony Forino 3000 Penn Avenue West Lawn, PA 19609	Cacoosing Creek Tributary to Tulpehocken Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Shippensburg Township Cumberland County	PAR-10-H145	Shippensburg Township Shippensburg Township Park P. O. Box 219 Shippensburg, PA 17257	Burd Run	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812
Montgomery Township Franklin County	PAR-10-M163	Harry H. Fox, Jr. Two Top Meadows Section 2 15 Montego Court Dillsburg, PA 17019	UNT Licking Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Antrim Township Franklin County	PAR-10-M164	Creative Investments Assoc. Nottingham Meadows 370 Virginia Avenue Hagerstown, MD	Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Lower Gwynedd Township Montgomery County	PAR10-T484	Sisters of Mercy of Merion 1345 Sumneytown Pike Gwynedd Valley, PA 19437	Unnamed Tributary to Trewellyn Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Plymouth Township Montgomery County	PAR10-T454	Goldenberg Development Corp. 350 Sentry Parkway, Bldg. 630 Suite 3 Blue Bell, PA 19422	Plymouth Creek tributary	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lower Providence Township Montgomery County	PAR10-T497	Corrado Construction Company 1021 Egypt Road Oaks, PA 19456	Eagles Brook Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Upper Merion Township Montgomery County	PAR10-T474	Elf Atchem N. A. Inc. 900 First Avenue P. O. Box 61536 King of Prussia, PA 19406	Maschellmac Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lower Gwynedd Township Montgomery County	PAR10-T479	Philomeno & Salamone 450 S. Gravers Road Plymouth Meeting, PA 19462	Unnamed tributary to Trewellyn Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Upper Gwynedd Township Montgomery County	PAR10-T480	Central Engineering 700 Atrium Drive Somerset, NJ 08873	Dodsworth Run	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
West Whiteland Township Chester County	PAR10-G293	Fred Schubert 6 Maggies Lane Downingtown, PA 19335	Valley Creek	Chester County Conservation District 601 Westtown Road, Suite 240 P. O. Box 2747 West Chester, PA 19380
London Grove Township Chester County	PAR10-G297	London Grove Township Municipal Authority 550 E. Baltimore Pike Suite 220 West Grove, PA 19390	White Clay Creek	Chester County Conservation District 601 Westtown Road, Suite 240 P. O. Box 2747 West Chester, PA 19380
Butler County Jefferson Township	PAR10E091	Rodger Fleming 222 Airport Road Butler, PA 16001	Thorn Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Franklin Township	PAR10E092	G & P Land Corporation 147 Schmidt Road Harmony, PA 16037	Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Cranberry Township	PAR10E093	Mine Safety Appliances Co. P. O. Box 426 Pittsburgh, PA 15230	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Adams Township	PAR10E094	Adams Township 75 Hutchman Road Mars, PA 16046	Breakneck Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Oakland and Summit Townships	PAR10E095	Bureau of Abandoned Mine P. O. Box 8476 Harrisburg, PA 17105-8476	Thorn Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Lancaster Township	PAR10E097	Tim McNulty 135 McNulty Lane Harmony, PA 16037	Scholars Run	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270

*General Permit Type—PAG-4**Facility Location
County and
Municipality*York County
East Manchester
TownshipPermit No.
PAG043601*Applicant Name
and Address*
Robert and Tammie
Chappell
115 Griffith Lane
Manchester, PA 17345*Receiving Stream
or Body of Water*
Little Conewago
Creek*Contact Office and
Telephone No.*
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Columbia County
Greenwood TownshipPermit No.
PAG045036*Applicant Name
and Address*
Richard and Mary Sanders
P. O. Box 496
Millville, PA 17846*Receiving Stream
or Body of Water*
UNT to
Little Fishing
Creek*Contact Office and
Telephone No.*
Northcentral
208 W. Third Street
Williamsport, PA 17701
(717) 327-3664Bradford County
Herrick TownshipPermit No.
PAG045034*Applicant Name
and Address*
Wilson Welliver
R. R. 3, Box 263
Wyalusing, PA 18853*Receiving Stream
or Body of Water*
Unnamed tributary
Rummerfield Creek*Contact Office and
Telephone No.*
Northcentral
208 W. Third Street
Williamsport, PA 17701
(717) 327-3664*General Permit Type—PAG-9**Facility Location
County and
Municipality*Clearfield County
Cooper TownshipPermit No.
PAG094809*Applicant Name
and Address*
Alan Larson
Mountain View Center Inc.
Kylertown, PA 16847*Receiving Stream
or Body of Water**Contact Office and
Telephone No.*
Northcentral
208 W. Third Street
Williamsport, PA 17701
(717) 327-3664**SEWAGE FACILITIES ACT
PLAN APPROVAL****Plan Approval granted under the Pennsylvania
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Northeast Regional Office: Water Management Program
Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790,
(717) 826-2553.***Rush Township and Ryan Township,
Schuylkill County**

The Department of Environmental Protection (Department) has reviewed the Rush—Ryan Joint Act 537 Plan Amendment of 1998 (Plan), dated June 1998, adopted August 1998, as compiled by the Northeastern Schuylkill Joint Municipal Authority, on behalf of Rush Township and Ryan Township. The Department has found the Plan is acceptable and planning approval is hereby granted.

The Plan proposes to consolidate the Quakake and Tamanend sewage planning area (Area 1) as proposed in Rush Township's October 1993 Sewage Plan Revision, which was approved by the Department on December 14, 1993, with the Park Crest, Hosensock, Grier City and Barnesville planning area (Area 2) as proposed in the April 1995 Joint Sewage Plan Update, which was approved by the Department on July 12, 1995. Specifically, this Plan proposes the following changes to the previously approved Plans:

1. Elimination of the construction of a 0.090 million gallons per day (mgd) treatment plant in Rush Township for Area 1.
2. Elimination of the construction of a 0.175 mgd treatment plant at the Lakewood Site for Area 2.
3. Construction of a sewage conveyance system along State Route (S. R.) 53090 and S. R. 53040, to connect Area 1 to Area 2.
4. Construction of a 0.245 mgd treatment plant near the junction of S. R. 54 and Holly Road, to serve Area 1

and Area 2, with an outfall discharging into Pine Creek downstream of Sobolewski's pond.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20(a)) (Act 537), and 25 Pa. Code Chapter 71, the Department will hold Rush Township and Ryan Township responsible for complete and timely implementation of this Plan according to the schedule contained therein.

This approval covers only the wastewater planning aspects of this project. Before construction of the proposed project may commence, one must obtain a National Pollutant Discharge Elimination System Permit (NPDES Permit) and a Part II Water Quality Management Permit from the Department.

Also, contact the Soils and Waterways Section at (717) 826-2553, to determine whether or not an encroachment permit is necessary for the potential wetlands at the treatment plant site.

SAFE DRINKING WATER**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).***Southeast Regional Office: Sanitarian Regional Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

Permit No. 1598511. Public water supply. **City of Coatesville Authority**, 114 East Lincoln Highway, Coatesville, PA 19320-5414. A permit has been issued to the City of Coatesville Authority for the installation of a corrosion control feed system at the Rock Run Water Treatment Plant in the City of Coatesville, **Chester County**.

Type of Facility: Public Water Supply System.*Consulting Engineer:* City of Coatesville Authority, 114 East Lincoln Highway, Coatesville, PA 19320.*Permit to Construct Issued:* November 19, 1998.

Permit No. 0997519. Public water supply. **Buckingham Township**, P. O. Box 413, Buckingham, PA 18912. A permit has been issued to Buckingham Township for the construction of a public water supply system with two drilled wells, as sources of supply for the proposed Yerkes Tract and Buckingham Forest residential developments in Buckingham Township, **Bucks County**.

Type of Facility: Public Water Supply System.

Consulting Engineer: Gilmore and Associates, Inc., 331 Butler Avenue, New Britain, PA 18901.

Permit to Construct Issued: November 20, 1998.

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

Permit No. 4098503. Public water supply. **Evergreen Estates Mobile Home Park**, George Yatsko, R. R. 4, Box 289-A, Dallas, PA 18612. This proposal involves modification of existing PWS facilities to provide raw water disinfection and additional upgrade for both the two system wells and their associated wellhouses. It is located in Lake Township, **Luzerne County**.

Construction Permit Issued: October 9, 1998.

Permit No. 4898501. Public water supply. **Blue Spring Water Company**, Kenneth Fulford, K. L. Fulford Associates, Inc., P. O. Box 304, Allentown, PA 18105. This proposal involves changes in the method of disinfection and the addition of a sequestering agent for treatment at Blue Spring Water Company which serves drinking water to Green Briar Village.

Construction Permit Issued: October 7, 1998.

Permit No. 5898501. Bottled Water. **Silver Springs Mountain Water Company**, Sandra Kelley and Patricia Flynn, R. R. 1, Friendsville, PA 18818. It is located in Silver Lake Township, **Susquehanna County**.

Construction Permit Issued: October 16, 1998.

Permit No. 5897502. Public water supply. **Lake Walter Landowners Association**, Bud Hendershot, P. O. Box 111, Springville, PA 18844. This proposal involves modification of the system to provide metering devices, raw water disinfection and distribution flushing devices. It is located in Springville Township, **Susquehanna County**.

Construction Permit Issued: October 27, 1998.

Permit No. 4090512. Public water supply. **Cherone Trailer Court, c/o Mark Cherone**, 807 Schwab Street, Freeland, PA 18224. This proposal involves the permitting of an existing community water supply serving the Cherone Trailer Court in Freeland Borough, **Luzerne County**. This system included two wells, disinfection, iron sequestration, storage facilities and a distribution system.

Construction Permit Issued: October 28, 1998.

Operations Permit No. 3540035. **Minerville Filtration Plant**, James Cleary, Municipal Authority of the Borough of Minersville, Two East Sunbury Street, Minersville, PA 17954. It is located in Cass Township, **Schuylkill County**.

Operations Permit Issued: October 5, 1998.

Operations Permit No. 2660014, 8144-T1 Minor Amendment. **Tunkhannock Borough Municipal Authority**, 126 Warren Street, Tunkhannock, PA 18657, Roger E. Hadsall. It is located in Tunkhannock Borough, **Wyoming County**.

Operations Permit Issued: September 15, 1998.

Operations Permit No. 2408001. **Hazleton City Water Authority**, Robert Zientek, Manager, 400 East Arthur Gardner Parkway, P. O. Box B, Hazleton, PA 18201. It is located in Hazleton City, **Luzerne County**.

Operations Permit Issued: October 19, 1998.

Operations Permit No. 3540038. **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901. David Holley, General Manager. Permit issued for Mount Laurel Water Treatment Plant, New Castle Township, **Schuylkill County**.

Operations Permit Issued: October 6, 1998.

Operations Permit No. 2660011. **Nicholson Borough Authority**, Pamela Harvey, Secretary/Treasurer, P. O. Box 324, Nicholson, PA 18446. It is located in Nicholson Borough, **Wyoming County**.

Operations Permit Issued: October 8, 1998.

Operations Permit No. 3396420. **Great Spring Waters of America, Inc.**, Bulk Water Hauling at Stroudsburg Municipal Authority, 405 Nestle Way, Breingsville, PA 18031, David Funk. It is located in Stroud Township, **Monroe County**.

Operations Permit Issued: October 19, 1998.

Operations Permit No. 2520110. **Lakeside Water Systems, Inc.**, Gerald G. Gawron, R. R. 2, Box 288C, Greentown, PA 18426. It is located in Palmyra Township, **Pike County**.

Operations Permit Issued: October 29, 1998.

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

Permit No. 3198504. Public water supply. **Warriors Mark General Authority**, Warriors Mark Township, **Huntingdon County**.

Responsible Official: Terry Ellenberger, Chairperson, Warriors Mark General Authority, P. O. Box 122, Warriors Mark, PA 16877.

Type of Facility: Development of Cox Well No. 4 and the construction of a 227,000 gallon water storage tank.

Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA, (814) 332-6899.

Permit No. 1098504. Public water supply. **Silver Haven Summit Personal Care Home (Balanced Care at Butler)**, 164 Schiebel Road, Saxonburg, PA 16056 has been issued a construction permit for their existing well (No. 1), addition of new water treatment equipment, disinfection facilities and distribution storage in Clearfield Township, **Butler County**.

Type of Facility: Community Water Supply.

Consulting Engineer: Michael A. Basista, P.E., Bankson Engineers, Inc., 100 Blue Run Road, P. O. Box 200, Indianola, PA 15051.

Permit to Construct Issued: November 19, 1998.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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 any final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final report:

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

The West Company, Phoenixville Borough, **Chester County**. John P. Judge, Esq., Montgomery, McCracken, Walker & Rhoads, 123 S. Broad St., Philadelphia, PA 19109, has submitted a Final Report concerning remediation of site soil contaminated with solvents, BTEX and petroleum hydrocarbons; and groundwater contaminated with solvents. The report is intended to document remediation of the site to meet site-specific standards.

Tower Bridge North, No. 6, Conshohocken Borough, **Montgomery County**. Michael M. Meloy, Manko, Gold & Katcher, LLP, City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Distribution Pole 26142S34603, Lower Paxton Township, **Dauphin County**. **Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to meet the Statewide health standard.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.

Former National Granulating Corporation, Inc. Facility, City of Washington, **Washington County**. Timothy T. Ratvasky, WEG Engineering, 575 William Pitt Way, Pittsburgh, PA 15238, and Detroit Street Partners, L. P., 4839 Campbells Run Road, Pittsburgh, PA 15205-

1386 has submitted a Final Report addressing soil contaminated with zinc and SVOCs. The report is intended to document remediation of the site to meet the Statewide standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Observer/Reporter*, Washington, PA on October 28, 1998.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 4

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 Act 2 (Land Recycling and Environmental Remediation Standards Act) remediation standards. Plans and reports required by provisions of Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

David Lehequet Residence, Lower Southampton Township, **Bucks County**. Brian R. Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 S. Pike Ave., Allentown, PA 18103, has submitted a Final Report concerning the 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 November 10, 1998.

Matthew McKenney Residence, Lower Southampton Township, **Bucks County**. Brian R. Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 S. Pike Ave., Allentown, PA 18103, has submitted a Final Report concerning the 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 November 10, 1998.

**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. 101497. Great Valley Recycling, Inc., Sixth and Merion Streets, Bridgeport, PA 19405. Action on the pending 10-year renewal and modification application could not be taken prior to the November 9, 1998 expiration date of the current permit. As a result, the permit was renewed for a period not to exceed 6 months to provide the Department sufficient time to fully review the pending 10-year renewal and modification application at which time a final action on the pending application will be taken. Permit renewed in the Southeast Regional Office on November 9, 1998.

Southcentral Regional Office: Regional Solid Waste Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

Permit No. 100944. Lanchester Landfill, Chester County Solid Waste Authority (7442 Division Highway, Narvon, PA 17555). Application to modify closure and increase capacity of Area "B" landfill unit in Honey Brook and Caernarvon Township, **Lancaster** and **Chester Counties**. Permit issued in the Regional Office November 16, 1998.

Permit No. 101606. Kline's Service, Inc. (P. O. Box 626, Salunga, PA 17538). Application for major modification for acceptance of residual waste for processing at a site in East Hempfield Township, **Lancaster County**. Permit issued in the Regional Office November 20, 1998.

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

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

A. 101582. Nutrecon Inc., 336 Chestnut Lane, Ambler, PA 19002. The application for increased hours of operation, additional tankage, piping and processing modifications, originally submitted on February 25, 1998, was requested to be withdrawn in its entirety by the

applicant in a letter dated October 29, 1998. Review was terminated and the application was returned by the Southeast Regional Office on November 6, 1998.

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

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

Permit No. 603350(01). Township of East Vincent, 262 Ridge Road, Spring City, PA 19475. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Hewitt Farm located in East Vincent Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603350(2). Township of East Vincent, 262 Ridge Road, Spring City, PA 19475. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Miller Farm located in East Vincent Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603350(03). Township of Warwick, P. O. Box 236, Elverson, PA 19520. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Kollie Farm located in Warwick Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603350(4). Township of West Nantmeal, R. D. 2, P. O. Box 234, Elverson, PA 19520. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Lemmon Farm located in West Nantmeal Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603350(05). Townships of East Nantmeal, 3383 Conestoga Road, Glenmoore, PA 19343, and West Nantmeal, R. D. 2, P. O. Box 234, Elverson, PA 19520. The permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Weaver Farm located in East Nantmeal and West Nantmeal Townships, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603379. Township of Penn, 150 Sunnyside Road, West Grove, PA 19390. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Lewis Farm located in Penn Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603301. Township of West Vincent, P. O. Box 163, Birchrunville, PA 19421. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Wheeler Aman Farm located in West Vincent Township, **Chester County**. Permit has been revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603350(06). Township of Milford, P. O. Box 86, Spinnerstown, PA 18968, and Township of

Lower Milford, R. D. 2, Box 499-A, Coopersburg, PA 18036. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Marwell Dairy Farm located in Milford Township and Lower Milford Township, **Bucks County** and **Lehigh County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603278. Township of East Marlborough, 721 Unionville Road, Kennett Square, PA 19348, and **Township of West Marlborough**, R. R. 8, Box 317, Coatesville, PA 19320-5140. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Davidson Farm located in East Marlborough Township and West Marlborough Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 600785. Township of East Marlborough, 721 Unionville Road, Kennett Square, PA 19348, and **Township of West Marlborough**, R. R. 8, Box 317, Coatesville, PA 19320-5140. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Hannum Farm located in East Marlborough Township and West Marlborough Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603346. Township of West Bradford, 1385 Campus Drive, Downingtown, PA 19335. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the DiFrancesco Farm located in West Bradford Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603349(01). Township of Highland, P. O. Box 322, R. D. 3, Coatesville, PA 19320. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Ar-Joy Farm located in Highland Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603349(02). Township of Highland, P. O. Box 322, R. D. 3, Coatesville, PA 19320. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Blank Farm located in Highland Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603349(03). Township of Highland, P. O. Box 322, R. D. 3, Coatesville, PA 19320. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Foxbrook Farm located in Highland Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603349(4). Township of Highland, P. O. Box 322, R. D. 3, Coatesville, PA 19320. This permit has been revoked in response to the permittee's request to revoke the permit for agricultural utilization of municipal sewage sludges on the Spring Gate Farm located in Highland Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

Permit No. 603349(05). Township of West Caln, P. O. Box 175, Wagontown, PA 19376. This permit has been revoked in response to the permittee's request to

revoke the permit for agricultural utilization of municipal sewage sludges on the Zook Farm located in West Caln Township, **Chester County**. Permit revoked in the Southeast Regional Office on November 13, 1998.

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.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.

40-33-010GP: Continental Pet Technologies, Inc. (12 Maplewood Drive, Hazleton, PA 18201) for installation and operation of a burn-off oven in Hazle Township, **Luzerne 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, (717) 826-2531.

35-327-003A: Specialty Record Corp. (1400 East Lackawanna Avenue, Olyphant, PA 18447) for minor modification of a vapor degreasing operation in Olyphant Borough, **Lackawanna 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.

CP-46-0005: Merck & Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) amended November 25, 1998, for facility permit in Upper Gwynedd Township, **Montgomery County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

37-00059: CR/PL, L. P. (East Cherry Street Extension, New Castle, PA 16102) in Taylor Township, **Lawrence County**. This administrative amendment incorporates a change in ownership of the facility from Universal Rundle to CR/PL, L. P.

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-23-0075: Rhone-Poulenc Surfactants & Specialty (Blue Bell Avenue and Second Street, Marcus

Hook, PA 19061) issued November 30, 1998, for operation of a surfactants manufacturing facility in Marcus Hook Borough, **Delaware County**.

PA-09-0040A: Piccari Press, Inc. (315A West Street Road, Warminster, PA 18974) issued November 30, 1998, for operation of a lithographic printing press in Warminster Township, **Bucks County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.

39-313-042: Filmtech Corp. (P. O. Box 2005, Easton, PA 18044) issued November 4, 1998, for construction of polyethylene extruders in the City of Allentown, **Lehigh County**.

40-301-079: Wilkes-Barre General Hospital (575 North River Street, Wilkes-Barre, PA 18764) issued November 4, 1998, for construction of an incinerator in the City of Wilkes-Barre, **Luzerne County**.

48-313-081: M A Hanna Engineered Materials (177 Mikron Road, Bethlehem, PA 18017) issued November 10, 1998, for construction of a plastics extrusion process in Bethlehem Township, **Northampton County**.

Plan Approval 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-46-0011: Bethlehem Lukens Plate (Conshohocken Road, Conshohocken, PA 19428) issued November 30, 1998, for operation of a Scale From Plate Leveling in Plymouth Township, **Montgomery County**.

09-399-044: CMS Gilbreth Packaging Systems (3001 State Road, Croydon, PA 19021) issued November 30, 1998, for operation of two hard chromium electroplating in Bristol Township, **Bucks County**.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

Administrative Amendment of Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 127.450 for Reasonable Available Control Technology.

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

CP-23-0001: Sun Company, Inc. (R&M) (Delaware Ave. and Green Street, Marcus Hook, PA 19061) amended November 25, 1998, for Facility VOCs/NOx RACT in Marcus Hook Borough, **Delaware County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation

Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

11950103. R.J.C. Kohl, Inc. (P. O. Box 299, Nicktown, PA 15762), permit revision to include mining of 8.4 acres of the Upper Kittanning coal seam and additional mining on 4.6 acres of the Lower Freeport coal seam, in Susquehanna Township, **Cambria County**, affecting 75.0 acres, receiving stream unnamed tributaries to Fox Run. Application received September 23, 1998. Permit issued November 23, 1998.

32981131. Stream Variance, Simpson Coal Company (R. D. 1, Box 244, New Alexandria, PA 15670) for an Intent to Explore Permit to drill within the 100' stream barrier of two unnamed tributaries to Big Run in Conemaugh Township, **Indiana County**. Application received October 22, 1998. Permit issued November 23, 1998.

56980105. Dunamis Resources, Inc. (One Energy Place, Suite 4000, Latrobe, PA 15650), commencement, operation and restoration of a bituminous strip mine in Lincoln Township, **Somerset County**, affecting 93.0 acres, receiving stream UNTS to North Branch of Quemahoning Creek and UNTS to Horner Run. Application received August 3, 1998. Permit issued November 20, 1998.

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

54803004R2C18. Harriman Coal Corporation (978 Gap Street, Valley View, PA 17983), renewal and correction of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 214.0 acres, receiving stream—none. Renewal/Correction issued November 24, 1998.

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

Noncoal Permits Issued

64980301. Milestone Materials, Inc. (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), commencement, operation and restoration of a quarry operation in Lake Township, **Wayne County** affecting 47.0 acres, receiving stream—none. Permit issued November 25, 1998.

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

Small Noncoal (Industrial Mineral) Permits Issued

58982801. Charles J. Shaddock (R. R. 3, Box 30, Rushville, PA 18839), commencement, operation and restoration of a bluestone quarry operation in Middletown Township, **Susquehanna County** affecting 5.0 acres, receiving stream—none. Permit issued November 16, 1998.

58980842. Todd G. Groover (R. R. 2, Box 5A, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Bridgewater

Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued November 17, 1998.

58980843. William M. Ruark (P. O. Box 311, Meshoppen, PA 18630), commencement, operation and restoration of a bluestone quarry operation in Dimock Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued November 18, 1998.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

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

E15-528. Encroachment Permit. **Pennsylvania Department of Transportation**, 200 Radnor Chester Road, St. Davids, PA 19087-5178. To remove a concrete encased steel I-beam bridge with a clear span of 24.7 feet and approximate underclearance of 5.5 feet, to remove associated abutments and wingwalls, to construct and maintain a prestressed concrete box beam bridge with a clear span of 42.8 feet and approximate underclearance of 5.0 feet, to construct and maintain associated abutments, wingwalls and roadway fill at this location in and along Goose Creek (WWF), tributary to the East Branch of Chester Creek. This site is located approximately 1,200 feet north of the intersection of Westbourne Road (SR 2006) and Street Road (SR 0926) (West Chester USGS Quadrangle N: 10.6 inches; W: 7.6 inches) in Westtown Township, **Chester County**.

E46-796A. Encroachment Permit. **Abington Township**, 1176 Old York Road, Abington, PA 19001. To amend permit E46-796, which gave authorization to the Township to excavate and maintain fill within the assumed 100-year floodway of an unnamed tributary to Sandy Run (TSF) and relocate approximately 100 feet of this stream through a proposed stormwater management facility (Detention Basin 1), to place and maintain fill along an unnamed tributary to Sandy Run (TSF) and to relocate approximately 580 feet of this stream through a proposed stormwater management facility (Detention Basin 1B). Permit E46-796 also granted an environmental assessment approval for two on-stream nonjurisdictional dams to be constructed as stormwater management facilities. This permit is amended to include an additional environmental assessment approval for an on-stream nonjurisdictional dam to be constructed as an additional stormwater management facility situated approximately 3,050 feet southwest of the intersection of Susquehanna Road and Easton Road. This site is located within the Ardsley Burial Park, approximately 300 feet east of the intersection of Jackson Avenue and Spear Avenue and is associated with the Susquehanna Woods Stormwater Management Control Project (Germantown USGS Quadrangle N: 21.9 inches; W: 3.3 inches) in Abington Township, **Montgomery County**.

Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.

E13-109. Encroachment. **Lake Harmony Estates Property Owners Association, c/o MLA**, P. O. Box 629, Pocono Summit, PA 18346. To remove the existing structure and to construct and maintain a 60 foot long × 6 foot wide concrete and timber dock along the shoreline of Lake Harmony. The project is located at the eastern end of Lake Harmony approximately 0.1 mile south of the intersection of T523 and T525 (Blakeslee, PA Quadrangle N: 12.9 inches; W: 11.1 inches) in Kidder Township, **Carbon County**.

E35-297. Encroachment. **Sun Pipe Line Company**, 1801 Market Street, Ten Penn Center—26th Floor, Philadelphia, PA 19103-1699. To remove approximately 250 linear feet of 6-inch diameter pipeline in Gardner's Creek. The project is located northeast of the intersection of S. R. 3001 (Newton-Ransom Boulevard) and S. R. 3007 (Ransom, PA Quadrangle N: 6.2 inches; W: 8.5 inches) in Ransom Township, **Lackawanna County**.

E39-342. Encroachment. **R. J. Corman R. R. Material Sales**, 333 Linden Street, Allentown, PA 18101. To construct and maintain approximately 815 linear feet of 6-foot high, chain-link fence within the floodway of Jordan Creek. The project is located along the left bank of Jordan Creek between Linden and Gordon Streets (Allentown East, PA Quadrangle N: 19.7 inches; W: 12.3 inches) in the City of Allentown, **Lehigh County**.

E40-502. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a road crossing of Bear Creek, consisting of a 15.0-foot × 7.0-foot precast reinforced concrete box culvert, with its invert depressed 1.5 feet below streambed elevation. The project includes excavation and/or placement of fill in a de minimis area of wetlands equal to 0.01 acre. The structure is located on S. R. 2036, Section 351, Segment 0100, Offset 0000 (Pleasant View Summit, PA Quadrangle N: 22.2 inches; W: 9.8 inches), in Bear Creek Township, **Luzerne County**.

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

E14-329. Encroachment. **Wayne Herr**, 574 Cinder Rd., New Providence, PA 17560-9632. To remove the existing structure and to construct and maintain a steel beam bridge with a span of 14 feet and underclearance of 6 feet across Galbraith Gap Run off Bear Meadows Road approximately 2.4 miles south of RT 322 (Centre Hall, PA Quadrangle N: 2.4 inches; W: 15.4 inches) in Harris Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-425. Encroachment. **Jay R. Alexander, Wayne Alexander and Joseph L. Reighard**, R. R. 2, Box 600, Montoursville, PA 17754. To construct and maintain a single span steel beam bridge with a span of 55 feet and underclearance of 8 feet across with a span of 55 feet and underclearance of 8 feet across Wallis Run off SR 1006 opposite Frymire Road (Barbours, PA Quadrangle N: 7.0 inches; W: 16.0 inches) in Cascade Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-429. Encroachment. **Lewis Township Supervisors**, P. O. Box 118, Trout Run, PA 17771. Place and maintain fill in the 100-year floodplain of Lycoming Creek to protect private and public property from flood damage. The fill shall consist of concrete slabs, earth and riprap scour protection on the outside toe of slopes. The maximum length shall not exceed 500 linear feet. The project is located along the southern right-of-way of SR 0014 approximately 2 miles east of the intersection of SR 0015 and SR 0014 (Trout Run, PA Quadrangle N: 4.8 inches; W: 5.8 inches) in Lewis Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects."

E41-434. Encroachment. **Lycoming Creek Realty Co., Inc.**, R. R. 2, Box 330, Williamsport, PA 17701. To remove the existing culvert and to construct and maintain a 6.25 foot steel pipe and a 6 foot corrugated metal pipe joined together with a reinforced concrete endwalls in Bottle Run located adjacent to the intersection of Zuni Lane and Sechler Circle Lane (Cogan Station, PA Quadrangle N: 2.4 inches; W: 7.6 inches) in Old Lycoming Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E59-373. Encroachment. **David and Jennifer Delosa**, R. R. 1, Box 342-23, Covington, PA 16917. To maintain an existing single family residence in the 100 year floodway of the Tioga River. The home is located on the west side of Rt. 15 at the north side of the village of Covington (Blossburg, PA Quadrangle N: 22.2 inches; W: 10.8 inches) in Putnam Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects."

E60-134. Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a twin-cell reinforced concrete box culvert with each cell having a span of 25 feet and effective underclearance of 5.9 feet in Limestone Run located on SR 0015 Section 103 approximately 1,000 feet north of SR 0045 (Lewisburg, PA Quadrangle N: 16.0 inches; W: 2.5 inches) in East Buffalo Township, **Union County**.

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

E20-460. Encroachment. **PA Department of Transportation**, District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a precast reinforced concrete box culvert having a 16-foot-wide by 6.5-foot-high waterway opening in a tributary to Pymatuning Lake (Johnson Run) on S. R. 3008, Segment 0100, Offset 0333 approximately 0.1 mile east of S. R. 3005 (Hartstown, PA Quadrangle N: 2.7 inches; W: 12.0 inches) located in South Township, **Crawford County**.

E24-205. Encroachment. **Superior Greentree Landfill, Inc.**, 635 Toby Road, Kersey, PA 15864. To fill two de minimis wetland areas (total of 0.017 acre) for the expansion of the existing Superior Greentree Municipal Waste Disposal Facility southeast of Toby Road approximately 1 mile east of S. R. 219 (Brandy Camp, PA Quadrangle N: 6.0 inches; W: 4.4 inches) located in Fox Township, **Elk County**.

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

E11-263. Encroachment. **Cambria County Commissioners**, P. O. Box 269, Ebensburg, PA 15931. To remove the existing structure and to construct and maintain a 50-foot long, 16-foot by 7.5-foot box culvert (invert depressed 6 inches) in Brubaker Run (CWF) located on T-551 (Third Avenue) at a point just east of the intersection of Coleman Street and Third Avenue; and to place and maintain rock lining at the culvert approaches, (Hastings, PA Quadrangle N: 7.00 inches; W: 12.1 inches) in Hastings Borough, **Cambria County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E04-252. Encroachment. **John E. and Laura A. Hall**, 104 Turkmar Drive, Aliquippa, PA 15001. To remove the existing culvert and to construct and maintain a 5-foot diameter N-12 plastic culvert (depressed 1 foot) in Shafers Run and to maintain fill in a de minimis area of wetland (PEM) for the purpose of providing access to a proposed residence. The project is located on the southside of East Shafers Run Road approximately 3,400 feet east of its intersection with Broadhead Road (SR 0051) (Beaver, PA Quadrangle N: 2.2 inches; W: 6.8 inches) in Center Township, **Beaver County**. The permittee has met wetland replacement obligations by contributing to the Wetland Replacement Project. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E63-461. Encroachment. **Richard Phelan**, 1000 Banetown Road, Washington, PA 15301. To operate and maintain the existing bridge having a span of 71.0 feet with an underclearance of 15.3 feet across Tenmile Creek to provide access to the applicant's property. The bridge is located on the south side of S. R. 2020 (Tenmile Road), just south from the intersection of S. R. 2020 (Tenmile Road) and T-688 (Amity, PA Quadrangle N: 3.1 inches; W: 6.85 inches) in Amwell Township, **Washington County**.

E04-256. Encroachment. **Bradford Park Associates, Inc.**, 10521 Perry Highway, Suite 300, Wexford, PA 15090. To construct and maintain a 60' RCCP culvert in a tributary to North Fork Big Sewickley Creek (TSF) and to place and maintain fill in 0.45 acre of wetlands (PEM/PSS) for the purpose of developing a 64 lot residential development known as Whispering Pines Estates Phase 1. The project is located approximately 1,100 feet south of the end of Walnut Drive (Baden, PA Quadrangle N: 6.1 inches; W: 7.2 inches) in Economy Borough, **Beaver County**. This permit includes the Environmental Assess-

ment for three nonjurisdictional dams. The permit applicant has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

E11-265. Encroachment. Pennsylvania Department of Transportation, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing Phoebe Court/Swank Court Bridge and to construct and maintain a bridge having a normal clear span of 124 feet and an underclearance of 20.5 feet across Little Conemaugh River (WWF) located on S. R. 0271, Section 004, Segment 0250, Offset 0000. Also, to construct and maintain a temporary bridge and a temporary causeway in two phases (Johnstown, PA Quadrangle N: 14.7 inches; W: 4.4 inches) in the City of Johnstown, **Cambria County**.

E11-266. Encroachment. Pennsylvania Department of Transportation, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a bridge having a normal clear span of 124.5 feet and an underclearance of 22.35 feet across Little Conemaugh River (WWF) located on S. R. 3023, Section 001, Segment 0020, Offset 0039 (Johns Street). Also, to construct and maintain a temporary causeway consisting of three 36-inch CM pipes (Johnstown, PA Quadrangle N: 14.4 inches; W: 68 inches) in the City of Johnstown, **Cambria County**.

WATER ALLOCATIONS

Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

WA 09-775A. Water Allocation. Bucks County Water and Sewer Authority, 1275 Almshouse Road, Warrington, PA 18976 has been granted the right to increase its withdrawal from 15,000 gallons per day to 30,000 gallons per day from the Delaware River in New Hope Borough, **Bucks County**.

Type of Facility: Public Water Supply System.

Consulting Engineer: Carroll Engineer Corporation, 949 Easton Road, Suite 100, Warrington, PA 18976.

Permit Issued: November 18, 1998.

[Pa.B. Doc. No. 98-2032. Filed for public inspection December 11, 1998, 9:00 a.m.]

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee (AQTAC) is holding a special meeting on December 17 and 18, 1998 at the Holiday Inn Harrisburg East, I-283 and Route 441, Harrisburg, PA. The meetings will start at 9:30 a.m. and are scheduled to end at 5 p.m. The actual adjournment times may be adjusted as necessary to complete the scheduled agenda. The purpose of the meeting is to review and comment on the Department's draft regulations and other documents necessary to implement an oxides of nitrogen (NOx) emission reduction program to comply with the Environmental Protection Agency's October 27, 1998 final rule regarding ground level ozone air quality in the eastern United States. Anyone wishing to attend the meeting or who has

questions regarding the meeting should contact Terry L. Black, Bureau of Air Quality, at (717) 787-2030.

Persons with a disability who desire to attend the meeting and require and auxiliary aid, service or other accommodation to do so should contact J. Wick Havens at (717) 787-4310 or TTY/TDD: (1-800-654-5984).

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-2033. Filed for public inspection December 11, 1998, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "July 1998 Inventory" heading is the Governor's List of Non-regulatory 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 1998.

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. Persons should 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.

Final Technical Guidance—Substantive Revision

DEP ID: 562-2112-503 Title: Coal Surface Mining and Blasting Near Underground Utility Lines and Pipelines Description: This guidance document clarifies the permitting procedures and safety guidelines that coal surface mine operators should follow to ensure the protection of underground utility lines and pipelines. Location: Volume 12, Tab 34 Effective Date: November 23, 1998 Contact: Nevin Strook at (717) 787-5103.

Final Technical Guidance

DEP ID: 391-2000-024 Title: Field Data Collection and Evaluation Protocol for Deriving Daily and Hourly Discharge Coefficients of Variation (CV) and Other Discharge Characteristics Description: This document presents recommended data collection and analysis procedures that can be used to determine two different discharge CV's (Hourly and Daily) and the average monthly effluent concentration for each parameter of concern. The discharge CV's and the average monthly effluent concentrations derived from these data become data inputs in the Department's computer application PENTOXSD. Loca-

tion: Volume 29, Tab 12 Effective Date: October 13, 1998
Contact: Chuck Yingling at (717) 787-9637

Draft Technical Guidance

DEP ID: 362-0600-003 Title: Memorandum of Understanding for the Use of Biosolids at Mined Sites Description: This Memorandum establishes coordination roles and procedures between the bureaus of Water Quality Protection, Mining and Reclamation and District Mining Operations for requirements and associated activities related to the beneficial use of biosolids at mined sites. Location: Volume 32, Tab 4A Effective Date: February 15, 1999 Contact: Jay Africa at (717) 783-2941

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-2034. Filed for public inspection December 11, 1998, 9:00 a.m.]

Source Water Assessment Program Citizens and Technical Advisory Committees Joint Meeting

The Source Water Assessment Program Citizens and Technical Advisory Committees will be holding a joint meeting on Thursday, January 7, 1999, from 9:30 a.m. to 3 p.m. in Room 105, 1st Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is for public participation in the development and implementation of the Pennsylvania Source Water Assessment and Protection Plan.

Questions concerning this schedule or agenda items can be directed to Donna Green at (717) 787-0122 or e-mail at Green.Donna@a1.dep.state.pa.us. This schedule, an agenda for each meeting, and notices of meeting changes 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 Donna Green directly at (717) 787-0122 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. 98-2035. Filed for public inspection December 11, 1998, 9:00 a.m.]

**DEPARTMENT OF
GENERAL SERVICES**

Request for Bids

The Department of General Services, State Surplus Property Division is seeking contractors to remove mixed scrap metals from various State agencies in the following counties: District 6—Bucks, Chester, Montgomery and Philadelphia counties. Contracts will be for 1 year with an option for a 2nd and 3rd year. For more information or to receive a bid packet, write to the Department of General Services, State Surplus Property Division, P. O.

Box 1365, Harrisburg, PA 17105 or call (717) 787-4085 prior to the bid opening on January 15, 1999, at 1 p.m.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 98-2036. Filed for public inspection December 11, 1998, 9:00 a.m.]

**DEPARTMENT OF PUBLIC
WELFARE**

Availability of the FY 1999 Low-Income Home Energy Assistance Program State Plan

The Department of Public Welfare is making available to the public *The 1999 Low-Income Home Energy Assistance Program State Plan*. This document describes how the Department plans to use block grant funds provided under the Low-Income Home Energy Assistance Act, Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Pub. L. 97-35, 42 U.S.C.A. § 8621 et seq., as amended, during the 1998—1999 program year.

Copies of the State Plan are available for interested individuals and groups at County Assistance Offices, or upon written request to Nancy Poindexter, Acting Director, Division of Federal Programs and Program Management, DPW Building Complex No. 2, Room 224 Willow Oak Building No. 42, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users).

FEATHER O. HOUSTOUN,
Secretary

[Pa.B. Doc. No. 98-2037. Filed for public inspection December 11, 1998, 9:00 a.m.]

**DEPARTMENT OF
REVENUE**

Cigarette Tax Notice

Under section 227-A of the Fiscal Code (72 P. S. § 227-A) (relating to administration powers and duties), the Department hereby announces the lowest cost of the stamping agent, wholesaler, and retailer, respectively, effective upon publication of this notice, as follows:

	<i>Premium Brands</i>	<i>Generic Brands</i>
	<i>(a.k.a. Kings & Regulars)</i>	
Cost of the Stamping Agent (for sales to wholesalers)	\$22.54	\$19.84
Cost of the Wholesaler (for sales to retailers)	\$23.45	\$20.64
Cost of the Retailer (for sales to retail customers)	\$24.85	\$21.88

The Department considers these costs as presumptive minimum costs. Cigarette stamping agents, wholesalers and retailers are prohibited from selling cigarettes at a price lower than their respective presumptive minimum

costs. These costs are listed on a per carton basis, ten packs of cigarettes per carton, twenty cigarettes per pack. To determine the presumptive minimum price per pack of cigarettes, one should divide the costs listed above by ten and round to the nearest hundredth of a percent. For example, the presumptive minimum price of a pack of cigarettes sold by a retailer to a consumer is \$2.49 for premium brands (\$24.85/10), \$2.19 for generic brands (\$21.88/10).

Cigarette dealers who either sell cigarettes under a different packaging setup (that is, eight packs per carton) or sell cigarettes that do not qualify as premium or generic brands (that is, sub-generic, foreign or specialty cigarettes) as described above are prohibited from selling cigarettes at a price lower than the cost of the stamping agent, cost of the wholesaler, or cost of the retailer, respectively, as further defined and explained in the Department's cigarette tax regulations, 61 Pa. Code, Article III.

Cigarette dealers wishing to prove a cost different from the Department's presumptive costs stated above must follow the procedures listed under 61 Pa. Code, Chapter 76 (relating to Unfair Sales of Cigarettes).

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-2038. Filed for public inspection December 11, 1998, 9:00 a.m.]

Rates of Tax on Aviation Gasoline and Jet Fuel for 1999; Oil Company Franchise Tax Rate for 1999

Aviation Gasoline and Jet Fuels

Under 74 Pa.C.S. § 6121(b), the Secretary of Revenue announces that for the calendar year 1999 the rate of tax on aviation gasoline and all other liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or aircraft engines will decrease from the current rate of 3 5/10¢ to 3 3/10¢* per gallon or fractional part thereof.

Under 74 Pa.C.S. § 6131(b), the Secretary of Revenue announces that for the calendar year 1999 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines will decrease from the current rate of 1 7/10¢ to 1 5/10¢ per gallon or fractional part thereof.

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985 and each January 1 thereafter. The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986 and each January 1 thereafter. Under 74 Pa.C.S. § 6121(b) and § 6131(b) the rate of each tax increases or decreases 1/10 of a cent per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1, subject to a maximum rate of 6¢ per gallon for aviation gasoline and 2¢ per gallon for jet fuels. On November 1, 1998, the most recently available 12-month period was September 1997 to September 1998, as reported in Bureau of Labor Statistics, United States

*The rate of 3 3/10¢ per gallon consists of the 1 1/2¢ per gallon tax imposed by the Liquid Fuels and Fuels Tax Act, 75 Pa.C.S. § 9004(c)(2), and the 1 8/10¢ per gallon additional tax imposed by 74 Pa.C.S. § 6121(a). As limited by 74 Pa.C.S. § 6121(b), the combined rate of these two component taxes may never exceed 6¢ per gallon or be less than 3¢ per gallon.

Department of Labor, Producer Price Indexes, September 1998, for which the percentage change was -25.7%. Accordingly, the aviation gasoline tax rate and the jet fuel tax rate both decrease by 2/10 of a cent per gallon.

Oil Company Franchise Tax

The Secretary of Revenue announces that for the calendar year 1999 there is no change in the current rate of the oil company franchise tax which is hereby determined to be 13.9¢ per gallon on all liquid fuels and 18.8¢ per gallon on all fuels used or sold and delivered by distributors within this Commonwealth under 75 Pa.C.S. § 9004(b) and § 9002, definition of "Cents per Gallon Equivalent Basis."

The rate of the oil company franchise tax imposed under Chapter 95 (Taxes for Highway Maintenance and Construction) of the Vehicle Code, 75 Pa.C.S. § 9502, and collected under Chapter 90 (Liquid Fuels and Fuels Tax), 75 Pa.C.S. § 9004(b), is determined annually by the Department of Revenue and announced by each December 15 for the following calendar year. The tax rate is determined on a "cents per gallon equivalent basis," which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning every January 1 and shall be published as a notice in the Pennsylvania Bulletin no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the Department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

"Average wholesale price" as used above is defined as:

The average wholesale price per gallon of all taxable liquid fuels and fuels, excluding the federal excise tax and all liquid fuels taxes, as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than 90¢ nor more than \$1.25 per gallon.

For the 12-month period ending September 30, 1998 the Department has determined that the average wholesale price of liquid fuels and fuels was less than 90¢ per gallon; accordingly, an average wholesale price of 90¢ per gallon is used to determine the rate for 1999.

The oil company franchise tax imposed under 75 Pa.C.S. § 9502 in terms of mills applicable to each gallon is:

<i>Imposition Section</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
75 Pa.C.S. § 9502(a)(4)	00.0	55.0
Total Mills per Gallon:	153.5	208.5
Decimal Equivalent:	.1535	.2085
Multiply by Average Wholesale Price:	× 90¢	× 90¢
Product:	13.815¢	18.765¢

<i>Imposition Section</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
Oil Company Franchise Tax per Gallon (Rounded Up to Next Highest Tenth):	13.9¢	18.8¢

Act 3 of 1997 provides that the oil company franchise tax as computed above is collected at the same time as the liquid fuels and fuels tax of 12¢ per gallon; therefore, effective January 1, 1999 the combined rate of tax for liquid fuels (primarily gasoline) is 25.9¢ per gallon and for fuels (primarily diesel fuel) is 30.8¢ per gallon.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-2039. Filed for public inspection December 11, 1998, 9:00 a.m.]

Zero Emission Vehicles Notice

In accordance with 61 Pa. Code § 60.14(b)(3) (relating to zero emission vehicles), the Secretary of Revenue, under the provisions of section 204(47) and (48) of the Tax Reform Code of 1971 (72 P. S. § 7204(47) and (48)), announces that the following comparable vehicle amounts will be used from January 1, 1999 through December 31, 1999, and codified at 61 Pa. Code § 60.14(d)(6):

- (i) Passenger car \$21,033
- (ii) Passenger truck \$16,580
- (iii) Passenger van \$19,757

These comparable vehicle amounts shall remain in effect until the Department of Revenue publishes a replacement listing of amounts.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-2040. Filed for public inspection December 11, 1998, 9:00 a.m.]

DEPARTMENT OF STATE

State Athletic Commission; Public Meetings for 1999

The State Athletic Commission of the Department of State announces its schedule for regular bimonthly meetings to be held in 1999 under section 103 of the State Athletic Code, the act of May 13, 1992 (5 Pa.C.S. § 101 et seq.). 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 22, 1999
- April 26, 1999
- June 28, 1999
- August 30, 1999
- October 25, 1999
- December 20, 1999

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. 98-2041. Filed for public inspection December 11, 1998, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding

Armstrong County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the Pine Furnace Bridge (County Bridge #25) in Armstrong County.

The proposed project is located in Valley Township along T-566 across the South Fork of Pine Creek. The project requires removal of the existing Pine Furnace Bridge, a National Register eligible historic resource.

A Memorandum of Understanding (MOU) has been prepared and signed by all appropriate agencies for the proposed action. The MOU included a commitment to prepare a Pennsylvania Historic Resource Form including a description and history of the bridge. The MOU also includes a commitment to submit to the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation, photographs of all exterior elevations of the bridge, a U.S.G.S. 7.5 minute quadrangle map showing the outline of the property associated with the bridge, and a site map which includes the property boundaries and the location of the bridge.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-2042. Filed for public inspection December 11, 1998, 9:00 a.m.]

Notice to Contractors/Engineers

The Department plans to construct a 1869.5 ft. steel truss, including approach spans over the Conrail Railroad and Lehigh River in Northampton County as part of the S. R. 33 Extension Section 001. The Department advertised on September 26, 1998 that preliminary design information could be purchased from the PennDOT District 5-0 Bridge Unit.

No requests for purchasing the preliminary design information will be accepted after December 18, 1998.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-2043. Filed for public inspection December 11, 1998, 9:00 a.m.]

Notice of Intent to Promulgate Regulation and Request for Public Participation

The Department of Transportation, Bureau of Construction and Materials, pursuant to the authority contained in Sections 670-101, et seq. of the State Highway Law, 36 Pa.C.S. Section 670-101, et seq., announces its intention to amend Title 67 of Department Regulations by amending Chapter 457, Prequalification of Bidders.

The purpose of this rulemaking is to amend the existing regulations by including provisions recommended by the Department's Business Process Re-engineering team, comprised of contractors and Department employees. These provisions are related to the processing and evaluation of the financial capacity, work classifications and past performance history of contractors and subcontractors to determine their qualifications to perform highway and bridge construction work in Pennsylvania. These amendments are intended to implement changes to streamline the process of prequalifying the contractors and subcontractors, and to ensure that only quality contractors are building highways and bridges in this Commonwealth.

The Department anticipates that this rulemaking will directly affect persons who apply for or are currently prequalified to bid on and perform highway project work in this Commonwealth.

The Department requests that, within 30 days of the publication of this notice in the *Pennsylvania Bulletin*, all interested persons desiring to participate in the development of this rulemaking or having questions, suggestions, or comments on prequalification of bidders regulations, please contact Fred N. Starasinic, P.E., Contractor Evaluation Engineer, Contract Management Division, Bureau of Construction and Materials, Forum Place, 7th Floor, 555 Walnut Street, Harrisburg, PA 17101-1900; phone (717) 787-3733.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-2044. Filed for public inspection December 11, 1998, 9:00 a.m.]

Retention of Engineering Firms

Bucks and Montgomery County Project Reference No. 08430AG2270

The Department of Transportation will retain an engineering firm to perform environmental studies, preliminary engineering, final design, and construction consultation for the following projects:

1. S. R. 2095, Section 10S, Dark Hollow Road in Buckingham and Warwick Townships, Bucks County. This project involves removal of existing two (2) span truss bridge with appropriate treatments of roadway approaches. Length of reconstruction is approximately 250 meters. Limits of construction are 100 meters each side of Neshaminy Creek. The estimated project construction cost is \$350 thousand.

2. S. R. 1023, Section 10S, Swamp Creek Road in Marlborough Township, Montgomery County. This project involves widening and rehabilitation of existing bridge over Unimi Creek, including roadway approaches. Approximate construction length is 395 meters including approaches to the bridge. The estimated project construction cost is \$750 thousand.

This solicitation for letters of interest replaces and cancels the previous solicitations for letters of interest for Project Reference Nos. 2266 and 2267 which appeared in the November 28, 1998 issue of the PA Bulletin.

The selected firm will be required to provide the following engineering and design services: surveys; roadway design; pavement design; preparation of cross sections; soils and geological investigations; erosion and sedimentation control design; right-of-way investigation and plan; structure design; hydrologic and hydraulic analysis; preparation of traffic control, pavement marking, and signing plans; utility coordination and design; coordination with PennDER, Corps of Engineers, municipal officials, and the public; preparation of final plans, specifications, and estimates; shop drawing reviews; and alternate design review; and consultation during construction.

The selected firm will also be required to provide environmental services to identify and assess the following: historic and archaeological resources; regional and community growth; land use and development patterns; wildlife habitat; wetlands; floodplains; surface water and ground water; vegetation; geological resources; noise and air quality; parks and recreational facilities; emergency service, health, and educational facilities; utility locations; residential and commercial property values; hazardous waste; aquatic resources; national natural landmarks; vibration; aesthetics and visual qualities; and construction impacts.

The environmental studies will be conducted to prepare a Categorical Exclusion in accordance with accepted analysis techniques and methodologies.

The selected firm will be required to perform the following to insure that a complete environmental investigation has been performed; provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, conduct agency and public involvement activities, and prepare reports and mitigation plans. The reports and other written graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; project need; preliminary alternatives analysis; meeting minutes, newsletters; mailing lists; public meetings and hearings; handouts and displays; technical basis reports; NEPA environmental documents; Section 106 documents; Section 4(f) evaluation; mitigation plans and reports; hazardous waste mitigation plans; PADER permits, Corps of Engineers 404 permits; formulating and participating in public involvement program; and coordinating the development of the study with various agencies and special interest groups.

Firms that are currently serving, or are being considered for selection, as the municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Timothy R. O'Brien, P.E., at the telephone number listed below.

Letters of Interest will be evaluated at the Engineering District 6-0 office with emphasis on the following factors:

a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.

b. Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.

c. Experience of employees to be associated with this project. Particularly important are the key people assigned to the project including their experience and past record of performance with similar projects.

d. Company location.

e. Past performance record.

The Project Shortlisting meeting will be held in the Engineering District 6-0 office, 200 Radnor-Chester Road, St. Davids, PA on January 15, 1999 at 10:00 A.M. in Engineering District 6-0's Large Conference Room.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, Engineering District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to: Mr. Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526, or Mr. John R. Lauthner, P.E., District 6-0, at (610) 964-6539.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

Philadelphia County
Project Reference No. 08430AG2271

The Department of Transportation will retain an engineering firm to perform preliminary engineering, environmental documentation, final design and services during construction for S. R. 0095, Section CPR, Delaware Expressway, (I-95) in the City of Philadelphia from Levick Street to Bleigh Avenue, a distance of approximately 2.21 km (1.37 miles). The expressway reconstruction will include interchange improvements, roadway reconstruction and bridge widening, rehabilitation and replacement. The estimated construction costs of this project is \$70 million.

The selected firm will be required to provide the following engineering, environmental and design services: C.E.E. Level IV/Section 4(f) document preparation; surveys; roadway design; drainage design; roadside development design; preparation of cross sections; erosion and sedimentation control design; structure design; subsurface boring, sampling and testing, point of access report preparation; noise analysis and noise wall design; preparation of traffic control, pavement marking and signaling plans; traffic signal design; traffic analysis; utility coordination; coordination with public agencies, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; and construction consultation.

Firms that are currently serving, or are being considered for selection, as municipal engineer in the municipality listed in the project description will not be considered

for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Michael J. Girman, at the telephone number listed below.

Letters of Interest will be evaluated at the Engineering District 6-0 office with emphasis on the following factors:

a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.

b. Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.

c. Experience of employees to be associated with this project. Particularly important are the key people assigned to the project including their experience and past record of performance with similar projects.

d. Company location.

e. Past performance record.

The District will announce the firms that have been shortlisted at an open public meeting scheduled for January 15, 1999 at 10:00 A.M. in Engineering District 6-0's Large Conference Room.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to: Mr. Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526, or Mr. Michael J. Girman, District 6-0, at (610) 964-6530.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit two copies of a Letter of Interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to:

Mr. Charles W. Allwein, P.E., Chief
Consultant Selection Committee
7th Floor, Forum Place
555 Walnut Street
P. O. Box 3060
Harrisburg, Pennsylvania 17105-3060

Note: The Zip Code for express Mailing is 17101-1900

The Letter of Interest and required information must be received within twenty (20) calendar days of this

Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 p.m. on January 4, 1999.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual, firm, or corporate which is permitted under the state law to engage in the practice of engineering.

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 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 Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act, WBEs or combinations thereof).

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 Department requests that each Letter of Interest include the following information and that the information be packaged and presented in the order indicated below to facilitate the Department's review and evaluation.

The firm's ability and willingness to package and present the requested information in the above order to facilitate the Department's review and evaluation will be the first factor considered in the evaluation process.

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

2. A fact sheet that includes the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant should indicate on this fact sheet the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm. If the project advertisement indicated the Department will retain a Land Surveying firm for the project, the applicant should indicate on this fact sheet the names and Professional Land Surveyor Registration Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's land surveying activities, and whose names and seals shall be stamped on all plans, plats, and reports issued by the firm.

3. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

4. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 should be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B should specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do not include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant should not include more than one page each for Items 10 and 11.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

5. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, should accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

These Forms should be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Standard Form 255.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Standard Form 255.

7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

A single page summary should indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

Letters of Interest will be rejected for the following reasons:

1. Received after the cut-off time and date specified above.
2. Failure to identify a Department Certified Disadvantaged Business Enterprise (DBE) if a DBE participation goal is identified in the advertised project.
3. Failure to include a copy of the registration to do business in the Commonwealth, if applicable.

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. 98-2045. Filed for public inspection December 11, 1998, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Acquisition of a Domestic Stock Casualty Insurance Corporation

Central Reserve Life Insurance Company, an Ohio life insurance company, has filed an application to purchase

all the issued and outstanding stock of Provident American Life and Health Insurance Company, a Pennsylvania domestic life insurance company. The filing was made under the requirements set forth under the Insurance Holding Company Act (40 P.S. § 991.1402 et. seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (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 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. 98-2046. Filed for public inspection December 11, 1998, 9:00 a.m.]

Application for Acquisition of Stock of Penn Treaty Life Insurance Company

American Fidelity & Liberty Insurance Company has filed an application to acquire 100% of the issued and outstanding stock of Penn Treaty Life Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Company Act (40 P.S. § 991.1402 et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (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 Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail <http://www.cbybee@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-2047. Filed for public inspection December 11, 1998, 9:00 a.m.]

Application for Merger of a Domestic Stock Life Insurance Corporation With and Into a Non-Domestic Stock Life Insurance Corporation; Revision of Comment Period

First Union Life Insurance Company (First Union), a stock life insurance company organized under the laws of the State of Arizona, filed an application to merge with Princeton Life Insurance Company (Princeton Life), a domestic stock life insurance company with First Union surviving the merger. The filing was made under the requirements set forth under the Insurance Holding

Company Act (40 P. S. § 991.1402 et. seq.), and the GAA Amendments Act of 1990 (15 P. S. § 21101 et seq.) Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within the 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 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. 98-2048. Filed for public inspection December 11, 1998, 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). 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 hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Donald M. Conneen; file no. 98-267-34750; Prudential Property and Casualty; doc. no. PH98-11-017; December 29, 1998, at 10 a.m.;

Appeal of Joseph Wierzbicki; file no. 98-215-34498; Allstate Insurance Company; doc. no. PH98-11-019; December 30, 1998, 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 writ-

ten 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. 98-2049. Filed for public inspection December 11, 1998, 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 Andrew Holston; file no. 98-280-33901; First Patriot Insurance Company; doc. no. PH98-11-018; December 30, 1998, 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. 98-2050. Filed for public inspection December 11, 1998, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0255, 914 Pittsburgh Street, Springdale, PA 15144-1733.

Lease Expiration Date: February 29, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space on Freepport Road serving Springdale and surrounding areas.

Proposals due: January 8, 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

Allegheny County, Wine & Spirits Shoppe #0296, 5249 Library Road, Bethel Park, PA 15102-2714.

Lease Expiration Date: February 29, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 6,000 net useable square feet of new or existing retail commercial space fronting PA Route 88 in Bethel Park between Baptist Road and Bethel Church Road.

Proposals due: January 8, 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

Allegheny County, Wine & Spirits Shoppe #9206, Kenmawr Plaza, 510 Pine Hollow Road, McKees Rocks, PA 15136-1659.

Lease Expiration Date: February 29, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment in the Pine Hollow Road area of Kennedy Township.

Proposals due: January 8, 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: George Danis, (412) 565-5130

Forest County, Wine & Spirits Shoppe #2701, 121 Chestnut Street, Marienville, PA 16239-0433.

Lease Expiration Date: September 30, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space along PA Route 66 in Marienville.

Proposals due: January 8, 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: George Danis, (412) 565-5130

Philadelphia County, Wine & Spirits Shoppe #5140, 3000 Richmond Street, Philadelphia, PA 19134-5807.

Lease Expiration Date: March 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space on Aramingo Avenue, North of Westmoreland Street and South of Adams Avenue.

Proposals due: January 8, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4625, 109 Town Center Road, King of Prussia, PA 19406-2330.

Lease Expiration Date: January 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 to 10,000 net useable square feet of new or existing retail commercial space on DeKalb Pike between Henderson Road and Warner Road, Upper Merion Township.

Proposals due: January 8, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

JOHN E. JONES, III,
 Chairperson

[Pa.B. Doc. No. 98-2051. Filed for public inspection December 11, 1998, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-310623F0002. Bell Atlantic-Pennsylvania, Inc. and MAW Communications, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and MAW Communications, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and MAW Communications, Inc., by its counsel, filed on November 25, 1998, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and MAW 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. 98-2052. Filed for public inspection December 11, 1998, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

Contract No. 89-024-RJ15—Expansion of the Reading Interchange Toll Plaza in Lancaster Co., PA

Bid Opening Date—January 7, 1999, 11 a.m.

Bid Surety—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$40 per set by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

A prebid meeting conference for the project will be held November 18, 1998, at 10 a.m. The party will meet at the Valley Forge Service Plaza construction site.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-2053. Filed for public inspection December 11, 1998, 9:00 a.m.]

Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 98-008-RW70—Bituminous Overlay, ID-3, SRL-E between MP 299.30 and MP 306.38 on the Pa. Turnpike System in Berks and Chester counties, PA.

Bid Opening Date—January 14, 1999, 11 a.m.

Bid Surety—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment

of \$25 dollars by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

Direct any questions for this project to Kristi Dunleavy, telephone (717)939-9551, Ext. 5785, fax (717)986-9645, or electronic mail kdunleav@paturnpike.com

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-2054. Filed for public inspection December 11, 1998, 9:00 a.m.]

Retention of an Engineering or Construction Management Firm

Quality Assurance (QA) Services for the Replacement of Mainline Bridge No. B-445, Milepost 151.97, and Elimination of Overhead Bridge No. B-444, Milepost 151.83, and Bituminous Overlay, Mileposts 149.57 to 156.50 to be performed as a Design/Build Project in Bedford County, PA

Reference No. 2-056

The Turnpike Commission may retain an Engineering or Construction Management firm with experience in structure and roadway design, construction management and construction/material inspection to provide a staff of approximately one full time onsite field engineer and support personnel to provide QA services on a design build project. This project consists of the replacement of a mainline bridge B-445 at milepost 151.97, the elimination of an overhead bridge B-444 at milepost 151.83, and a bituminous overlay of the Turnpike mainline between mileposts 149.57 to 156.50 in Bedford County, PA. The total estimated cost of this design build project is \$6 million. The QA Agreement is anticipated to start in February 1999 and terminate in January 2000.

The selected firm will be required to provide one full time onsite engineer/inspector with sufficient office personnel to support the field QA functions. The selected QA Manager will be required to attend the prebid meeting and preconstruction conference, progress meetings and any other site meetings including final inspections. The selected QA Manager will be required to verify that the design and construction is being performed in accordance with the contract documents and provide a weekly report of his verifications and other activities. All sampling and testing will be performed in accordance with the requirements of PADOT's Publication 19—Field Test Manual, ASTM, AASHTO and the PA Turnpike's Material Action Plan. Section 4 of the PA Turnpike's Material Action Plan indicates the frequency of the sampling and testing. Materials sent off site for testing will utilize the PA Turnpike's retained Quality Assurance Laboratory. All materials sampling and testing must be done in a timely manner. The selected QA Manager will also recommend payment to the design build firm, verify design changes as they may occur in construction, review the design build firm's Quality Control Plan during the submittal

phase and insure that the plan is being implemented during the construction phase, and perform other duties as required.

During the design phase, the selected QA Manager will verify and assure that the design is in compliance with the PA Turnpike's standard design practices and the Contract Documents for this design/build project.

The QA engineer/inspector assigned to this project must meet as a minimum one of the following requirements:

1. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with 2 years of highway and structure inspection experience acceptable to the Commission.

2. Be certified by the National Institute for Certification in Engineering Technologies (NICET) as a Transportation Engineering Technician—Construction or Materials, Level 4.

Questions and inquires concerning this Project should be directed to John S. Ozimok, P.E., at (717) 939-9551, Extension 3501, or by e-mail at jozimok@paturnpike.com.

General Requirements and Information

Firms interested in performing the above services are invited to submit Expanded Letters of Interest to Michael W. Flack, P. E., Assistant Chief Engineer for Construction, at the PA Turnpike Commission Administration Building located on Eisenhower Boulevard at the Harrisburg-East Interchange (No. 19). (FedEx address: Route 283 and Eisenhower Boulevard, Highspire, PA 17034) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The expanded letters of interest must include in the heading the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, and Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each expanded letter of interest. Explanation that the firm has successfully completed similar type projects, of the same magnitude, is required. If the firm has multiple offices, the location of the office performing the work must be identified.

Firms with out-of-State headquarters or corporation not incorporated in Pennsylvania must include with each expanded letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State.

The Turnpike Commission currently limits its participation in the remuneration of principals or consultant employes performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Commission currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection/project management projects to 130% for office support and 100% for the field staff, or the consultant's actual audited overhead rate, whichever is less.

The Consultant in their submission should identify the following factors:

(A) Specialized experience and technical competence of firm. The firm must clearly demonstrate their capabilities of completing this project by identifying similar highway and structure projects that they have inspected or provided QA services, the magnitude of the project, and the client.

(B) Past record of performance with respect to cost control, work quality and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

(C) Expanded letters of interest must include an indication of the prime consultant's and subconsultant's current workload for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

(D) Location of consultant's office where the work will be performed.

(E) Listing of subconsultants intended. Any deviation from the subconsultants listed in the expanded letter of interest will require written approval from the Commission.

(F) An organization chart for the Project, identifying key personnel. Only resumes of key personnel should be included.

(G) Other factors, if any, specific to the project.

There is not a minimum participation level for DBE/MBE/WBEs in this Project.

Each firm should demonstrate in their expanded letter of interest their ability to perform the specific requirements indicated for this project by including a maximum three (3) page report on this project.

The expanded letter of interest and required forms must be received by 4 p.m., Tuesday, December 29, 1998. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest received in response to this solicitation, one firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all expanded letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for these services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-2055. Filed for public inspection December 11, 1998, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

Reader's Guide	REQUIRED DATA DESCRIPTIONS
<p style="text-align: center;">① Service Code Identification Number</p> <p style="text-align: center;">② Commodity/Supply or Contract Identification No.</p> <p>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.</p> <p>Department: General Services Location: Harrisburg, Pa. Duration: 12/1/93-12/30/93 Contact: Procurement Division 787-0000</p> <p style="text-align: center;">③ Contract Information</p> <p style="text-align: center;">④ Department</p> <p style="text-align: center;">⑤ Location</p> <p style="text-align: center;">⑥ Duration</p> <p style="text-align: center;">⑦</p> <p>(For Commodities: Contact:) Vendor Services Section 717-787-2199 or 717-787-4705</p>	<p>① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.</p> <p>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.</p> <p>③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.</p> <p>④ Department: State Department or Agency initiating request for advertisement.</p> <p>⑤ Location: Area where contract performance will be executed.</p> <p>⑥ Duration: Time estimate for performance and/or execution of contract.</p> <p>⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.</p> <p>(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705</p>

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340

Commodities

8504760 Agricultural machinery and supplies—800 each spray tanks, high pressure, 3 gallon.

Department: Transportation
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

1424118 Construction and Building Materials—4 each doors, 3080-14 gauge galvanized 16 gauge steel stiffened seamless continuously welded beveled, prep door to fit Folger Adam 86 deadbolt RHRB 1/2" bolt projection; 3 each doors, 3080-14 galvanized 16 gauge steel stiffened seamless continuously welded beveled prep door to fit Folger Adam No. 4 recessed pull and Folger Adam No. 8 pull; 1 each door, 3080-14 gauge galvanized 16 gauge steel stiffened seamless continuously welded beveled, prep door to fit Folger Adam 3662HM active deadlatch RHRB; 1 each door 3080-14 gauge galvanized 16 gauge steel stiffened seamless continuously welded beveled prep door to fit Sentrol Magnetic Contact 2757-L left hand reverse; 4 each Folger Adam 86 deadbolt RHRB 1/2" bolt projection galvanized with No. 1 and No. 2CS escutcheons and HM mount; 3 each Folger Adam 8G deadbolt LHRB 1/2" bolt projection galvanized with No. 1 and No. 2CS escutcheons and HM mount; 7 each Folger Adam No. 4 recessed pull US32D; 7 each 80-4DB Folger Adam strike; 7 each Folger Adam No. 8 wire pull US32D; 6 each Folger Adam paracentric cut key to order; 9 each armor plate 34" x 34" x .050 x stainless; 9 each SL11 x 93" heavy duty x clear continuous hinge; 6 boxes box of 50, 12.24 Torx self tapping screws; 1 each 380-380P weather strip Astragal set; 5 each LCN 4111 RH Cush closer; 4 each LCN 4111 LH Cush closer; 9 each Sentrol magnetic contacts 2757.L; 9 each installation of doors.

Department: Corrections
Location: Somerset, Somerset County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

1291218 Medical, dental and veterinarian equipment and supplies—19 each assistive devices and durable medical equipment custom seating for 19 individuals.

Department: Public Welfare
Location: Altoona Center, Altoona, Blair County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

1347218 Medical, dental and veterinarian equipment and supplies—2 each Mac multi-adjustable manual wheelchair by Gunnell, Inc. or approved equal; 7 each QF500 Comfort Push wheelchair with lambs wool cover, QFoam International, lumbar, neck and winged head support manufactured by QFoam International or approved equal; 4 each QF130 Comfort rollabout chair w/lambs wool cover manufactured by QFoam International or approved equal.

Department: Public Welfare
Location: White Haven Center, White Haven, Luzerne County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

1376228 Motor vehicles, trailers and cycles—1 each 1999 model passenger type mini van.

Department: General Services
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

8250010 Motor vehicles, trailers and cycles—11 each truck, oil distributor, 3K, conventional cab, arc, automatic transmission w/air conditioning.

Department: Transportation
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

1425118 Paper and printing—20,000M Motor Vehicle sticker envelopes, to be printed with dual window envelope; 30M Motor Vehicle sticker envelopes test envelopes.

Department: Correctional Industries
Location: Huntingdon, Huntingdon County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

8249730 Tractors—6 each tractor, mower with sickle bar.

Department: Transportation
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

SERVICES

Advertising, Public Relations—01

PGC-2590 5 Nimlock compact pop-up exhibits (or approved equal) 10' compact exhibit (C43C-1) Dimensions: 88" H x 116" W x 36" D. Weight: 75 lbs. 4' x 3' curved frame, seven channel bars, four fabric panels, hunter green color. Two fabric endcap panels, hunter green color. Two 200 watt halogen wallwasher light fixtures. One panel wrap. One wheeled case for UPS shipping. Successful bidder must be able to guarantee delivery by January 4, 1999, to PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

Department: Game Commission
Location: Bureau of I & E, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: December 29, 1998 to June 30, 1999
Contact: Linda E. Beaver, (717) 787-6594

Agricultural Services—02

PGC-2589 Dry, white pine shavings or equivalent Southern yellow pine (no saw dust). Bales weigh approximately 35 to 40 lbs. each and measure approximately 12' x 18" x 28". Delivered as a full tractor-trailer load of approximately 950 bales or trailer load equivalent. No saw dust or hardwood shavings mixed as this will be used for brooding game birds. Shipments must be completed by January 29, 1999. Delivery will be to three game farms, Western Game Farm, Loyalsock Game Farm and Northcentral Game Farm. Specific locations to be provided in bid package. Shavings subject to inspection at time of delivery. Vendor to provide 24 hour notice prior to delivery.

Department: Game Commission
Location: Bureau of Wildlife Management, Northcentral, Loyalsock and Western Game Farms
Duration: December 29, 1998 to June 30, 1999
Contact: Linda E. Beaver, (717) 787-6594

Computer Services—08

Commodity (Supply) No. 19588 Furnish computerized guard tour system, Morse MWS-9 package, or approved equal, to include the following: (10) Catalog No. 2001 data recorders, with keypad; (1) Catalog No. 4000 interface/charger; (1) Catalog No. 4003 double nest charger; (2) Catalog No. 4005 triple nest charger; (1) Catalog No. 93-4 MPS-III software for Windows; (1) Catalog No. 21-4 interface cable; (10) leather belt pouches; (119) Catalog No. 30-4; (238) screws and anchors; (1) Catalog No. 37-4 driver tool with bit. To have warranty on hardware and lifetime warranty on stations. Software to be Year 2000 compatible. Bid on file in agency Purchasing Department. Approved fixed asset purchase for: Department of Corrections, State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630.

Department: Corrections
Location: State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630
Duration: Indeterminate 1998—99
Contact: Barbara A. Lloyd, Purchasing Agent, (814) 886-8181

RFP 99-17 Kutztown University is seeking qualified firms able to provide off-campus dial-up IP service for the faculty, staff and student body. Primary services requested are dial-up IP connectivity and end-user support. Provision of WWW pages, New, E-mail services will be the responsibility of Kutztown University. Request for proposal packages are available December 14, 1998. Requests must be made in writing and sent to: Barbara Reitz, Director of Purchasing, Kutztown University, Kutztown, PA 19530, (610) 683-4132; fax: (610) 683-4674.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: Indeterminate 1998—99
Contact: Barbara Reitz, (610) 683-4132

RFP 99-18 Kutztown University is seeking qualified firms for the installation of all microcomputer equipment on the campus. The scope of work will include but not be limited to: installation of all new equipment, moving of computer equipment from one location to another location, data transfer if required, inventory and installation of standard software applications. All work to be completed within normal operating hours of Monday through Friday, 8 a.m. to 4:30 p.m. Interested firms should request an RFP package in writing and direct it to: Barbara Reitz, Director of Purchasing, Kutztown University, Kutztown, PA 19530, (610) 683-4132; fax: (610) 683-4674.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: Indeterminate 1998—99
Contact: Barbara Reitz, (610) 683-4132

Construction and Construction Maintenance—09

380007 Cleanout of three culvert pipes in the Delaware Canal at three locations. Culvert pipes are located from Route 1 Morrisville, PA, south to Tyburn Road in Falls Township. Each culvert pipe is approximately 50 yards long by 4 foot in diameter. To view culvert pipes to be cleaned out call the park office at (610) 982-5560.

Department: Conservation and Natural Resources
Location: State Parks, Delaware Canal State Park, 11 Lodi Hill Road, Upper Black Eddy, Bucks County, PA 18972
Duration: June 30, 1999
Contact: Delaware Canal State Park, (610) 982-5560

DGS A 251-508 Project title: Multiple Building Repair. Brief description: Work consists of reducing the existing chimney height, masonry repair and repointing, install new overhead door, new roof over lunch room area, repair interior of lunch room, new gutters, downspouts and fascia. Estimated range: Under \$100,000. Mechanical construction. Plans deposit: \$25 per set. Payable to: The 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. Mail a separate check for \$5 per set or provide your express mail account number to the office listed as follows. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid date: Wednesday, January 6, 1999 at 11 a.m., (717) 787-3923.

Department: General Services
Location: PennDOT Stockpile, Donegal, Westmoreland County, PA
Duration: 75 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-517 Project title: Lintel Masonry Repairs. Brief description: Replace all exterior steel window and door lintels. Repair masonry as required. Prepare and repaint steel window and door frames. Estimated range—\$100,000 to \$500,000. General construction. Plans deposit: \$25 per set. Payable to: The 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. Mail a separate check for \$5 per set or provide your express mail account number to the office listed as follows. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid date: Wednesday, January 6, 1999 at 11 a.m., (717) 787-3923.

Department: General Services
Location: PennDOT Building, Aspinwall, Allegheny County, PA
Duration: 150 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-519 Project title: New Restrooms. Brief description: Renovate basement storage room into men's and women's restroom, provide new doors, walls, flooring, HVAC, plumbing, ceiling, toilet room accessories, lavatories, toilets and the like. Estimated range—Under \$100,000. General and plumbing construction. Plans deposit: \$25 per set. Payable to: The 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. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid date: Wednesday, January 6, 1999 at 11 a.m., (717) 787-3923.

Department: General Services
Location: PennDOT District Office Building, Uniontown, Fayette County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 251-544 Project title: Roof Replacement. Brief description: Remove the existing clay tile coping and install a new pre-engineered ribbed roofing system. Estimated range—under \$100,000. General construction. Plans deposit: \$25 per set. Payable to: The 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. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid date: Wednesday, January 6, 1999 at 2 p.m., (717) 787-3923.

Department: General Services
Location: PennDOT Maintenance Facility, Greencastle, Franklin County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS A 372-7 Project title: Isolation Valves for Heating Systems. Brief description: Furnish and install new shutoff isolation valves in the existing underground preinsulated pipe and conduit hot water heating supply and return mains at four locations. Install new concrete manholes for the valves. Estimated range: Under \$100,000. Mechanical construction. Plans deposit: \$25 per set. Payable to: The 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. Mail a separate check for \$5 per set or provide your express mail account number to the office listed. Contact the office listed to arrange for delivery of documents. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid date: Wednesday, January 6, 1999 at 11 a.m., (717) 787-3923.

Department: General Services
Location: State Correctional Institution, Waynesburg, Greene County, PA
Duration: 120 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

LOCKS-1 Electromagnetic locks, 3,000 lbs. holding force. To include console and power supply. To be locknetics or approved equal.

Department: Corrections
Location: State Correctional Institution, Follies Road, Dallas, Luzerne County, PA 18612
Duration: 90 days
Contact: Robert G. Berkey, Purchasing Agent, (717) 675-1101, Ext. 325

STEEL-1 Carbon steel sheets, rounds and flats. Structural steel angle, channel and square tubing. Galvanized corrugated sheets. Gauges, sizes and quantities will be reflected in bid.

Department: Corrections
Location: State Correctional Institution, Follies Road, Dallas, Luzerne County, PA 18612
Duration: 90 days
Contact: Robert G. Berkey, Purchasing Agent, (717) 675-1101, Ext. 325

X3504 Provide repaving of road for the Department of Environmental Protection, Hawk Run District Office, Hawk Run, PA.

Department: Environmental Protection
Location: Hawk Run District Office, Empire Road, P. O. Box 209, Hawk Run, PA 16840
Duration: Through June 30, 1999
Contact: Ally Hubler, (717) 787-2471

Engineering Services—14

99001 Open ended professional design services. Mansfield University of Pennsylvania invites interested professional to submit proposals for open-ended professional design services contracts to be issued on various sizes and types of projects. The firms and their respective consultants shall be capable of providing at a minimum architectural services on an individual project basis. Request for proposal packages are available for a nonrefundable fee of \$15 from Peg Chapel, Purchasing Department, Mansfield University, Mansfield, PA 16933.

Department: State System of Higher Education
Location: Mansfield University, Mansfield, PA 16933
Duration: One year with possible 2 year extensions
Contact: Peg Chapel, Purchasing Agent I, (727) 662-4148

08430AG2269 Open-end contract to perform various structure design tasks and/or the review of contractor and consultant structure design submissions in Engineering District 12-0, that is, Fayette, Greene, Washington and Westmoreland Counties.

Department: Transportation
Location: Engineering District 12-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2270 To perform environmental studies, preliminary engineering, final design, shop drawing review and consultation during construction for the following projects: 1) S. R. 2095, Section 10S—Dark Hollow Road, Buckingham and Warwick Township, Bucks County. 2) S. R. 1023, Section 10S—Swamp Creek Road, Marlborough Township, Montgomery County.

Department: Transportation
Location: Engineering District 6-0
Duration: Thirty-six (36) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2271 To perform preliminary engineering, environmental documentation, final design, shop drawing review and consultation during construction for the following projects: S. R. 0095, Section CPR Delaware Expressway (I-95), City of Philadelphia from Levick Street to Bleigh Avenue.

Department: Transportation
Location: Engineering District 6-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

Food—19

8970-1000-000 Pork primal cuts, approximately 200,000 lbs. over the next 12 months. Beef primal cuts, approximately 500,000 lbs. over the next 12 months.

Department: Corrections
Location: Bureau of Correctional Industries, Meat Processing Plant, 500 Lisburn Road, Camp Hill, PA 17011
Duration: 12 month—Bid semi-annually
Contact: Linda Malinak, (717) 975-4931

F-463 Supply State Correctional Institution at Mahanoy with syrup and tanks to be furnished for use in permanently installed soda dispensers. Delivery will be made to warehouse on an as needed basis. Delivery will be made to 301 Morea Road, Frackville, PA 17932.

Department: Corrections
Location: State Correctional Institution at Mahanoy, 301 Morea Road, Frackville, PA 17932
Duration: Beginning July 1, 1999 and ending June 30, 2002
Contact: Robert Kuchta, Purchasing Agent I, (717) 773-2158, Ext. 421

HVAC—22

No. 34 Furnish emergency generator; to be delivered on existing pad at the Allentown Secure Treatment Unit, 1600 Hanover Avenue, Allentown, PA 18103 (located on the grounds of Danville State Hospital).

Department: Public Welfare
Location: Loysville Complex, Allentown Secure Treatment Unit, 1600 Hanover Avenue, Allentown, PA 18103
Duration: January 1, 1999 through June 30, 1999
Contact: Mary Lou Auman, Purchasing Agent, (717) 789-5508

Project No. 563 Provide emergency and routine repair work for heating system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, Rapps Dam Road, Phoenixville, Chester County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 580 Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 2601 River Road, Reading, Berks County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 581 Provide emergency and routine repair work for electrical system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 2601 River Road, Reading, Berks County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 582 Provide emergency and routine repair work for heating system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 2601 River Road, Reading, Berks County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 583 Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 72 North Broad Street, Ridgway, Elk County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 584 Provide emergency and routine repair work for electrical system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 72 North Broad Street, Ridgway, Elk County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 585 Provide emergency and routine repair work for heating system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 72 North Broad Street, Ridgway, Elk County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 586 Provide emergency and routine repair work for electrical system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 501 North Broadway, Scottsdale, Westmoreland County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 587 Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 900 Adams Avenue, Scranton, Lackawanna County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

Project No. 588 Provide emergency and routine repair work for electrical system. The contractor must respond to the call within 2 hours of receiving a call either directly or by a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90 day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 900 Adams Avenue, Scranton, Lackawanna County, PA
Duration: July 1, 1999—June 30, 2002
Contact: Emma Schroff, (717) 861-8518

96839 Vendor to provide parts, labor, material and equipment to rebuild high mast lighting consisting of four light units.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426
Duration: 6 months
Contact: Kelly Richardson, Purchasing Agent II, (610) 489-4151

FM 07798-07 This project requires the furnishings of all labor, materials, equipment, tools and supervision to replace poles, cross arms, insulators, guy wires, 5KV and communication poles.

Department: Public Welfare
Location: Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, Lackawanna County, PA 18411-9505
Duration: January 02, 1999—June 30, 1999
Contact: Stanley Rygelski, Purchasing Agent, (717) 587-7291

SP No. 9078200100 The contractor shall provide all labor, equipment and parts required to inspect, service and repair propane gas-powered emergency electrical generators at the Hamburg Center, Hamburg, PA 19526. To receive specifications, submit fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526—fax (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Hamburg, PA 19526
Duration: July 1, 1999—June 30, 2002
Contact: Beverly O. Epting, Purchasing Agent, (610) 562-6031

Laundry/Dry Cleaning—25

3510-0120-000 and 3510-0122-000 Contractor to provide washers and dryers.

Department: Corrections
Location: State Correctional Institution Albion, 10745 Route 18, Albion, PA 16475-0001
Duration: Indeterminate 1998-99
Contact: Lesley S. Jarrett, (814) 756-5778

Lodging/Meeting Facilities—27

X3684 Provide lodging, meeting rooms and meals for the Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Municipality Inspector Seminar, for approximately 90 attendees.

Department: Environmental Protection
Location: Within a 10 mile radius of downtown State College, PA
Duration: Through June 30, 1999
Contact: Ally Hubler, (717) 787-2471

X3829 Provide lodging, meeting rooms and meals for the Department of Environmental Protection, Office of Field Operations for approximately 175 attendees.

Department: Environmental Protection
Location: Within a 10 mile radius of downtown State College, PA
Duration: Through June 30, 1999
Contact: Ally Hubler, (717) 787-2471

LGD-1999 A hotel/banquet facility is sought for April 15, 1999, that can accommodate 750 people. One room is needed that can hold rounds of 10 for a luncheon event and it must be a comfortable setting. Three registration tables are needed outside of this banquet room. A double-entree meal is requested to include a chicken and a beef dish; the hotel is to be within a 5-mile radius of Harrisburg; and free parking must be available. Awarding to vendor is pending upon site visit. Bids are due by December 30, 1998 by 5 p.m. Bids will be opened on December 31, 1998, at 10 a.m. in the Governor's Center for Local Government Services located in Room 325 Forum Building, Harrisburg, PA 17120.

Department: DCED
Location: Governor's Center for Local Government Services, Harrisburg Area
Duration: One day
Contact: Shirley Rohrer, (717) 787-8169

Medical Services—29

No. 33 Furnish and install dental equipment at North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821. Necessary dental equipment needed to make a complete dental suite.

Department: Public Welfare
Location: Loysville Complex, North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821
Duration: January 1, 1999 to June 30, 1999
Contact: Mary Lou Auman, Purchasing Agent, (717) 789-5508

8087900100 Health care and related services for five mental retardation facilities (Ebensburg/Altoona, Hamburg, Polk, Selinsgrove and White Haven) and one mental retardation unit (Mayview). Services include, but not limited to, executive nurse consultant, gynecologist, medical director, neurologist, occupational therapist, physical therapist, physicians, podiatrist, psychiatrist, quality improvement staff, registered nurse and sexuality therapist. Prebid conference December 18, 1998, (questions to be submitted to Project Officer by December 14, 1998); Bid opening January 4, 1999.

Department: Public Welfare/OMR
Location: See above
Duration: January 1, 1999 to December 31, 2003
Contact: Fred Lokuta, Project Officer, (717) 787-2771

SP 98-0781-002-00 Dental hygienist—A part-time dental hygienist to assist in the operation of the dental clinic at Wernersville State Hospital. Individual would help prepare consumers for the dentist and set up required instruments, take and develop x-rays, sterilize and care for instruments, equipment, supplies, medications and dental operating rooms, and assist the dentist when required. Individual must possess and maintain a current license/registration in this discipline within the Commonwealth of PA. Specific details are available upon request.

Department: Public Welfare
Location: Wernersville State Hospital, Route 422, P. O. Box 300, Wernersville, Berks County, PA 19565
Duration: February 15, 1999 through February 14, 2000
Contact: Nancy Deininger, (610) 670-4129

Property Maintenance—33

15025 Vendor to provide material only: security doors and frames, insulated w/wire glass closures, lock keyed two sides, weather strip and flat threshold. 4 pairs.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426
Duration: 6 months
Contact: Kelly Richardson, Purchasing Agent II, (610) 489-4151

325929 Furnish equipment and operators as needed for snow removal from the grounds at Haverford State Hospital, 3500 Darby Road, Haverford, PA. Roadway snow removal will include all circle drives, loading dock areas, rear entrance driveways, parking lots and sidewalks. Contractor will spread salt throughout hospital grounds.

Department: Public Welfare
Location: Haverford State Hospital, 3500 Darby Road, Haverford, Delaware County, PA 19041
Duration: January 1, 1999—April 30, 1999
Contact: Gary Raisner, FMM, (610) 313-5465

325930 Furnish equipment and operators as needed for snow removal from the grounds of Eastern State School and Hospital, 3740 Lincoln Highway, Trevos, PA and the Philadelphia State Hospital, 14000 Roosevelt Boulevard, Philadelphia, PA. Areas to be included will be approximately 1.8 miles of roadways at ESSH and approximately 2.1 miles of roadway at PSH. Contractor will be responsible for salt spreading throughout grounds of both locations.

Department: Public Welfare
Location: Eastern State School and Hospital and Philadelphia State Hospital
Duration: January 1, 1999—April 30, 1999
Contact: Gary Raisner FMM, (610) 313-5465

Contract No. FDC-213-461 ADA renovations to modern cabin No. 10 at Raccoon Creek State Park. Main items of work include, but are not limited to, the following: (a) porch rehabilitation, (b) renovations to the kitchen and bath areas, (c) kitchen area addition, (d) bedroom area addition, (e) new floor coverings, (f) new roofing shingles, and (g) sitework.

Department: Conservation and Natural Resources
Location: Hanover Township, Beaver County, PA
Duration: 120 days
Contact: Construction Management Section, (717) 787-5055

Real Estate Services—35

1100-R/W—30-B03, 19-062, 2040-A01 and 0008-A05 The Department of Transportation will be accepting bids on real estate appraisals for partial take claims on Route 30-B03, Hanover Township and Route 19-062, in Pine Township, Allegheny County and there will be (1) total take on Route 2040-A01 in Pleasant Hills Boro, Allegheny County, and approximately (15) total take appraisals on Route 0008-A05 in the Boro of Etna. The appraisal package will involve properties located in commercial zoned areas. All appraisers must be certified in the general appraiser category and be on the PennDOT pre-qualified list as registered at their Central Office located in Harrisburg, PA. Also a partial take on Route 0088-40M in the City of Pittsburgh, Allegheny County. Appraisal format to satisfy accepted appraisal standards and PennDOT procedures.

Department: Transportation
Location: Right-of-Way, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017-2853
Duration: Up to 5 years from appraisal date
Contact: Chuck Weidenweber, (412) 429-4840

Security Services—37

IFB98-104 Provide security officer service, 2-year term with 3 option years; estimated 6,941 hours per year.

Department: Education
Location: Scranton State School for the Deaf, 1800 North Washington Avenue, Scranton, PA 18509-1799
Duration: February 9, 1999 through February 8, 2001
Contact: Merrill Mayenschein, (717) 963-4541

00677-000-98-AS-50 Fire and Security maintenance. Provide contract services for a 3 year contract for maintenance and repair of the installed fire and security systems at Pennsbury Manor, Morrisville, PA. For directions, please contact the site at (215) 946-0400. All interested bidders should submit a request for a bid package in writing, to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi Yingling or fax request to (717) 783-1073. Proposals are due on Wednesday, December 30, 1998 at 10 a.m. Proposals will be received in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

Department: Historical and Museum Commission
Location: Bureau of Historic Sites and Museums, Pennsbury Manor, 400 Pennsbury Memorial Lane, Morrisville, PA 19067
Duration: March 1, 1999 to June 30, 2002
Contact: Judi Yingling or Ron Foflygen, (717) 772-2401

Vehicle, Heavy Equipment—38

56048 Scissors lift, 500 lb. capacity like: Genie 1930 or equal.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Route 29, Graterford, PA 19426
Duration: 6 months
Contact: Kelly Richardson, Purchasing Agent II, (610) 489-4151

Miscellaneous—39

98-11 "Risk Assessment of Safety Administration's Programs." The objective of this project is to satisfy a need to assess the financial controls and accounting policies and procedures utilized by the Pennsylvania Department of Transportation's Safety Administration area in regards to Safety Administration's exposure to both internal and external fraud involving the vehicle registration and titling and driver licensing processes. Additional information and a request for proposals (RFP) may be obtained by faxing a request for RFP 98-11 to Tina Chubb at (717) 783-7971.

Department: Transportation
Location: Safety Administration, Throughout Pennsylvania
Duration: 15 months
Contact: Tom Schumacher, (717) 783-8906

030-0312 30,000 gallon liquid magnesium chloride with corrosive inhibitor.

Department: Transportation
Location: 0340, Northumberland County, Stockpile 06, SR 1016, Turbot Township, Near Milton
Duration: December 30, 1999
Contact: Ted Deptula, (717) 286-7178

090-HRC-98 The Office of the Chancellor, State System of Higher Education, wishes to secure the services of a human resources consultant to assist in the administration of human resource programs including: organizational development, compensation, employee benefits, actuarial, productivity and efficiency studies, etc. The RFP will provide interested vendors with sufficient information to prepare and submit proposals for consideration. If interested, contact Lou Ann Kauffman at (717) 720-4160 to request a copy of the RFP.

Department: State System of Higher Education
Location: 2986 North Second Street, Harrisburg, PA 17110
Duration: Indeterminate 1998-99
Contact: Lou Ann Kauffman, (717) 720-4160

1998-2 Pennsylvania nonprofit organizations, which have previously conducted successful reading professional development activities, and Pennsylvania institutions of higher education are invited to submit applications to conduct intensive, high quality professional development programs to improve teaching and learning in reading in this Commonwealth. Funding is from Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382).

Department: Education
Location: 333 Market Street, Harrisburg, PA 17126-0333
Duration: Through September 30, 2000
Contact: Linda J. Benedetto, (717) 772-3623; TDD (717) 783-8445

1111 Furnish and install: two 16'2" x 13'1" rolling steel service doors, with large "C" slat, galvanized guide, motor operated with Model RDB-50, motor cover and electric service/control to both guard shack. Costs should include removal of existing doors and weights. As manufactured by Overhead Door Company, Series 610 or approved equal.

Department: Corrections
Location: State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, Pittsburgh, PA 15233
Duration: Thirty (30) days upon award of bid
Contact: Carol R. Schaeffer, Purchasing Agent II, (412) 761-1955

8124100100 Contract for the services of a qualified entity to perform Health Plan Employer Data and Information Set (HEDIS) compliance audits to validate the medical assistance HEDIS measures submitted by the mandatory managed care organizations. The selected contractor must abide by the rules of the certified National Committee for Quality Assurance (NCQA) HEDIS Audit Program. The bidder must be licensed and certified by NCQA.

Department: Public Welfare
Location: Mandatory Managed Care Organizations in the SE and SW parts of PA
Duration: January 1, 1999—June 30, 2002 (with two additional renewal periods)
Contact: Kathy A. King-McCarthy, (717) 705-3778

E8925/2934 Polaroid SprintScan 45 Pro Film Scanner with accessories. Polaroid PDC 3000 Digital Camera kit to include camera, studio software, image storage disk, pc card, ac adapter, cables and documentation plus accessories.

Department: Conservation and Natural Resources
Location: 6th Floor Rachel Carson State Office Building, 400 Market Street, Harrisburg, Dauphin County, PA
Duration: FY 98-99
Contact: Deborah J. Kauffman, (717) 783-1896

X2812 Provide 107,000 sandbags for distribution across the State.

Department: Environmental Protection
Location: Sandbags delivered to various locations throughout Pennsylvania
Duration: Delivery within 30 days
Contact: Ally Hubler, (717) 787-2471

017 Site preparation and installation for woven wire deer fence around two separate sites in the Negro Mtn. Division of the Forbes State Forest. The sites are located in Elk Lick Township, Somerset County and is approximately a total of 9,000 lineal feet. Prebid inspection will be on December 18, 1998. Both sites are to be bid as one contract.

Department: Conservation and Natural Resources
Location: Forbes Forest District #6, P. O. Box 519, Laughlintown, PA 15655-0519
Duration: Upon execution of the contract and terminate June 30, 1999
Contact: Chris Nicholas or Ron Langford, (726) 238-9533

[Pa.B. Doc. No. 98-2056. Filed for public inspection December 11, 1998, 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 #	Awarded On	To	In the Amount Of
7350-07	12/01/98	XPEDX/ Harrisburg Division	464,780.40
7350-07	12/01/98	Aladdin Synergetics, Inc.	719,290.45
7350-07	12/01/98	Calico Indus- tries, Inc.	110,350.08
7350-07	12/01/98	United Res- taurant Equipment, Inc.	533.49
1136118-01	12/02/98	Lindgren Corp.	47,380.00
1211218-01	12/02/98	Hajoca Corp.	4,360.72
1211218-02	12/02/98	Duff Supply Co.	3,643.00
1211218-03	12/02/98	Altoona Pipe and Steel	15,602.60
1211218-04	12/02/98	York Corrugat- ing Co.	802.60

Requisition or Contract #	Awarded On	To	In the Amount Of
1259118-01	12/02/98	Ace Locksmith Co.	19,564.40
1271238-01	12/02/98	Ems Clothing and Novelty, Inc.	11,018.70
1296208-01	12/02/98	Peirce Phelps, Inc. Audio/ Video Prod- ucts and Systems Group	10,760.80
8122300-01	12/02/98	Loadometer Corporation	25,600.00
8504690-01	12/02/98	Vehicle Main- tenance Pro- gram, Inc.	51,050.00
8504710-01	12/02/98	A. C. Miller Concrete Prod., Inc.	40,910.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 98-2057. Filed for public inspection December 11, 1998, 9:00 a.m.]

PLEASE NOTE

The pagination for the December 5, 1998 (Vol. 28, No. 49) issue of the *Pennsylvania Bulletin* was incorrect. Consequently, the Table of Contents and List of Chapters Affected listed in the issue were also incorrect.

Printed below is a list of the incorrect pages and their corresponding correct pages. Also, note the correct Table of Contents and List of Chapters Affected immediately following.

The following information is printed as a regular part of the issue of December 12. In addition, this information is also printed as a detachable part of this issue. Please remove the detachable version and insert in the December 5th issue to reference proper citation.

THE COURTS

<i>Incorrect Pages</i>	<i>Correct Pages</i>	<i>Incorrect Pages</i>	<i>Correct Pages</i>
5866	5966	5903	6003
5867	5967	5904	6004
5868	5968	5905	6005
5869	5969	5906	6006
5870	5970	5907	6007
5871	5971	5908	6008
5872	5972	5909	6009
		5910	6010
		5911	6011
		5912	6012
		5913	6013
		5914	6014
		5915	6015
		5916	6016
		5917	6017
		5918	6018
		5919	6019
		5920	6020
		5921	6021
		5922	6022
		5923	6023
		5924	6024
		5925	6025
		5926	6026

RULES AND REGULATIONS

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5873	5973
5874	5974
5875	5975
5876	5976
5877	5977
5878	5978
5879	5979
5880	5980
5881	5981
5882	5982
5883	5983
5884	5984
5885	5985
5886	5986
5887	5987
5888	5988

STATE CONTRACTS INFORMATION

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5927	6027
5928	6028
5929	6029
5930	6030
5931	6031
5932	6032
5933	6033
5934	6034
5935	6035

STATEMENTS OF POLICY

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5889	5989
5890	5990

NOTICES

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5891	5991
5892	5992
5893	5993
5894	5994
5895	5995
5896	5996
5897	5997
5898	5998
5899	5999
5900	6000
5901	6001
5902	6002

PART II

<i>Incorrect Pages</i>	<i>Correct Pages</i>
5939	6039
5940	6040
5941	6041
5942	6042
5943	6043
5944	6044
5945	6045

Contents

THE COURTS

CRIMINAL PROCEDURAL RULES

- Rule 303 relating to arraignment and Rule 1117 relating to presence of defendant 5967
 Rule 1117 relating to presence of defendant 5968
 Rule 9022 relating to filings 5969

DISCIPLINARY BOARD OF THE SUPREME COURT

- Notice of suspension 5972

JUDICIAL SYSTEM GENERAL PROVISIONS

- Promulgation of Consumer Price Index and judicial salaries pursuant to Act 51 of 1995; No. 200
 Judicial Administration doc. no. 1 5966

LOCAL COURT RULES

Fayette County

- Local Rule 1901: prompt disposition of matters; termination of inactive cases; No. 2243 of 1998, G.D. 5971

EXECUTIVE AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

- Commission meeting and public hearing 5991

DEPARTMENT OF BANKING

Notices

- Action on applications 5991

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Rules and Regulations

- State forests (Part II) 6039

DEPARTMENT OF ENVIRONMENTAL PROTECTION

See Also ENVIRONMENTAL QUALITY BOARD

Notices

- Applications, actions and special notices 5994
 Availability of technical guidance 6014

DEPARTMENT OF GENERAL SERVICES

Notices

- Contract awards 6035
 State contracts information 6027

DEPARTMENT OF HEALTH

Notices

- Application of Allegheny University Hospital—Canonsburg for exception to 28 Pa. Code § 107.25(b)(8) 6014
 Application of Clearfield Hospital for exception to 28 Pa. Code § 107.25(b)(8) 6014

- Application of Ellwood City Hospital for exception to 28 Pa. Code § 153.12, Universal Accessibility Standards 4.21.6 6015

- Application of Hanover General Hospital for exception to:
 28 Pa. Code § 139.12(a) 6015
 28 Pa. Code § 139.13(a) AIA 7.4B Table 5 6015

- Application of Healthsouth Rehabilitation Hospital of Altoona for exception to 28 Pa. Code § 107.2 6016

- Application of Warren General Hospital for exception to 28 Pa. Code § 109.2 6016
 Health Policy Board; meeting notice 6016

DEPARTMENT OF REVENUE

Rules and Regulations

- Single factor apportionment and student loan assets exempt by public policy; corporation taxes 5986

DEPARTMENT OF TRANSPORTATION

Notices

- Open-end contract for design support services 6016

ENVIRONMENTAL QUALITY BOARD

Rules and Regulations

- New Motor Vehicle Emissions Control Program 5973

EXECUTIVE BOARD

Statements of Policy

- Reorganization of the Department of Military Affairs 5989

FISH AND BOAT COMMISSION

Rules and Regulations

- Operation of personal watercraft 5984

Notices

- Additional restrictions on Fish and Boat Commission property 6019

HISTORICAL AND MUSEUM COMMISSION

Notices

- National Register nominations to be considered at the Historic Preservation Board meeting 6019

HOUSING FINANCE AGENCY

Notices

- Request for proposals; 1999 tax-exempt qualified residential rental facilities seeking private activity bond allocations 6019

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

- Actions taken by the Commission 6020

Now Available Online at <http://www.pabulletin.com>

INSURANCE DEPARTMENT

Notices

Application for voluntary surrender of Pennsylvania
 Certificate of Authority to operate a continuing
 care retirement community..... 6022
 Children's Health Insurance Program; meeting no-
 tice 6022
 List of names of qualified unlicensed reinsurers 6022
 Workers' Compensation Security Fund assessment .. 6024

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Petition of The Pennsylvania Telephone Association
 for waiver of 52 Pa. Code § 64.41; doc. no. P-
 00981357..... 6025

TURNPIKE COMMISSION

Notices

Request for bids (2 documents) 6026

List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1998.

4 Pa. Code (Administration)

Adopted Rules

1	466
6	4619
5	471, 1746, 2128, 2366
7	356

Proposed Rulemaking

116	2817
117	2822

Statements of Policy

9	49, 382, 1640, 1842, 2045, 2414, 2511, 2929, 4949, 5259, 5345, 5989
---	--

7 Pa. Code (Agriculture)

Proposed Rulemaking

130d	4923
------	------

10 Pa. Code (Banks and Banking)

Adopted Rules

7 (with correction)	5094, 5340
11	14
13	14
17	14
35	14
41	14, 2687

Proposed Rulemaking

41	44
----	----

Statements of Policy

41	1956
81	2049

12 Pa. Code (Community and Economic Development)

Adopted Rules

63	4629
135	4893

Proposed Rulemaking

33	1530
----	------

Statements of Policy

61	1139
123	3807

16 Pa. Code (Community Affairs)

Proposed Rulemaking

81	5249
83	5249
85	5249
87	5249
91	5249

Statements of Policy

45	5136, 5578
----	------------

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

21	6039
----	------

19 Pa. Code (Corporations and Business Associations)

Adopted Rules

41	799
----	-----

22 Pa. Code (Education)

Adopted Rules

14	1002
101	2580
201	5226
211	5226
213	2688, 5226
215	5226
342 (with correction)	1004, 1135

Proposed Rulemaking

4	3875
14	4939
16	4939
33	3506
44	2148
121	1535
201	1543
211	1543
213	1543
215	1543
342	4939
701	3412

25 Pa. Code (Environmental Protection)

Adopted Rules

77 (with correction)	619, 801
78	1234
79	1234
80	1234
86	15, 2227
87	2215, 2227
88	2215, 2227
89	2227, 2761
90	2227
93 (with correction)	137, 1633, 3378, 4510
94	4517
103	18
121	5973
126	5973
128	4525
129	4525
131	4525
139	2035, 4525
216	4894
218	4894
221	4894
223	4894
227	4894
228	4894
245 (with correction)	1135
803 (with correction)	3588
901	1136
1021	4714

Proposed Rulemaking

86	941
92	4431
93	1635, 3507, 4431
95 (with correction)	4431, 5577
96	4431
97	4431
102	769
109	2265

121	4792, 4867
126	4792
129	4867
139	4792
215	881
217	881
219	881
220	881
224	881
225	881
226	881
230	881
232	881
250	4073
271	4319
272	4319
273	4319
277	4319
278	4319
279	4319
281	4319
283	4319
285	4319
287	4073
288	4073
289	4073
291	4073
295	4073
297	4073
299	4073
1021	807

Statements of Policy

83	4634
----	------

28 Pa. Code (Health and Safety)

Adopted Rules

6	5094
51	2643
136	2643
138	2643
139	2643
158	2643

Proposed Rulemaking

6	485, 1008
---	-----------

Statements of Policy

9	5011
---	------

31 Pa. Code (Insurance)

Adopted Rules

1	3753
5	3753
7	3753
9	3753
27	2406
41	4530
57	4531
67	5482
71 (with correction)	1401, 1518
73 (with correction)	1401, 1518, 1941
103	3755
113	1235, 1518
117	3756
131	1314
135	3758
137	1237

Proposed Rulemaking

33	5246
35	4932
64	4931
67a	5246
84	4794
84a	4927
121	3805
123	4932
124	4932
125	4796

Statements of Policy

301	5019
-----	------

34 Pa. Code (Labor & Industry)

Adopted Rules

50	5867
65	21
122	329
123	329
125	5459
127	329
131	329

Proposed Rulemaking

61	2925
63	2925
65	2925
121	4603

37 Pa. Code (Law)

Adopted Rules

81	2500
91	4719
93	2501, 4719
203	2924

Proposed Rulemaking

31	2037
33	2037
203	2925
309	5343

40 Pa. Code (Liquor)

Adopted Rules

3	1418
5	1418
9	279
11	279, 5103
13	1418, 4920
15	1418

Proposed Rulemaking

11	2591
13	488

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

1	5869
9	3273
15	5340
16	1315, 1316, 4721
23	2586
25	3282
27	4532, 5241, 5485
31	5870
33	2589
35	3938
36	1941
41	2412

Proposed Rulemaking

1 1559
 15 3414
 16 814
 21 2693
 31 2289, 2927
 33 (with correction) 3293, 3296, 3593
 36 2036
 41 1421

Statements of Policy

21 5345
 43b 5883
 61 382

52 Pa. Code (Public Utilities)

Adopted Rules

1 647
 3 647, 3760, 5769
 5 647, 801, 5769
 21 647
 23 647
 29 647
 31 647
 37 801
 53 801
 54 3283, 3760, 3775, 3780, 3791
 55 801
 56 801, 3379
 57 3385, 5770
 58 25
 59 3050
 63 3394
 64 3394
 65 801, 804
 69 801
 71 801

Proposed Rulemaking

3 2143
 5 2143
 32 2146
 53 508
 53a 508
 54 490, 493, 501, 508, 514, 518, 2139
 57 493, 4724
 63 3059

Proposed Statements of Policy

41 3959
 69 1425, 5497

55 Pa. Code (Public Welfare)

Adopted Rules

141 3939
 175 3939
 177 3939
 181 2810
 183 3939

Proposed Rulemaking

140 1531
 141 2287
 147 2287
 181 1531
 289 2287
 3480 1079
 3490 1079
 3680 953, 1320
 3710 953, 1320
 3760 953, 1320

3800 (with correction) 953, 1138, 1320
 3810 953, 1320
 5310 953, 1320
 6400 953, 1320

Statements of Policy

259 3301
 1101 138
 1163 2150
 1187 138

58 Pa. Code (Recreation)

Adopted Rules

21 1238
 51 30, 1521, 1753
 53 30, 4788
 61 5103
 63 1753
 65 1754, 1755, 4788
 91 4789
 93 30, 34, 40, 1006, 4788
 95 4789
 97 4789
 109 30, 4789, 5984
 113 4789
 135 2504
 139 2504, 5486
 141 2504, 3801, 5486
 143 1316, 3801, 5487
 147 1316

Proposed Rulemaking

53 1837, 5132
 61 45, 1322, 1322, 1758, 1840, 3591, 4542, 5779
 65 45, 1322, 1322, 1758, 1937, 3058, 5134
 75 3591, 4542, 5779
 91 1533
 93 1837, 3057, 5132
 95 1533
 97 1533, 5131
 109 1533, 1954, 5132
 103 1533
 133 5244
 135 1243
 139 1243, 3804
 141 1243, 2814, 3804
 143 2814
 145 5244
 147 5244
 163 4797
 165 4797

61 Pa. Code (Revenue)

Adopted Rules

6 1522
 8a 1522
 9 5488, 5492
 35 (with correction) 1522, 1836
 47 5488, 5492
 71 979
 72 979
 73 979
 75 979
 76 979
 77 979
 79 979
 83 979
 85 979
 103 5104
 117 5669

155 5986
 162 4630
 170 5986
 858 5342
 865 5342
 870 3945

Proposed Rulemaking

7 366
 31 366
 32 366, 1320
 33 366
 34 366
 42 366
 44 366
 45 366
 46 366
 47 366
 58 366
 101 1946
 155 380

Statements of Policy

60 3418

64 Pa. Code (Securities)

Adopted Rules
 203 2509

Proposed Rulemaking

202 3950
 206 3950
 302 3950
 606 3950
 609 3950
 610 3950

Statements of Policy

604 3302

67 Pa. Code (Transportation)

Adopted Rules
 43 5872
 71 364
 75 364
 83 364
 105 3588
 175 5670

Proposed Rulemaking

60 2139
 63 2139
 255 2814
 449 2510

70 Pa. Code (Weights, Measures and Standards)

Proposed Rulemaking
 1 5109
 2 5109
 3 5109
 4 5109
 5 5109
 6 5109
 7 5109
 8 5109
 9 (with correction) 5109, 5244
 10 5109
 21 5109
 35 5109
 39 5109

Statements of Policy

39 2416

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules
 7 2283, 5849

204 Pa. Code (Judicial System General Provisions)

Adopted Rules
 29 (with correction) 3252, 3253, 3502, 3586, 5667
 71 (with correction) 3503
 81 5479
 83 2024
 89 1834, 3504
 91 1933
 211 5966
 215 3928

207 Pa. Code (Judicial Conduct)

Adopted Rules
 1 1632
 5 359
 7 2806
 21 1388
 33 5849
 51 5850
 119 2131
 303 2283

Proposed Rulemaking

1 795
 3 1632
 5 5330
 7 2025
 119 646

210 Pa. Code (Appellate Procedure)

Adopted Rules
 33 4624

225 Pa. Code (Rules of Evidence)

Unclassified 2369, 4787

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules
 100 3928
 200 359, 3928, 3929, 3930
 400 3373, 3928
 1000 3928
 1300 3930
 1900 1391
 2950 2026
 3000 2026
 4000 2026, 2131, 4175

Proposed Rulemaking

200 3253, 5759
 400 5570
 1300 5759
 1910 1216
 2120 5570
 2150 5570
 2170 5570
 3000 5759
 4000 2032, 3253

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules
 50 1126
 100 1126
 300 4624

6150

1100 4883
1400 480
6000 4625
Unclassified 5330

Proposed Rulemaking

20475, 1505
50 1510
100 1505, 3931
300 475, 3931, 5089, 5967
305 276
1100 475, 5967, 5968
6000 3931
9000 5969

246 Pa. Code (Minor Court Civil Rules)

Proposed Rulemaking

100 2685
300 2685

249 Pa. Code (Philadelphia Rules)

Unclassified (with correction)997, 1516, 2919, 2920,
3021, 3373, 3586, 3935, 4627, 5336, 5668, 5850

252 (Allegheny County Rules)

Unclassified 133, 135, 1936, 3373, 5479

255 Pa. Code (Local Court Rules)

Unclassified8, 9, 10, 135, 136, 277, 481,
482, 646, 795, 796, 798, 1000, 1128,1132, 1233, 1312,
1516, 1750, 1751, 1834,1835, 1939, 2033, 2132, 2283,
2285, 2403, 2404, 2405, 2499, 2578, 2685, 2686, 2806,
2808, 2921, 2922, 2923, 3024, 3048, 3255, 3257, 3258,
3504, 3587, 3752, 3936,3937, 4176, 4177, 4178, 4179,
4243, 4509, 4627, 4891, 5092, 5093, 5225, 5338, 5339,
5572, 5573, 5574, 5575, 5576, 5668, 5851, 5882, 5971