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PENNSYLVANIA BULLETIN

Volume 29

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

No. 301, December 1999

PENNSYLVANIA



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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 211]

Consumer Price Index and Judicial Salaries Pursuant to Act 51 of 1995; No. 216 Judicial Administration Doc. No. 1

Order

Per Curiam:

And Now, this 13th day of December, 1999, pursuant to Article V, Section 10(c) of the Pennsylvania Constitution and Section 1721 of the Judicial Code, 42 Pa.C.S. § 1721, it is hereby *Ordered* that the Court Administrator of Pennsylvania is authorized to obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the most recent 12-month period and the judicial salary amounts effective January 1, 2000, as required by Act 51 of 1995, amending the Public Official Compensation Law, Act of September 30, 1983 (P. L. 160, No. 39), 65 P. S. § 366.1 et seq.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. JUDICIAL SALARIES

Pursuant to Article V, Section 10(c) of the Pennsylvania Constitution and Section 1721 of the Judicial Code, 42 Pa.C.S. § 1721, the Supreme Court of Pennsylvania has authorized the Court Administrator to obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Consumer Price Index for the most recent 12-month period and the judicial salaries effective January 1, 2000, as required by Act 51 of 1995, amending the Public Official Compensation Law, Act of September 30, 1983 (P. L. 160, No. 39), 65 P. S. § 366.1 et seq. *See*, No. 216 Judicial Administration Docket No. 1.

The Court Administrator of Pennsylvania reports that the percentage of increase in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U), for the 12-month period ending October 1999, was 2.4 percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUURA102SAO, Wednesday, November 17, 1999).

§ 211.2. Judicial Salaries Effective January 1, 2000.

The Court Administrator of Pennsylvania also reports that the following judicial salaries are adopted to implement Act 51 of 1995:

(a) *Supreme Court*.—The annual salary of the Chief Justice of the Supreme Court shall be \$134,578 and the annual salary of each of the other justices of the Supreme Court shall be \$131,022.

(b) *Superior Court*.—The annual salary of the President Judge of the Superior Court shall be \$128,835 and the annual salary of the other judges of the Superior Court shall be \$126,919.

(c) *Commonwealth Court*.—The annual salary of the President Judge of the Commonwealth Court shall be \$128,835. The annual salary of each of the other judges of the Commonwealth Court shall be \$126,919.

(d) *Courts of common pleas*.—

(1) The annual salary of a president judge of a court of common pleas shall be fixed in accordance with the following schedule:

(i) Allegheny County, \$115,978.

(ii) Philadelphia County, \$116,526.

(iii) Judicial districts having six or more judges, \$114,884.

(iv) Judicial districts having three to five judges, \$114,337.

(v) Judicial districts having one or two judges, \$113,789.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$114,884.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$114,337.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$114,884.

(ix) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$114,337.

(2) The other judges of the courts of common pleas shall be paid an annual salary of \$113,789.

(e) *Philadelphia Municipal Court*.—The President Judge of the Philadelphia Municipal Court shall receive an annual salary of \$112,696. The annual salary for the other judges of the Philadelphia Municipal Court shall be \$110,782.

(f) *Philadelphia Traffic Court*.—The President Judge of the Philadelphia Traffic Court shall receive an annual salary of \$60,178. The annual salary for the other judges of the Philadelphia Traffic Court shall be \$59,631.

(g) *District justices*.—A district justice shall receive an annual salary payable by the Commonwealth of \$56,348.

(h) *Senior judges*.—The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$348 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge

retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 99-2162. Filed for public inspection December 23, 1999, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

[234 PA. CODE CHS. 100, 6000 AND 9000]

Procedure When Defendant Fails to Appear for Preliminary Hearing

Introduction

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Pa.Rs.Crim.P. 109, 110, 112, 113, 140, 141, 142, 146, 6000, 6001, 6003, and 9024. These rule changes establish one statewide, uniform procedure for handling court cases in which a defendant has failed to appear for the preliminary hearing; if a defendant fails to appear for the preliminary hearing after notice and without cause, the defendant's absence will be deemed a waiver of the defendant's right to be present, the case will proceed in the defendant's absence, and a warrant for the defendant's arrest will be issued. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.¹

The following explanatory *Report* highlights the Committee's considerations in formulating this proposal. Please note that the Committee's *Reports* should not be confused with the official Committee *Comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the explanatory *Reports*.

The text of the proposed rule changes precedes the *Report*.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Anne T. Panfil, Chief Staff Counsel, Supreme Court of Pennsylvania, Criminal Procedural Rules Committee, P. O. Box 1325, Doylestown, PA 18901, no later than Monday, January 24, 2000.

By the Criminal Procedural Rules Committee

J. MICHAEL EAKIN,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 100. PROCEDURE IN COURT CASES

PART III. SUMMONS AND ARREST WARRANT PROCEDURES IN COURT CASES

Rule 109. General Rule: Use of Summons or Warrant of Arrest in Court Cases.

* * * * *

¹ In 1997, the Committee had recommended a different procedure for addressing this matter, but reexamined this recommendation at the request of the Court. In November 1999, the Committee withdrew this earlier proposal in favor of the procedures that are the subject of this Report.

Official Note: Original Rule 108, adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 108 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 102 and amended September 18, 1973, effective January 1, 1974; amended December 14, 1979, effective April 1, 1980; Comment revised April 24, 1981, effective July 1, 1981; amended October 22, 1981, effective January 1, 1982; renumbered Rule 109 and amended August 9, 1994, effective January 1, 1995; **Comment revised** _____, effective _____.

Comment

This rule provides for the mandatory use of a summons instead of a warrant in court cases except in special circumstances as specified therein. [This change of procedure is provided for relatively minor cases even though they are indictable.]

Before a warrant may be issued pursuant to paragraph (b)(3) when a summons is returned undelivered, the summons must have been served as provided in Rule 112(A), and both the certified mail and the first class mail must have been returned undelivered.

* * * * *

Committee Explanatory Reports:

* * * * *

Report explaining the proposed Comment revision adding a new second paragraph published at 29 Pa.B. 6460 (December 25, 1999).

PART A. SUMMONS PROCEDURES

Rule 110. Contents of Summons; [Time] Notice of Preliminary Hearing.

(A) Every summons in a court case shall command the defendant to appear before the issuing authority for a preliminary hearing at the place [stated therein] and on the date and at the time stated on the summons. [fixed therein, which] The date set for the preliminary hearing shall be not less than 20 days from the date of mailing the summons unless the issuing authority fixes an earlier date upon the request of the defendant or [his] the defendant's attorney with the consent of the affiant.

(B) The summons shall give notice to the defendant:

* * * * *

(3) that if the defendant fails to appear [at] on the date, and at the time and place specified [,] on the summons, the case will proceed in the defendant's absence, and a warrant will be issued for the defendant's arrest.

(C) A copy of the complaint shall be attached to the summons.

Official Note: Original Rule 109 [,] adopted June 30, 1964, effective January 1, 1965, suspended January 31, 1970, effective May 1, 1970. New Rule 109 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 110 and amended September 18, 1973, effective January 1, 1974; amended October 22, 1981, effective January 1, 1982; amended November 9, 1984, effective January 2, 1985; amended August 9, 1994, effective January 1, 1995; **amended** _____, **effective** _____.

Comment

[Summons in the] For the summons procedures in non-summary cases in the Municipal Court of Philadelphia [are governed generally by the Rules of Chapter 6000], see Rule 6003(C).

* * * * *

See Rule 112 for service of the summons and proof of service.

See Rule 142(D) for the procedures when a defendant fails to appear for the preliminary hearing.

For the consequences of defects in a summons in a court case, see Rule 150.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments published at 29 Pa.B. 6460 (December 25, 1999).

Rule 112. Service of Summons; Proof of Service.

(A) The summons shall be served upon the defendant by both first class mail and certified mail, return receipt requested. A copy of the complaint shall be served with the summons.

(B) Proof of service of the summons by mail shall include:

- (1) a return receipt signed by the defendant; or
(2) if the certified mail is returned for whatever reason, the returned summons with the notation that the certified mail was undelivered and evidence that the first class mailing of the summons was not returned to the issuing authority within 15 days after mailing.

Official Note: Original Rule 111 [,] adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 111 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 112 September 18, 1973, effective January 1, 1974; amended _____, effective _____.

Comment

This rule was amended in 2000 to require that the summons be served by both first class mail and certified mail, return receipt requested.

Paragraph (B) sets forth what constitutes proof of service of the summons by mail in a court case for purposes of these rules.

Committee Explanatory Reports:

Report explaining the proposed amendments concerning proof of service published at 29 Pa.B. 6460 (December 25, 1999).

Rule 113. Procedure in Court Cases Following Issuance of Summons.

The defendant shall appear before the issuing authority for a preliminary hearing on the date, and at the time and place specified in the summons. If the defendant fails to appear, the issuing authority shall issue a warrant for the arrest of the defendant and proceed as provided in Rule 142(D).

Official Note: Adopted September 18, 1973, effective January 1, 1974; amended August 9, 1994, effective January 1, 1995; amended _____, effective _____.

Comment

* * * * *

For the [procedure] procedures in non-summary cases in the Municipal Court [of Philadelphia], see Chapter 6000.

Committee Explanatory Reports:

* * * * *

Final Report explaining the proposed amendments published with the Court's Order at 29 Pa.B. 6460 (December 25, 1999).

PART IV. PROCEEDINGS BEFORE ISSUING AUTHORITIES

Rule 140. Preliminary Arraignment.

[(a)] (A) ***

[(b)] (B) ***

[(c)] (C) ***

[(d)] (D) ***

[(e)] (E) ***

(1) fix a day and hour for a preliminary hearing which shall not be less than 3 nor more than 10 days after the preliminary arraignment, unless

[(i)] (a) ***

[(ii)] (b) ***

(2) give the defendant notice, orally and in writing,

(a) of the date, time, and place of the preliminary hearing, and [thus fixed.]

(b) that failure to appear without cause for the preliminary hearing will be deemed a waiver by the defendant of the right to be present at any further proceedings before the issuing authority, and will result in the case proceeding in the defendant's absence and in the issuance of a warrant of arrest.

[(f)] (F) ***

[(g)] (G) If a monetary condition of bail is set, the issuing authority shall accept payment of the monetary condition, as provided in Rule 4007, at any time prior to the return of the [docket] transcript to the court of common pleas.

Official Note: Original Rule 119 adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 119 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 140 September 18, 1973, effective January 1, 1974; amended April 26, 1979, effective July 1, 1979; amended January 28, 1983, effective July 1, 1983; rescinded and replaced by new Rule 140 August 9, 1994, effective January 1, 1995. New Rule 140 adopted August 9, 1994, effective January 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; amended _____, effective _____.

Comment

[Former Rule 140 was rescinded and replaced by new Rule 140 in 1994. Although the rule has been

extensively reorganized, only paragraphs (b) and (c) reflect changes in the procedures contained in the former rule.]

* * * * *

Paragraph [(b)] (B) requires that the defendant receive copies of the arrest warrant and the supporting affidavit(s) at the time of the preliminary arraignment. See also Rules 119(a), 2008(a), and 6003.

Paragraph [(b)] (B) includes a narrow exception which permits the issuing authority to provide copies of the arrest warrant and supporting affidavit(s) on the first business day after the preliminary arraignment. This exception applies only when copies of the arrest warrant and affidavit(s) are not available at the time the issuing authority conducts the preliminary arraignment, and is intended to address purely practical situations such as the unavailability of a copier at the time of the preliminary arraignment.

* * * * *

Under paragraph [(c)] (C), if a defendant has been arrested without a warrant, the issuing authority must make a prompt determination of probable cause before a defendant may be detained. See *Riverside v. McLaughlin*, 500 U. S. 44 (1991). The determination may be based on written affidavits, an oral statement under oath, or both.

Pursuant to the 2000 amendment to paragraph (E)(2), at the time of the preliminary arraignment, the defendant must be given notice, both orally and in writing, of the date, time, and place of the preliminary hearing. The notice must also explain that, if the defendant fails to appear without cause for the preliminary hearing, the defendant's absence will constitute a waiver of the right to be present, the case will proceed in the defendant's absence, and a warrant for the defendant's arrest will be issued.

See Rule 6003(D) for the procedures governing preliminary arraignments in the Municipal Court.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments adding paragraph (E)(2)(b) published at 29 Pa.B. 6460 (December 25, 1999).

Rule 141. Preliminary Hearing; Continuances.

* * * * *

[(D) If a prima facie case of the defendant's guilt is not established at the preliminary hearing, and no application for a continuance, supported by reasonable grounds, is made by an interested person, and no reason for a continuance otherwise appears, the issuing authority shall discharge the defendant.]

[(E)] (D) *Continuances*

(1) The issuing authority may, for cause shown, grant a continuance and shall note on the transcript every continuance together with:

[(1)] (i) the grounds for granting each continuance;

[(2)] (ii) the identity of the party requesting such continuance; and

[(3)] (iii) the new date and time for the preliminary hearing, and the reasons that the particular date was chosen.

(2) The issuing authority shall give notice of the new date and time for the preliminary hearing to the defendant, the defendant's attorney of record, if any, and the attorney for the Commonwealth.

(i) The notice shall be in writing.

(ii) Notice shall be served on the defendant either in person or by both first class mail and certified mail, return receipt requested.

(iii) Notice shall be served on defendant's attorney of record and the attorney for the Commonwealth either by personal delivery, or by leaving a copy for or mailing a copy to the attorney(s) at the attorney's office.

Official Note: Former Rule 141, previously Rule 120, adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970; revised January 31, 1970, effective May 1, 1970; renumbered and amended September 18, 1973, effective January 1, 1974; amended June 30, 1975, effective July 30, 1975; amended October 21, 1977, effective January 1, 1978; paragraph (D) amended April 26, 1979, effective July 1, 1979; amended February 13, 1998, effective July 1, 1998; rescinded October 8, 1999, effective January 1, 2000. Former Rule 142, previously Rule 124, adopted June 30, 1964, effective January 1, 1965, suspended effective May 1, 1970; present rule adopted January 31, 1970, effective May 1, 1970; renumbered Rule 142 September 18, 1973, effective January 1, 1974; amended October 22, 1981, effective January 1, 1982; effective date extended to July 1, 1982; amended July 12, 1985, effective January 1, 1986, effective date extended to July 1, 1986; rescinded October 8, 1999, effective January 1, 2000. New Rule 141, combining former Rules 141 and 142, adopted October 8, 1999, effective January 1, 2000; amended _____, effective _____.

Comment

* * * * *

Paragraph (C)(3) is intended to make clear that the defendant may call witnesses at a preliminary hearing only to negate the existence of a prima facie case, and not merely for the purpose of discovering the Commonwealth's case. The modification changes the language of the rule interpreted by the Court in *Commonwealth v. Mullen*, 333 A.2d 755 (Pa. 1975). This amendment was made to preserve the limited function of a preliminary hearing.

Former paragraph (d) concerning the procedures when a prima facie case is found was deleted in 2000 as unnecessary because the same procedures are set forth in Rule 142 (Disposition of Case at Preliminary Hearing).

For the procedures when a defendant fails to appear for the preliminary hearing, see Rule 142(D).

Proof of service by mail on the defendant of the notice of the continued preliminary hearing, which is comparable to proof of service under Rule 112(B), shall include:

(1) a return receipt signed by the defendant, or

(2) if the certified mail is returned for whatever reason, the returned notice with the notation that

the certified mail was undelivered and evidence that the first class mailing of the notice was not returned to the issuing authority within 15 days after mailing.

For the contents of the transcript, see Rule 26.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments adding paragraph (D)(2) published at 29 Pa.B. 6460 (December 25, 1999).

Rule 142. Disposition of Case at Preliminary Hearing.

(A) At the conclusion of the preliminary hearing, the decision of the issuing authority shall be publicly pronounced.

[(a)] (B) If the Commonwealth establishes a prima facie case of the defendant's guilt, the issuing authority shall hold the defendant for court. Otherwise, the defendant shall be discharged. [In either event, the decision of the issuing authority shall be publicly pronounced.]

[(b)] (C) ***

* * * * *

(D) In any case in which the defendant fails to appear for the preliminary hearing:

(1) if the issuing authority finds that the defendant did not receive notice, or finds that there was good cause explaining the defendant's failure to appear, the issuing authority shall continue the preliminary hearing to a specific date and time, and shall give notice of the new date and time as provided in Rule 141(D).

(2) If the issuing authority finds that the defendant's absence is without good cause and after notice, the absence shall be deemed a waiver by the defendant of the right to be present at any further proceedings before the issuing authority. In these cases, the issuing authority shall:

(a) issue a warrant for the arrest of the defendant; and

(b) proceed with the case in the same manner as though the defendant were present.

Official Note: Original Rule 123, adopted June 30, 1964, effective January 1, 1965, suspended January 31, 1970, effective May 1, 1970. New Rule 123 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 143 September 18, 1973, effective January 1, 1974; amended January 28, 1983, effective July 1, 1983; amended August 9, 1994, effective January 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 142 October 8, 1999, effective January 1, 2000; amended _____, effective ____.

Comment

For the procedures for preliminary hearings in the Municipal Court of Philadelphia, see Rule 6003E.

Paragraph (C) [(b)] was amended in 1983 to reflect [reflects] the fact that a bail determination already have been made at the preliminary arraignment, except in those cases [where] in which, pursuant to a

summons, the defendant's first appearance is at the preliminary hearing. See Rules 109 and 110.

When a defendant fails to appear for the preliminary hearing, before proceeding with the case as provided in paragraph (D), the issuing authority must determine (1) whether the defendant received notice of the time, date, and place of the preliminary hearing either in person at a preliminary arraignment as provided in Rule 140(E)(2) or in a summons served as provided in Rule 112, and (2) whether the defendant had good cause explaining the absence.

If the issuing authority determines that the defendant did not receive notice or that there is good cause explaining why the defendant failed to appear, the preliminary hearing must be continued and rescheduled for a date certain. See paragraph (D)(1). For the procedures when a preliminary hearing is continued, see Rule 141(D).

If the issuing authority determines that the defendant received notice and has not provided good cause explaining why he or she failed to appear, the defendant's absence constitutes a waiver of the defendant's right to be present for subsequent proceedings before the issuing authority. The duration of this waiver only extends through those proceedings that the defendant is absent.

When the defendant fails to appear after notice and without cause, paragraph (D)(2)(a) requires the issuing authority to issue an arrest warrant, and paragraph (D)(2)(b) provides that the case is to proceed in the same manner as if the defendant were present. The issuing authority either would proceed with the preliminary hearing as provided in Rule 141(A), (B), (C) and Rule 142(A), (B), and (C); or, if the issuing authority determines it necessary, continue the case to a date certain as provided in Rule 141(D); or, in the appropriate case, convene the preliminary hearing for the taking of testimony of the witnesses who are present, and then continue the remainder of the hearing until a date certain. When the case is continued, the issuing authority still should send the required notice of the new date to the defendant, thus providing the defendant with another opportunity to appear.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments adding paragraph (D) published at 29 Pa.B. 6460 (December 25, 1999).

Rule 146. Return of Transcript and Original Papers.

[(a)] (A) When a defendant is held for court, the issuing authority shall prepare a transcript of the proceedings. The transcript shall contain all the information required by these rules to be recorded on the transcript [under Rules 26 and 142]. It shall be signed by the issuing authority, and have affixed to it the issuing authority's seal of office.

[(b)] (B) The issuing authority shall transmit the transcript to the clerk of the proper court within [five] 5 days after holding the defendant for court.

(C) In addition to [this] the transcript, the issuing authority shall also transmit the following items:

- (1) the original complaint;

* * * * *

Official Note: Formerly Rule 126, adopted June 30, 1964, effective January 1, 1965; suspended **January 31, 1970**, effective May 1, 1970; revised January 31, 1970, effective May 1, 1970; renumbered **Rule 146** and amended September 18, 1973, effective January 1, 1974; amended October 22, 1981, effective January 1, 1982; amended July 12, 1985, effective January 1, 1986; amended _____, effective _____.

Comment

See Rule 26 for the general contents of the transcript. There are a number of other rules that require certain things to be recorded on the transcript to make a record of the proceedings before the issuing authority. See, e.g., Rules 141 and 142.

Committee Explanatory Reports:

Report explaining the proposed amendments published at 29 Pa.B. 6460 (December 25, 1999).

CHAPTER 6000. RULES OF CRIMINAL PROCEDURE FOR THE MUNICIPAL COURT OF PHILADELPHIA

Rule 6000. Scope of Rules.

[(a) The rules in this chapter govern proceedings in Municipal Court cases in the Municipal Court of Philadelphia and appeals from Municipal Court cases.

(b) Except as provided in this chapter, procedure in Municipal Court cases shall be governed by the Rules of Criminal Procedure adopted and promulgated by the Supreme Court of Pennsylvania.]

(A) The rules in this chapter govern all proceedings in the Philadelphia Municipal Court, including summary cases; Municipal Court cases, as defined in Rule 6001(a); the filing of appeals from Municipal Court cases; the filing of petitions for writs of certiorari; and the preliminary proceedings in criminal cases charging felonies.

(B) Any procedure that is governed by a statewide rule of criminal procedure, but which is not specifically covered in Chapter 6000, shall be governed by the relevant statewide rule.

Official Note: Adopted December 30, 1968, effective January 1, 1969[,]; amended March 28, 1973, effective March 28, 1973; amended July 1, 1980, effective August 1, 1980; amended _____, 2000, effective _____, 2000.

Comment

[The 1973 amendment deleted the paragraph which made the rules in this chapter inapplicable to cases which were summary cases prior to the adoption of these rules.]

The 2000 amendments make it clear that, except as otherwise provided in the rules, Chapter 6000 governs all proceedings in the Philadelphia Municipal Court, including the procedures for instituting criminal cases charging felonies, preliminary arraignments, and preliminary hearings. See 42 Pa.C.S. § 1123 (Jurisdiction and Venue).

Committee Explanatory Reports:

Report explaining the proposed amendments clarifying the scope of Chapter 6000 published at 29 Pa.B. 6460 (December 25, 1999).

Rule 6001. Disposition of Criminal Cases—Philadelphia Municipal Court.

(A) A Municipal Court case is [Any misdemeanor] any case in which the only offense or offenses charged are misdemeanors under the Crimes Code, or other statutory criminal [offense] offenses for which no prison term may be imposed or which is punishable by a term of imprisonment of not more than 5 years, including any offense under the Vehicle Code other than a summary offense [, shall be a Municipal Court case].

* * * * *

(C) A Municipal Court case may be transferred from the Municipal Court to the Court of Common Pleas by order of the President Judge of the Court of Common Pleas, or the President Judge's designee, upon the President Judge's approval of:

* * * * *

Official Note: Present Rule 6001 adopted March 28, 1973, effective March 28, 1973, replacing prior Rule 6001; amended June 28, 1974, effective July 1, 1974; paragraph (C) added February 10, 1975, effective immediately; title amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended June 19, 1996, effective July 1, 1996; amended August 28, 1998, effective immediately; amended _____, 2000, effective _____, 2000.

Comment

This rule, which defines Municipal Court case, is intended to assure that the Municipal Court will take dispositive action, including trial and verdict when appropriate, in any criminal case [which] that does not involve a felony, excluding summary cases under the Vehicle Code. The latter are under the jurisdiction of the Philadelphia Traffic Court, see 42 Pa.C.S. §§ 1301—1303, 1321.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments published at 29 Pa.B. 6460 (December 25, 1999).

Rule 6003. Procedure in Non-Summary Cases in Municipal Court [Cases].

A. INITIATION OF CRIMINAL PROCEEDINGS

(1) Criminal proceedings in court cases [which charge any misdemeanor under the Crimes Code or other statutory criminal offenses, other than a summary offense, for which no prison term may be imposed or which is punishable by a term of imprisonment of not more than 5 years] shall be instituted by filing a written complaint, except that proceedings may be also instituted by:

(a) an arrest without a warrant when a felony or misdemeanor is committed in the presence of the police officer making the arrest; [or]

(b) an arrest without a warrant upon probable cause when the offense is a misdemeanor not committed in the

presence of the police officer making the arrest, when the arrest without a warrant is specifically authorized by law [.]; or

(c) an arrest without a warrant upon probable cause when the offense is a felony.

* * * * *

B. CERTIFICATION OF COMPLAINT

Before a Municipal Court judge may issue process or order further proceedings [in a Municipal Court case], the judge shall ascertain and certify on the complaint that:

* * * * *

C. SUMMONS AND ARREST WARRANT PROCEDURES

When a Municipal Court judge finds grounds to issue process based on a complaint, the judge shall:

* * * * *

(2) issue a warrant of arrest when:

* * * * *

(e) the identity of the defendant is unknown; [or]

(f) a defendant is charged with more than one offense, and one of the offenses is punishable by imprisonment for a term of more than 5 years; or

* * * * *

D. PRELIMINARY ARRAIGNMENT

(1) When a defendant has been arrested within Philadelphia County [in a Municipal Court case], with or without a warrant, the defendant shall be afforded a preliminary arraignment by a Municipal Court judge without unnecessary delay. If the defendant was arrested without a warrant pursuant to subsection A(1)(a) or (b), unless the Municipal Court judge makes a determination of probable cause, the defendant shall not be detained.

(2) At the preliminary arraignment, the Municipal Court judge:

* * * * *

(d) shall also inform the defendant:

* * * * *

(ii) in a Municipal Court case, of the day, date, hour, and place for trial, which shall not be less than 20 days after the preliminary arraignment unless the [issuing authority] Municipal Court judge fixes an earlier date upon request of the defendant or defense counsel, with the consent of the attorney for the Commonwealth; [and]

(iii) in a case charging a felony, of the date, time, and place of the preliminary hearing, which shall not be less than 3 nor more than 10 days after the preliminary arraignment unless extended for cause or the Municipal Court judge fixes an earlier date upon the request of the defendant or defense counsel with the consent of the complainant and the attorney for the Commonwealth; and

[(iii)] (iv) ***

* * * * *

E. PRELIMINARY HEARING IN CASES CHARGING A FELONY

(1) In cases charging a felony, the preliminary hearing in Municipal Court shall be conducted as provided in Rule 141 (Preliminary Hearing; Continuances) and Rule 142 (Disposition of Case at Preliminary Hearing).

(2) In any case in which the defendant fails to appear for the preliminary hearing, if the Municipal Court judge finds that:

(a) the defendant did not receive notice, or finds that there was good cause explaining the defendant's failure to appear, the judge shall continue the preliminary hearing to a specific date and time, and shall give notice of the new date and time as provided in Rule 141(D); or

(b) the defendant's absence is without cause and after notice, the absence shall be deemed a waiver by the defendant of the right to be present at any further proceedings before the issuing authority. In these cases, the judge shall:

(i) issue a warrant for the arrest of the defendant, and

(ii) proceed with the case in the same manner as though the defendant was present.

[E.] F. ACCEPTANCE OF BAIL PRIOR TO TRIAL

The Clerk of Quarter Sessions shall accept bail at any time [prior to the Municipal Court trial].

Official Note: Original Rule 6003 adopted June 28, 1974, effective July 1, 1974; amended January 26, 1977, effective April 1, 1977; amended December 14, 1979, effective April 1, 1980; amended July 1, 1980, effective August 1, 1980; amended October 22, 1981, effective January 1, 1982; Comment revised December 11, 1981, effective July 1, 1982; amended January 28, 1983, effective July 1, 1983; amended February 1, 1989, effective July 1, 1989; rescinded August 9, 1994, effective January 1, 1995. New Rule 6003 adopted August 9, 1994, effective January 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; amended March 22, 1996, effective July 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; amended March 22, 1996, effective July 1, 1996; amended August 28, 1998, effective immediately; amended _____, 2000, effective _____, 2000.

Comment

[Former Rule 6003 was rescinded and replaced by new Rule 6003 in 1994. Although Rule 6003 has been extensively reorganized, only subsections D(1) and D(2)(c) reflect changes in the procedures contained in the former rule.]

The 2000 amendments make it clear that Rule 6003 covers the preliminary procedures for all non-summary Municipal Court cases, see Rule 6001(A), and cases charging felonies, including the institution of proceedings, the preliminary arraignment, and the preliminary hearing.

See Chapter 100 (Procedure in Court Cases), Parts I (Instituting Proceedings), II (Complaint Procedures), III (Summons and Arrest Warrant Procedures in Court Cases), and IV (Proceedings Before Issuing Authorities) for the statewide rules governing the preliminary procedures in court cases, in-

cluding non-summary Municipal Court cases, not otherwise covered by this rule.

The 2000 amendments to paragraph A(1) align the procedures for instituting cases in Municipal Court with the statewide procedures in Rule 101 (Means of Instituting Proceedings in Court Cases).

The 1996 amendments to paragraph A(2) align the procedures for private complaints in non-summary cases in Municipal Court [cases] with the Statewide procedures for private complaints in Rule 106 (Approval of Private Complaints). In all cases [where] in which the affiant is not a law enforcement officer, the complaint must be submitted to the attorney for the Commonwealth for approval or disapproval.

As used in this rule, "Municipal Court judge" includes a bail commissioner acting within the scope of the bail commissioner's authority under 42 Pa.C.S. § 1123(A)(5).

* * * * *

Subsection D(2)(c) requires that the defendant receive copies of the arrest warrant and the supporting affidavits at the preliminary arraignment. This amendment parallels Rule 140[(b)](B). See also Rules 119(a) and 2008(a).

* * * * *

Under subsection D(3), after the preliminary arraignment, if the defendant is detained, the defendant must be given an immediate and reasonable opportunity to post bail, secure counsel, and notify others of the arrest. Thereafter, if the defendant does not post bail, he or she must be committed to jail as provided by law.

As provided in paragraph (E)(2)(b), a defendant who is absent without cause and after notice will be deemed to have waived his or her right to be present for subsequent proceedings before the issuing authority. The duration of this waiver only extends through those proceedings that the defendant is absent.

When a defendant is absent without cause after notice, the Municipal Court judge must issue an arrest warrant, and the case will proceed in the same manner as if the defendant were present. The judge should proceed with the preliminary hearing as provided in Rule 141(A), (B), and (C) and Rule 142(A), (B), and (C); or, if the judge determines it necessary, continue the case to a date certain as provided in Rule 141(D); or, in the appropriate case, convene the preliminary hearing for the taking of testimony of the witnesses who are present, and then continue the remainder of the hearing until a date certain. When the case is continued, the judge still should send the required notice of the new date to the defendant, thus providing the defendant with another opportunity to appear.

Committee Explanatory Reports:

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Report explaining the proposed amendments published at 29 Pa.B. 6460 (December 25, 1999).

CHAPTER 9000. GENERAL PROVISIONS

Rule 9024. Notice of Court Proceeding(s) Requiring Defendant's Presence.

Except as otherwise provided in Chapter 100 concerning notice of the preliminary hearing,

[. Notice] notice of a court proceeding requiring a defendant's presence shall be either:

* * * * *

Official Note: Former Rule 9024 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 June 2, 1994, effective September 1, 1994. New Rule 9024 adopted June 2, 1994, effective September 1, 1994; amended _____, effective _____.

Comment

* * * * *

See Rules 112, 140(E)(2), and 141(D) for the procedures for service of notice of a preliminary hearing, which are different from the procedures in this rule.

* * * * *

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments published at 29 Pa.B. 6460 (December 25, 1999).

REPORT

Proposed Amendments to Pa.Rs.Crim.P. 109, 110, 112, 113, 140, 141, 142, 146, 6000, 6001, 6003, and 9024

PROCEDURE WHEN DEFENDANT FAILS TO APPEAR FOR PRELIMINARY HEARING

I. BACKGROUND

In 1996, in response to questions from some district justices and the Judicial Computer Project staff concerning the procedures for handling cases in which a defendant fails to appear for the preliminary hearing, the Committee undertook an extensive review of the numerous procedures in place for handling these FTAs. Agreeing that there should be one statewide procedure, the Committee developed a proposal that would have amended the Criminal Rules to establish a uniform procedure for handling cases in which the defendant fails to appear for the preliminary hearing. The core of this earlier proposal was that (1) district justices would not be permitted to issue warrants when a defendant fails to appear for a preliminary hearing, and (2) the case would be forwarded to the court of common pleas for further proceedings, but only after the issuing authority had considered whether the defendant received notice of the preliminary hearing and there was a good reason that would explain the defendant's failure to appear. Although a majority of the Committee approved the proposal for submission to the Court, the proposal represented a hard fought compromise, and, because of this, the concerns of the minority were thoroughly delineated when the proposal was submitted to the Court for consideration.

At the request of the Court, the Committee reconsidered its proposal. As a result of our reconsideration, we scrapped the core of the former proposal in favor of one in which the district justice is required to issue an arrest warrant, and the defendant's absence will be deemed a waiver of his or her presence at all proceedings that arise during the defendant's absence. This new approach is consistent with the present practice in a number of magisterial districts, and enhances the goals the Committee set for the proposal: to move the case along, to be fair and reasonable, and to protect the rights of the defendant.

II. DISCUSSION OF RULE CHANGES

A. Rule 142 (Disposition of Case at Preliminary Hearing)

After reviewing the rules in Chapter 100, particularly Rules 141 (Preliminary Hearing; Continuances) and 142 (Disposition of Case at Preliminary Hearing), the Committee agreed to incorporate the substance of the proposal—the waiver and the requirement that the issuing authority issue a warrant and proceed with the case as though the defendant were present—into Rule 142(D), with additional elaboration of the procedure in the Comment.

The cornerstone of the proposal is that the district justice must determine whether the defendant received notice of the preliminary hearing and whether the defendant had good cause for failing to appear before any formal action may be taken against a defendant who fails to appear.² If the issuing authority finds that the defendant did not receive notice or finds that there was good cause explaining the defendant's failure to appear, paragraph (D)(1) requires the issuing authority to continue the preliminary hearing to a specific date and time, and give notice as provided in Rule 141(D).

If the issuing authority determines that the defendant received notice, paragraph (D)(2) establishes that the defendant's absence will be deemed a waiver by the defendant of the right to be present at any further proceedings before the issuing authority. The Rule 142 Comment explains that the duration of the waiver only extends to the period of time that the defendant is absent. Thus, if a defendant is arrested on the warrant issued pursuant to paragraph (D)(2)(a), the waiver would no longer be in effect.

When a defendant fails to appear, the issuing authority is required to issue an arrest warrant, paragraph (D)(2)(a), and proceed with the case in the same manner as though the defendant were present, paragraph (D)(2)(b). The decision about how to proceed is left to the discretion of the issuing authority, and the Comment elaborates on what is intended by "further proceedings." For example, the issuing authority could conduct the preliminary hearing, which the issuing authority might want to do if all the witnesses were present and the Commonwealth was ready to proceed; continue the preliminary hearing; or hold the preliminary hearing for the purpose of taking testimony of the witnesses who are present and then continuing the hearing to a date certain. When there is a continuance, the Comment instructs the issuing authority to send the required notice to the defendant, even though the defendant has absented himself or herself from the original proceedings.

B. Rule Changes Related to Notice Issues

1. Notice of the Preliminary Hearing: Rules 110, 112, 140, and 9024

In developing the new procedures for handling failures to appear, the Committee was particularly concerned that there be a determination that the defendant received notice of the preliminary hearing before a case would proceed without the defendant present. Under the present rules, notice of the date and time of a preliminary hearing is given to a defendant in one of two ways: (1) when a defendant appears for a preliminary arraignment, notice of the date and time for the preliminary hearing is given to the defendant in person, Rule 140(E)(2); and (2)

when the case is begun by summons, the summons sets forth the place, date, and time for the preliminary hearing, Rule 110, and is served by certified mail, return receipt requested, Rule 112.

(a) Oral and Written Notice at Preliminary Arraignment: Rule 140 (Preliminary Arraignment)

The proposed amendments to Rule 140(E)(2) would require that the notice of the preliminary hearing be given to the defendant at the preliminary arraignment both orally and in writing. The Committee agreed that adding the requirement that the notice of the preliminary hearing be in writing will increase the likelihood that a defendant will remember the information he or she received at the preliminary arraignment.

(b) Notice in Summons: Rule 112 (Service of Summons: Proof of Service)

The present rules do not address how a district justice is to determine whether the defendant actually received a summons that was mailed, and the Committee agreed that it would be helpful to the bench and bar if the rules provide guidance in this area. In deciding how to best accomplish this, we looked to the Rules of Civil Procedure to see how this matter is handled in civil cases. Pa.R.Civ.P. 405 (Return of Service) provides, *inter alia*, that proof of service by mail:

shall include a return receipt signed by the defendant or, if the defendant has refused to accept mail service and the plaintiff thereafter has served the defendant by ordinary mail,

- (1) the returned letter with the notation that the defendant refused to accept delivery, and
- (2) an affidavit that the letter was mailed by ordinary mail and was not returned within fifteen days after mailing.

The Committee agreed that a provision comparable to this, but modified for criminal practice, would allay the members' concerns about service by mail. We therefore are proposing the following changes to Rule 112 (Service of Summons):

1. The title would be expanded to include "proof of service."

2. The present text of the rule would become paragraph (A), and would require service of the summons by both first class mail and certified mail, return receipt requested.

3. New paragraph (B), modeled on the procedures in Civil Rule 405(c), would set forth what constitutes proof of service of a summons by mail: a returned receipt signed by the defendant or undelivered certified mail and evidence that the first class mailing was not returned.

(c) Rule 9024 (Notice of Court Proceeding(s) Requiring Defendant's Presence)

In the course of developing the notice portions of the proposal, the Committee reviewed Rule 9024. Because the requirements for notice in Rule 9024 are different from the proposed requirements in Rules 110, 112, and 140 for notice of the preliminary hearing, the Committee agreed that Rule 9024 should be amended to make it clear that Rule 9024 does not apply to notice of preliminary hearings.

2. Notice of Consequences of Failing to Appear for Preliminary Hearing: Rules 110 and 140

As part of its review, the Committee noted that the present rules do not include any provision for notifying a

² See Section C below for the discussion of the related rule changes concerning the new notice provisions.

defendant of the consequences of his or her failure to appear for the preliminary hearing, an oversight we agreed should be corrected. Accordingly, we are proposing that Rule 140(E)(2)(b) be added, requiring the following information be given to the defendant:

failure to appear for the preliminary hearing will be deemed a waiver by the defendant of the right to be present at any further proceedings before the issuing authority, and will result in the case proceeding in the defendant's absence and the issuance of a warrant of arrest.

Rule 110(B)(3) would be amended to require that the summons include a comparable notice.

3. Notice of Continuance: Rule 141(D) (Preliminary Hearing; Continuances)

Another notice issue arises when a preliminary hearing is continued. Under present Rule 141(D), there is no provision for notice of the new date and time set for the preliminary hearing to be given to the parties, a procedural gap the Committee agreed should be filled. To accomplish this, we are proposing Rule 141(D)(2) be added requiring the issuing authority to give written notice of the new date and time to the defendant and defendant's attorney of record, if any, and to the attorney for the Commonwealth. See Rule 141(D)(2). Under the new provisions, service on the defendant may be accomplished either in person or by both first class mail and certified mail, return receipt requested. See paragraph (D)(2)(ii). Likewise, paragraph (D)(2)(iii), modeled on the Rule 9024 provisions for service on counsel, provides for service on the defendant's attorney and on the attorney for the Commonwealth either by personal delivery or by leaving a copy for or mailing a copy to the attorney at the attorney's office.

The proposed Comment revision ties this rule with the Rule 112(B) service requirements, and explains that, when the notice of the continuance is mailed to the defendant, proof of service by mail includes (1) a return receipt signed by the defendant, or (2) if the certified mail is returned for whatever reason, the returned notice with the notation that the certified mail was undelivered and evidence that the first class mailing of the summons was not returned to the issuing authority within fifteen days after mailing.

C. Correlative "Housekeeping" Amendments

During the course of our review of Chapter 100 with regard to the proposed changes concerning failures to appear for the preliminary hearing, the Committee agreed that several rules within Chapter 100 could be tightened up for purposes of clarity.

1. Rule 109 (General Rule: Use of Summons or Warrant of Arrest in Court Cases)

In a "housekeeping" measure, the Committee is proposing that the Comment to Rule 109 (General Rule: Use of Summons or Warrant of Arrest in Court Cases) be revised by the addition of a provision to clarify that before a warrant may be issued, the summons must have been served as provided in Rule 112(A), and both the first class and certified mail must have been returned undelivered.

2. Rule 113 (Procedure in Court Cases Following Issuance of Summons)

The Committee is proposing a cross-reference to Rule 142(D) be added to Rule 113, as well as some additional, minor "housekeeping" changes.

3. Rule 146 (Return of Transcript and Original Papers)

The Committee is proposing a few "housekeeping" changes to Rule 146 (Return of Transcript and Original Papers) and the Comment to draw attention to the fact that there are rules, other than Rules 26 and 142, that require that certain information be included in the transcript to make a record of the proceedings before the district justice.

D. Cases in the Philadelphia Municipal Court

As the Committee worked on the proposed new procedures for handling cases in which the defendant fails to appear for the preliminary hearing, we also considered whether comparable changes should be made in Chapter 6000 concerning the procedures in Philadelphia Municipal Court. Although the functioning of the Municipal Court differs in a number of ways from magisterial district courts, the members agreed there was no reason why the same procedures should not apply to failures to appear in Municipal Court. Accordingly, we are proposing that Rule 6003 (Procedure in Non-Summary Cases in Municipal Court) be amended to cover both preliminary hearings and cases in which the defendant fails to appear for the preliminary hearing. A new paragraph (E) would be added that directs that the preliminary hearing in Municipal Court be conducted as provided in Rules 141 and 142, paragraph (E)(1), and sets forth the procedures to follow when a defendant fails to appear for the preliminary hearing, paragraph (E)(2). These procedures are identical to the procedures in all other cases before district justices, as provided in Rule 142(D).

In reviewing the Municipal Court rules, the Committee noted that the current definition of "Municipal Court case" in Rule 6001 (Disposition of Criminal Cases—Philadelphia Municipal Court): "any misdemeanor under the Crimes Code or other statutory criminal offense for which no prison term may be imposed or which is punishable by a term of imprisonment of not more than five (5) years, including any indictable offense other than a summary offense, under the Motor Vehicle laws" appears to limit the scope of Chapter 6000. To insure that there is no confusion about the application of the Chapter 6000 rules to not only Municipal Court cases, but also to the preliminary procedures in cases charging felonies, including preliminary arraignments and preliminary hearings, the Committee also is proposing a number of clarifying amendments to Rules 6000, 6001, and 6003.

[Pa.B. Doc. No. 99-2163. Filed for public inspection December 23, 1999, 9:00 a.m.]

PART I. GENERAL

[234 PA. CODE CH. 1500]

Petition for Post-Conviction Collateral Relief Disposition: Time Limit Extensions, Deemed Denied

Introduction

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Pa.Rs.Crim.P. 1507, 1508, and 1509. These proposed rule changes add to Rules 1507 and 1508 a 90-day time limit for disposition of petitions for post-conviction collateral relief in noncapital cases comparable to the time limits in Rule 1509 in capital cases, and in both capital and noncapital cases, permit the judge to grant a

30-day extension of the time limits and, when a judge fails to dispose of the petition within the time limits, provide that the petition will be deemed denied. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.¹

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed rule changes precedes the Report.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Anne T. Panfil, Chief Staff Counsel, Supreme Court of Pennsylvania, Criminal Procedural Rules Committee, P. O. Box 1325, Doylestown, PA 18901, no later than Monday, January 24, 2000.

By the Criminal Procedural Rules Committee

J. MICHAEL EAKIN,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 1500. POST-CONVICTION COLLATERAL PROCEEDINGS

Rule 1507. Disposition Without Hearing.

[(a)] Except as provided in Rule 1509 for death penalty cases [,] :

(A) [the] The judge shall promptly review the petition, any answer by the attorney for the Commonwealth, and other matters of record relating to the defendant's claim(s). [If the judge is satisfied from this review that there are no genuine issues concerning any material fact and that the defendant is not entitled to post-conviction collateral relief, and no purpose would be served by any further proceedings, the judge shall give notice to the parties of the intention to dismiss the petition and shall state in the notice the reasons for the dismissal. The defendant may respond to the proposed dismissal within 20 days of the date of the notice. The judge thereafter shall order the petition dismissed, grant leave to file an amended petition, or direct that the proceedings continue.]

[(b)] (B) [A] If an answer has been filed, a petition for post-conviction collateral relief may be granted without a hearing when the petition and answer show that there is no genuine issue concerning any material fact and that the defendant is entitled to relief as a matter of law.

[(c)] (C) * * *

[(d)] When the petition is dismissed without a hearing, the judge shall issue an order to that effect and shall advise the defendant by certified mail, return receipt requested, of the right to appeal

from the final order disposing of the petition and of the time within which the appeal must be taken.]

(D) If the judge is satisfied from the review that there are no genuine issues concerning any material fact and that the defendant is not entitled to post-conviction collateral relief, and no purpose would be served by any further proceedings, the judge shall give notice to the parties of the intention to dismiss the petition and shall state in the notice the reasons for the dismissal. The defendant may respond to the proposed dismissal within 20 days of the date of the notice.

(E) No later than 90 days from the date of the notice in paragraph (D), or from the date of the defendant's response, the judge shall:

(1) dismiss the petition and issue an order to that effect;

(2) grant the defendant leave to file an amended petition; and/or

(3) order that an evidentiary hearing be held on a date certain.

(F) When the 90-day time period must be delayed, the judge, for good cause shown, may order an extension for a period not longer than 30-days, and shall promptly notify the clerk of courts of the order.

(G) If the judge fails to take action pursuant to this paragraph within the 90-day time period, or the 30-day extension, the petition for post-conviction collateral relief shall be deemed denied by operation of law.

(H) When a petition for post-conviction collateral relief is denied by operation of law pursuant to paragraph (G), the clerk of courts shall forthwith enter an order on behalf of the judge that the petition for post-conviction collateral relief is deemed denied. The order is not subject to reconsideration.

(I) When a petition for post-conviction collateral relief is denied by operation of law, or dismissed by order of the court,

(1) the clerk shall forthwith furnish a copy of the order by mail or personal delivery to the attorney for the Commonwealth, the defendant, and defense counsel, if any.

(2) The order shall advise the defendant of the right to appeal from the final order disposing of the petition, and of the time within which the appeal must be taken.

Official Note: Previous Rule 1507 adopted January 24, 1968, effective August 1, 1968; rescinded December 11, 1981, effective June 27, 1982; rescission vacated June 4, 1982; amended January 28, 1983, effective July 1, 1983; rescinded February 1, 1989, effective July 1, 1989, and not replaced. Present Rule 1507 adopted February 1, 1989, effective July 1, 1989; amended August 11, 1997, effective immediately; amended _____, 2000, effective _____, 2000.

Comment

Relief may be granted without a hearing under paragraph (B) only after an answer has been filed either voluntarily or pursuant to court order.

¹ In 1997, the Committee had recommended a different procedure for addressing extensions and sanctions within the context of these rules, but reexamined this recommendation at the request of the Court. In October 1999, the Committee withdrew this earlier proposal in favor of the procedures that are the subject of this Report.

The judge is permitted, pursuant to paragraph [(a)] (D), to summarily dismiss a petition for post-conviction collateral relief in certain limited cases. To determine whether a summary dismissal is appropriate, the judge should thoroughly review the petition, the answer, if any, and all other relevant information that is included in the record. If, after this review, the judge determines that the petition is patently frivolous and without support in the record, or that the facts alleged would not, even if proven, entitle the defendant to relief, or that there are no genuine issues of fact, the judge may dismiss the petition as provided herein.

A summary dismissal would also be authorized under this rule if the judge determines that a previous petition involving the same issue or issues was filed and was finally determined adversely to the defendant. See 42 Pa.C.S. § 9545(b) for the timing requirements for filing second and subsequent petitions.

* * * * *

[Relief may be granted without a hearing under paragraph (b) only after an answer has been filed either voluntarily or pursuant to court order.]

A [PCRA] petition for post-conviction collateral relief may not be dismissed pursuant to 42 Pa.C.S. § 9543(b) due to delay in filing except after a hearing on a motion to dismiss [, 42 Pa.C.S. § 9543(b)]. See Rule 1508.

Paragraph (E) was added in 2000 to provide a time limit within which the judge must act pursuant to this rule. Pursuant to paragraph (F), the judge may order one 30-day extension of time, and promptly must notify the clerk of courts of the order.

If the judge fails to act, the petition for post-conviction collateral relief is deemed denied by operation of law. If the petition is denied by operation of law, paragraph (H) requires that the clerk of courts enter an order denying the petition on behalf of the judge.

Paragraph (I) requires that the clerk of courts immediately notify the attorney for the Commonwealth, the defendant, and defense counsel, if any, that the petition has been denied either by court order or operation of law. This notice is intended to protect the defendant's right to appeal.

The clerk of courts must comply with the notice and docketing requirements of Rule 9025 with regard to any orders entered pursuant to this rule.

Committee Explanatory Reports

Final Report explaining the August 11, 1997 amendments published with the Court's Order at 27 Pa.B. 4305 (August 23, 1997).

Report explaining the proposed amendments concerning time limits on dispositions, extensions of time, and the deemed denied provisions published with the Court's Order at 29 Pa.B. 6466 (December 25, 1999).

Rule 1508. Hearing.

[(a)] (A) Except as provided in Rule 1507, the judge shall order a hearing:

- (1) whenever the Commonwealth files a motion to dismiss pursuant to 42 Pa.C.S. § 9543(b) due to the defendant's delay in filing the petition [,] ; or

- (2) when the petition for post-conviction collateral relief or the Commonwealth's answer, if any, raises material issues of fact. However, the judge may deny a hearing on a specific issue of fact when a full and fair evidentiary hearing upon that issue was held at trial or at any proceeding before or after trial.

* * * * *

[(b)] (B) * * *

[(c)] (C) * * *

[(d)] (D) Upon the conclusion of the hearing, the judge shall:

- (1) determine all material issues raised by the defendant's petition and the Commonwealth's answer, or by the Commonwealth's motion to dismiss, if any; and

- (2) issue an order denying relief or granting a specific form of relief and issue any supplementary orders appropriate to the proper disposition of the case.

[(e)] (E) If the judge disposes of the case in open court at the conclusion of the hearing, the judge shall advise the defendant on the record of [the] any right to appeal from [the] a final order disposing of the petition and of the time within which the appeal must be taken. [If the case is taken under advisement, the judge shall advise the defendant of the right to appeal by certified mail, return receipt requested.]

(F) If the judge takes the case under advisement, the judge shall dispose of the petition no more than 90 days after the hearing. When the 90-day time period must be delayed, the judge, for good cause shown, may order an extension for a period not longer than 30-days, and promptly shall notify the clerk of courts of the order.

(G) If the judge fails to take action pursuant to paragraph (F) within the 90-day time period, or the 30-day extension, the petition for post-conviction collateral relief shall be deemed denied by operation of law.

(H) When a petition for post-conviction collateral relief is denied by operation of law pursuant to paragraph (G), the clerk of courts shall forthwith enter an order on behalf of the judge that the petition for post-conviction collateral relief is deemed denied. The order is not subject to reconsideration.

(I) When the petition for post-conviction collateral relief is denied by operation of law or dismissed by order of the court,

- (1) the clerk shall forthwith furnish a copy of the order by mail or personal delivery to the attorney for the Commonwealth, the defendant, and defense counsel, if any.

- (2) The order shall advise the defendant of the right to appeal from the final order disposing of the petition, and of the time within which the appeal must be taken.

Official Note: Adopted February 1, 1989, effective July 1, 1989; amended August 11, 1997, effective immediately; amended _____, 2000, effective _____, 2000.

Comment

The judge's power, under paragraph [(a)] (A), to deny a hearing on a specific factual issue is intended to apply when an issue of fact has already been heard fully, but

has never been determined. The judge need not rehear such an issue, but would be required to determine it under paragraph [(d)] (D).

[The 1997 amendment to paragraph (a)(1) requires a hearing on every Commonwealth motion to dismiss due to delay in the filing of a PCRA petition. See 42 Pa.C.S. § 9543(b), as amended in 1995.]

See also Rule 1509 for procedures in death penalty cases.

Except as provided in Rule 1502(e)(2) for first counseled petitions in death penalty cases, no discovery is permitted at any stage of the proceedings, except upon leave of the court with a showing of exceptional circumstances. See 42 Pa.C.S. § 9545(d)(2).

Paragraph (F) was added in 2000 to provide a time limit within which the judge must act pursuant to this rule. The judge may order one 30-day extension of time, and promptly must notify the clerk of courts of the order.

Pursuant to paragraph (G), if the judge fails to act, the petition for post-conviction collateral relief is deemed denied by operation of law. If the petition is denied by operation of law, paragraph (H) requires that the clerk of courts enter an order denying the petition on behalf of the judge. Paragraph (I) requires the clerk to immediately notify the attorney for the Commonwealth, the defendant, and defense counsel, if any, that the petition has been denied by operation of law or dismissed by order of the court. This notice is intended to protect the defendant's right to appeal.

The clerk of courts must comply with the notice and docketing requirements of Rule 9025 with regard to any orders entered pursuant to this rule.

Committee Explanatory Reports:

Final Report explaining the August 11, 1997 amendments published with the Court's Order at 27 Pa.B. 4305 (August 23, 1997).

Report explaining the proposed amendments concerning time limits on dispositions, extensions of time, and the deemed denied provisions published at 29 Pa.B. 6466 (December 25, 1999).

Rule 1509. Procedures for Petitions in Death Penalty Cases: Stays of Execution of Sentence; Hearing; Disposition

* * * * *

(B) Hearing; Disposition

(1) No more than 20 days after the Commonwealth files an answer pursuant to Rule 1506(e)(1) or (e)(2), or if no answer is filed as permitted in Rule 1506(e)(2), within 20 days after the expiration of the time for answering, the judge shall review the petition, the Commonwealth's answer, if any, and other matters of record relating to the defendant's claim(s), and shall determine whether an evidentiary hearing is required.

[(C)] (2) If the judge is satisfied from this review that there are no genuine issues concerning any material fact, **[that]** the defendant is not entitled to post-conviction collateral relief, and **[that]** no purpose would be served by any further proceedings,

[(1)] (a) * * *

[(2)] (b) The defendant may respond to the proposed dismissal **[by filing a request for oral argument]** within 20 days of the date of the notice.

[(3)] (c) No later than 90 days from the date of the notice, or from the date of the **defendant's response [oral argument, if granted]**, the judge shall:

[(a)] (i) dismiss the petition[,] and issue an order to that effect [, and advise the defendant by certified mail, return receipt requested, of the right to appeal from the final order disposing of the petition and of the time within which the appeal must be taken];

[(b)] (ii) * * *

[(c)] (iii) * * *

[(D)] (4) * * *

(5) When the 90-day time period in paragraphs (B)(3) and (B)(4) must be delayed, the judge, for good cause shown, may order an extension for a period not longer than 30-days, and promptly shall notify the clerk of courts of the order.

(6) If the judge fails to take action pursuant to paragraphs (B)(3) and (B)(4) within the 90-day time period, or the 30-day extension, the petition for post- conviction collateral relief shall be deemed denied by operation of law.

(7) When a petition for post-conviction collateral relief is denied by operation of law pursuant to paragraph (B)(6), the clerk of courts shall forthwith enter an order on behalf of the judge that the petition for post- conviction collateral relief is deemed denied. The order is not subject to reconsideration.

(8) When the petition for post-conviction collateral relief is denied by operation of law or dismissed by order of the court,

(a) the clerk shall forthwith furnish a copy of the order by mail or personal delivery to the Prothonotary of the Supreme Court, the attorney for the Commonwealth, the defendant, and defense counsel, if any.

(b) The order shall advise the defendant of the right to appeal from the final order disposing of the petition, and of the time within which the appeal must be taken.

[(E) Failure of the judge to dispose of the petition within 90 days as required by paragraphs (C)(3) and (D) may result in the imposition of sanctions.]

Official Note: Previous Rule 1509 adopted February 1, 1989, effective July 1, 1989; renumbered Rule 1510 August 11, 1997, effective immediately. Present Rule 1509 adopted August 11, 1997, effective immediately; amended July 23, 1999, effective September 1, 1999; **amended _____, 2000, effective _____, 2000.**

Comment

* * * * *

Paragraph (A)(2) provides that, if a stay of execution is granted, the stay will remain in effect throughout the PCRA proceedings in the trial court and during the appeal to the Pennsylvania Supreme Court.

It is intended that once a determination is made under paragraph (B)(4) of this rule that an evidentiary hearing is required, the provisions of Rule 1508(C), (D), and (E) apply.

Paragraph (B)(5) was added in 2000 to permit the judge to order one 30-day extension of the 90-day time limit within which the judge must act pursuant to this rule. The judge promptly must notify the clerk of courts of the order.

Pursuant to paragraph (B)(6), if the judge fails to act, the petition for post-conviction collateral relief is deemed denied by operation of law. If the petition is denied by operation of law, paragraph (B)(7) requires the clerk of courts to enter an order denying the petition on behalf of the judge. Paragraph (B)(8) requires the clerk to immediately notify the Prothonotary of the Supreme Court, the attorney for the Commonwealth, the defendant, and defense counsel, if any, that the petition has been denied. This notice is intended to protect the defendant's right to appeal.

The clerk of courts must comply with the notice and docketing requirements of Rule 9025 with regard to any orders entered pursuant to this rule.

[It is intended that once a determination is made under this rule that an evidentiary hearing is required, the provisions of Rule 1508(c), (d), and (e) apply.]

Committee Explanatory Reports:

Final Report explaining the August 11, 1997 adoption of new Rule 1509 published with the Court's Order at 27 Pa.B. 4305 (August 23, 1997).

Final Report explaining the July 23, 1999 amendments concerning stays published with the Court's Order at 29 Pa.B. 4167 (August 7, 1999).

Report explaining the proposed amendments concerning extensions of time and the deemed denied provisions published at 29 Pa.B. 6466 (December 25, 1999).

REPORT

Proposed Amendments to Pa.Rs.Crim.P. 1507, 1508, and 1509

**Petition for Post-Conviction Collateral Relief
Disposition: Time Limits, Extensions, Deemed
Denied**

I. Background

In 1997, the Committee submitted to the Court a proposal for amendments to Rules 1507, 1508, and 1509 intended to fill in some procedural gaps related to the 1997 suspension of the Capital Unitary Review Act (CURA) and the correlative amendments to Chapter 1500 of the Criminal Rules. Specifically, the proposal imposed time limits on the disposition of petitions for post-conviction collateral relief in noncapital cases, permitted extensions of the time for disposition, and provided for sanctions.² In 1999, at the request of the Court, the Committee reexamined that portion of the proposal concerning extensions. Our reexamination expanded to take in the question of sanctions, and whether the rules should provide specific sanctions. Keeping in mind the principle purpose of the original proposal—to reduce delays and

² Because of the close interrelationship between the "CURA" suspension, the 1997 amendments to Chapter 1500, and this 1997 proposal, the Committee had submitted the proposal to the Court without publication pursuant to Pa.R.J.A. 103.

promote judicial economy, thereby moving cases along expeditiously yet fairly—the Committee agreed that the original proposal should be withdrawn, and the original proposal modified to reduce the time for an extension from 90 days to 30 days and to implement a deemed denied procedure when the judge fails to act on the petition within the 90 days plus the 30-day extension.

II. Discussion of Proposed Rule Changes

A. Background

1. Time Limits

Following the Court's suspension of "CURA" and the amendments to Chapter 1500 that included time limits on the judge's disposition of the petition for post-conviction collateral review in death penalty cases, the Committee was advised by the Court that it wanted the PCRA rules to include a time limit on the trial court's disposition of PCRA petitions in noncapital cases. In deciding on a time limit, the Committee looked to Rule 1509 (Procedures for Petitions in Death Penalty Cases: Hearing; Disposition), promulgated in August 1997, which provides a 90-day time limit for the disposition of petitions in death penalty cases, and agreed it makes sense to have uniform dispositional time limits for all PCRA cases—a uniform time limit makes it easier for the trial judges to monitor their PCRA dispositions, and reduces delays. Concluding that a 90-day time limit is reasonable, the Committee is proposing the same 90-day time limit in noncapital cases. See Rules 1507(E) and 1508(F).

2. Extensions of the 90-Day Time Limit on Disposition in Capital and Noncapital Cases

The original proposal had included a provision for the trial judge to petition the Court for an extension of time for cause shown. The Committee had reasoned if the Court was going to mandate deadlines, i.e., the 90-day time limit on disposition of the PCRA petition, with the possibility of sanctions for failing to comply with the time limits, then, in certain circumstances, extensions of the deadline would be appropriate. We agreed that there would be cases in which the judge would need additional time to fully and fairly consider all the information before disposing of the petition, and that the rules should include some type of safety valve for these exceptional circumstances.

The Court asked the Committee to reconsider this portion of the proposal. The Committee briefly considered whether there were any viable alternatives to a petition to the Court. We rejected possible alternative procedures that would have the judge file a petition with the president judge or the court administrator in favor of a procedure that would permit the trial court, on its own motion, to extend the time limit. Although the original proposal had provided a 90-day extension, on reflection, consistent with the principle of moving these cases along, the Committee concluded that a 30-day extension would afford the judge adequate additional time for the disposition of the petition. See Rules 1507(F), 1508(F), and 1509(B)(5).

3. Deemed Denied Provisions

The Committee's discussion concerning sanctions resulted in the members considering various means of insuring that the judge acted within the time limits set by the rule. We settled upon a procedure that is comparable to the Rule 1410 (Post-Sentence Procedures; Appeal) deemed denied procedure. In all cases, if the judge fails to act within the time limits, the petition for post-conviction collateral relief would be deemed denied and the clerk of

courts would issue an order to that effect. See Rules 1507(G), (H), (I), 1508(G), (H), (I), and Rule 1509(B)(6), (7), (8).

4. "Housekeeping" Changes

In the course of our discussions, the Committee agreed to several changes that are editorial or "housekeeping" in nature. These include conforming the Rules 1507, 1508, and 1509 by changing references to "PCRA petition" or "petition for post-conviction relief" to "petition for post-conviction collateral relief," and adding "if any" after "defense counsel" in all three rules.

B. Rule 1507

Rule 1507 has been reorganized to more clearly distinguish the procedures in the rule. Paragraph (A) consists of what is currently the first sentence, thereby setting forth only the requirement that the judge review the petition, any answer, and other matters of record relating to the defendant's claim. The second two sentences of current paragraph (A) concerning the procedures before a dismissal without a hearing have been moved to become new paragraph (D). The Committee agreed that it made sense to have current paragraphs (B) and (C) concerning granting petitions or portions of petitions precede the provisions for dismissing petitions. The last sentence of current paragraph (A) has been moved into new paragraph (E). Current paragraph (D) has been deleted and the notice provisions have been incorporated into new paragraph (I).

In addition to the reorganizational changes, the Committee is proposing a number of substantive and clarifying changes. Paragraph (B) has been amended by adding "if an answer has been filed" to the beginning. This amendment and the correlative provision added to the Comment are intended to make it clear that the judge may not grant a petition without a hearing unless an answer has been filed either voluntarily or pursuant to court order.

New paragraphs (E) and (F) establish the time limits on judges' dispositions of petitions for post-conviction collateral relief. Paragraph (E) requires that the judge act within a 90-day period following the notice required in paragraph (D) or the defendant's response, if any, and requires the judge to either dismiss the petition, grant leave for the defendant to file an amended petition, or order an evidentiary hearing. Paragraph (F) permits the judge to order an extension of the 90-day time period for good cause. The extension may not be longer than 30-days. When the judge orders the extension, he or she must insure that the clerk of courts receives a copy of the order for purposes of the deemed denied provisions in new paragraphs (G) and (H).

New paragraphs (G) and (H) set forth the deemed denied procedures. When the judge fails to act within the 90-day time limit set forth in paragraph (G) or the 30-day extension, the petition will be deemed denied by operation of law. When this occurs, paragraph (H) requires that the clerk of courts forthwith enter an order on behalf of the judge that the petition is deemed denied.

New paragraph (I) requires the clerk of courts to send a copy of the judge's order dismissing a petition or the order denying the petition by operation of law to the attorney for the Commonwealth, the defendant, and the defendant's attorney, if any. The order must advise the defendant of the right to appeal from the final order disposing of the petition and the time within which to appeal.

Finally, correlative changes have been made to the Comment.

C. Rule 1508

For the most part, the proposed changes to Rule 1508(F), (G), (H), and (I) are the same as the proposed changes to Rule 1507(F), (G), (H), and (I) discussed above. In addition to these changes, the Committee agreed that Rule 1508(E), which provides for the judge either to dispose of a case in open court or take the case under advisement, would have to be amended in order to incorporate the 90-day time limit. We have deleted the provision for the judge to take the case under advisement from paragraph (E), and added it to new paragraph (F), which also includes the 90-day time limit for the disposition of the petition after the evidentiary hearing. Paragraph (E) also has been modified by changing "the right" to "any right" and "the final order" to "a final order" to clarify that the provision only applies to cases in which the petition is dismissed in part or in its entirety.

Finally, paragraph (A)(1) has been amended by adding "pursuant to 42 Pa.C.S. § 9543(b)" after "motion to dismiss" and the correlative comment provision has been deleted to emphasize this statutory provision, and make it clear that the hearing requirement only applies to motions to dismiss due to a Section 9543(b) delay.

D. Rule 1509

The proposed changes to Rule 1509(B)(5), (6), (7), and (8) are the same as the proposed changes to Rule 1507(F), (G), (H), and (I) discussed above. Correlative to the addition of the deemed denied provisions in paragraphs (B)(6) and (B)(7), the language after "that effect" to the semi-colon in current paragraph (C)(3)(a) and current paragraph (E) have been deleted as no longer necessary.

In addition to these changes, the Committee is proposing the deletion of "by filing a request for oral argument" from paragraph (B)(2)(b). During our reexamination of Rule 1509, we considered this requirement. The Committee agreed that the form of answer need not be limited to a request for oral argument, and noted that the judge may hear argument in the appropriate case.

[Pa.B. Doc. No. 99-2164. Filed for public inspection December 23, 1999, 9:00 a.m.]

Title 246—MINOR COURT RULES

PART I. GENERAL

[246 PA. CODE CH. 300]

Order Amending Rule 313 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices; No. 121; Magisterial Doc. No. 1; Book No. 2

Order

Per Curiam:

Now, this 6th day of December 1999, upon the recommendation of the Minor Court Rules Committee, Rule 313 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices, is amended to read as follows. In addition, a Final Report is to be published with this *Order*.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective July 1, 2000.

Annex A

TITLE 246. MINOR COURT RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

Rule 313. Service Outside the Commonwealth.

When service of the complaint is to be made upon a defendant outside the Commonwealth, it shall be made:

* * * * *

(2) by certified or registered mail as provided by Rule 308, 309 or 310, whichever is applicable;

(a) [**but**] if the registered or certified mail is returned with a notation by the postal authorities that receipt was refused, then the district justice may [**make service**] **serve the complaint** by sending a copy of the complaint by ordinary mail to the same address with the return address on the envelope [**, unless the ordinary mail is returned**]. **Service by ordinary mail is complete if the mail is not returned to the sender with fifteen days after the mailing; or**

(b) **if the mail is returned with a notation by the postal authorities that it was unclaimed, the plaintiff shall make service by another means pursuant to these rules, or**

(3) in the manner provided or prescribed by the law of the place in which service is to be made for service in that place in an action in any of its courts of general jurisdiction.

* * * * *

FINAL REPORT¹

On December 6, 1999, upon the recommendation of the Minor Court Rules Committee, the Supreme Court amended Rule 313 (Service Outside the Commonwealth) of the Rules of Conduct, Office Standards and Civil Procedure for District Justices. This amendment provides what form of service is required when service of a complaint is attempted by certified or registered mail and the mail is returned with a notation by the postal authorities that it was "unclaimed."

The Committee began its review of this Rule after it received a letter which stated that although Rule 313 provides that when service of a complaint is attempted by certified or registered mail and the mail is returned with a notation by the postal authorities that it was "refused," service may then be made by sending a copy of the complaint by ordinary mail to the same address with the return address on the envelope. The Rule was silent on what form of service is required when service of a complaint is attempted by certified or registered mail and the mail is returned with a notation by the postal authorities that it was "unclaimed."

The Committee after considering this issue, including a review Rule 403 (Service by Mail) of the Rules of Civil Procedure, have decided that when service of a complaint is attempted by certified or registered mail and the mail

¹ The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

is returned with a notation by the postal authorities that it was "unclaimed." Then, service may be made by another means pursuant to these rules.

[Pa.B. Doc. No. 99-2165. Filed for public inspection December 23, 1999, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Procedure Implementing Pa.R.C.P. No. 236; General Court Regulation No. 99-04

Pennsylvania Rule of Civil Procedure No. 236 requires that the Prothonotary give immediate written notice of the entry of an Order, Decree or Judgment as provided in the Rule.

In the First Judicial District of Pennsylvania, notice as required by Pa.R.C.P. No. 236 is often sent by the Judicial staff or by personnel supporting the Office of the Prothonotary or other First Judicial District offices.

To achieve uniformity in sending notices as required by Pa.R.C.P. No. 236, and in order to specifically authorize First Judicial District staff to send such notices, from time to time, the President Judge may designate certain First Judicial District personnel as "Minute Clerks" who shall thereafter assist the Prothonotary in sending notices pursuant Pa.R.C.P. No. 236.

This General Court Regulation is issued in accordance with Pa.R.C.P. No. 236 and shall become effective immediately. As required by Pa.R.C.P. No. 236, the original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Supreme Court's Civil Procedural Rules Committee. Copies of the Regulation shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District. The General Court Regulation will also be posted on the First Judicial District's website at <http://courts.phila.gov>.

By the Court

ALEX BONAVIDACOLA,
President Judge

[Pa.B. Doc. No. 99-2166. Filed for public inspection December 23, 1999, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Bridgette Harris, having been suspended from the practice of law in the United States Bankruptcy Court for the District of Maryland until further order of that court, the Supreme Court of

Pennsylvania issued an Order dated December 9, 1999, that Bridgette Harris is suspended from the practice of law in this Commonwealth consistent with the Order of the United States Bankruptcy Court for the District of Maryland dated June 14, 1999. In accordance with the Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 99-2167. Filed for public inspection December 23, 1999, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 9]

[Correction]

Managed Care Organizations

Two errors appeared in the document proposing new regulations at 29 Pa.B. 6409 (December 18, 1999). The errors were in §§ 9.676(c) and 9.721 (relating to emergency services; and applicability). The correct version of the sections appears in Annex A, with ellipses referring to the existing text of the proposed regulations.

Annex A

TITLE 28. HEALTH AND SAFETY

PART I. GENERAL HEALTH

CHAPTER 9. MANAGED CARE ORGANIZATIONS

Subchapter H. AVAILABILITY AND ACCESS

§ 9.672. Emergency services.

* * * * *

(c) A plan shall apply the prudent layperson standard to the enrollee's presenting symptoms and services provided in adjudication related claims for emergency services

* * * * *

Subchapter J. HEALTH CARE PROVIDER CONTRACTS

§ 9.721. Applicability.

This subchapter applies to provider contracts between managed care plans subject to Act 68 and health care providers; HMOs subject to the HMO Act and IDSs; and IDSs and health care providers.

[Pa.B. Doc. No. 99-2161. Filed for public inspection December 17, 1999, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 14, 1999.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-14-99	The Fidelity Deposit and Discount Interim Bank Dunmore Lackawanna County	Blakely and Drinker Streets Dunmore Lackawanna County	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-1-99	Sun Bank Selinsgrove Snyder County	2 East Mountain Road South Williamsport Lycoming County	Opened
12-7-99	Laurel Trust Company Johnstown Cambria County	509 East Main Street Somerset Somerset County	Opened
12-10-99	Northwest Savings Bank Warren Warren County	45 Williamson Road Greenville Mercer County	Filed
12-10-99	Northwest Savings Bank Warren Warren County	30 Trinity Point Drive Washington Washington County	Filed
12-10-99	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	White Horse Village 535 Gradyville Road Newtown Square Delaware County	Filed
12-13-99	The Peoples State Bank East Berlin Adams County	Eastern Boulevard and Kingston Road York York County	Approved

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-2168. Filed for public inspection December 23, 1999, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of January 2000

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of January 2000, is 9%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 6.42 to which was added 2.50 percentage points for a total of 8.92 that by law is rounded off to the nearest quarter at 9%.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-2169. Filed for public inspection December 23, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

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

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

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

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

PA 0063321. Sewerage. **Ararat Township Supervisors**, R. R. 1, Box 23F, Thompson, PA 18465.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Fiddle Lake Creek in Herrick Township, **Susquehanna County**.

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

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

The proposed effluent limits for Outfall 001 based on a design flow of .035 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	monitor and report 1.2		monitor and report 2.8

The EPA waiver is in effect.

PA 0030139. Sewerage. **Pennsylvania Department of Corrections**, P. O. Box 598, Camp Hill, PA 17001.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into East Fork of Harveys Creek in Jackson Township, **Luzerne County**.

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

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

The proposed effluent limits for Outfall 001 based on a design flow of .450 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N (5-1 to 10-31) (11-1 to 4-30)	2.5 7.5	5 15
Dissolved Oxygen	a minimum of 5 mg/l at all times	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine 1st Month thru 36th Month 37th Month thru Expiration	monitor and report .23	monitor and report .53

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 0085936. Industrial waste, SIC: Code 5171, **Petroleum Products Corporation**, Eldorado Petroleum Storage Terminal, 900 Eisenhower Boulevard, P. O. Box 2621, Harrisburg, PA 17105.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Beaverdam Branch Juniata River, in Allegheny Township, **Blair County**.

The receiving stream is classified for trout stocking, 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 United Water Co. located in Harrisburg, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfalls 001 and 002:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons	XXX	monitor and report	XXX

The proposed requirements for Outfalls 003 and 004 are the management practices prohibiting discharge of stormwater with a visible sheen.

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

The EPA waiver is in effect.

PA 0086690. Industrial waste, SIC Code 3357, **Kalas Manufacturing, Inc.**, Plant No. 2, 25 Main Street, Denver, PA 17517.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Stony Run, in East Cocalico Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.039 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	XXX	26	XXX
Total Suspended Solids	XXX	19	XXX
Oil and Grease	15	29	30
Temperature		110°F daily average	
pH		6—9	

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

The EPA waiver is in effect.

PA 0088315. Sewage, SIC Code 6514, **James and Debra Halbleib**, 2512 River Road, Bainbridge, PA 17502.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of the Susquehanna River, in Conoy Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
5-day CBOD	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	monitor	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliforms	200/100 ml as a geometric average	
(5-1 to 9-30)	100,000/100 ml as a geometric average	
(10-1 to 4-30)		

To make an appointment to review the DEP files on this case call 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, (570) 327-3670.

PA 0209007. Sewerage, SIC: 4952, **Pine View Realty c/o Apex Homes, Inc.**, 247 US Highway 522N, Middleburg, PA 17842.

This proposed action is for renewal of an NPDES permit to discharge treated sewage wastewater to an unnamed tributary of North Branch Mahantango Creek in Washington Township, **Snyder County**.

The receiving stream is classified for the following uses: cold water fishery, 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 Dauphin Consolidated Water Company located at Dauphin approximately 35 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0094 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			
(6-1 to 10-31)	10		20
(11-1 to 5-31)	20		40
TSS			
(6-1 to 10-31)	10		20
(11-1 to 5-31)	20		40
Ammonia-N			
(6-1 to 10-31)	3		6
(11-1 to 5-31)	9		18
Total Cl ₂ Residual	report		
Fecal Coliforms	200 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

PA 0008591. Industrial waste, SIC: 2631, **NGC Industries, Inc.**, P. O. Box 338, Milton, PA, 17847.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to West Branch Susquehanna River in White Deer Township, **Union 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 3 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.204 mgd, are:

Parameter	Concentration (mg/l)			Mass (lbs/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
C-BOD ₅	100	150	200	750	1,125
TSS	100	150	200	750	1,125
Oil and Grease	15	30	30		
pH	6.0—9.0 at all times				

The EPA waiver is in effect.

PA 0009032. Industrial waste, **GTE Operations Support, Inc.**, 1255 Corporate Drive, Irving, TX 75038.

This proposed action is for renewal of an NPDES permit for an existing discharge of groundwater for hydraulic containment to West Branch Susquehanna River in Muncy Township, **Lycoming County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 002, based on a design flow of 0.109 mgd, are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
trichloroethylene	report		
1, 1, 1 trichloroethane	report		
1, 1 dichloroethene	report		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

PA 0112771. SIC: 4952, **Port Matilda Borough Authority**, Municipal Authority, Port Matilda, PA 16870.

This proposed action is for issuance of an NPDES permit for an existing discharge of treated sewage to Bald Eagle Creek in Worth Township, **Centre County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is located at Lock Haven on Bald Eagle Creek, 46.9 miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.08 mgd, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia-N			
(6-1 to 10-31)	8	12	16
(11-1 to 5-31)	24	36	48
Total Dissolved Phosphorous	2.0	3.0	4.0
Flow (mgd)	report		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH (Std Units)	6.0—9.0 at all times		
Fecal Coliform			
(5-1 to 10-31)	200#/100 ml as a geometric average		
(10-1 to 4-30)	2,000#/100 ml as a geometric average		

Other Conditions: None

The EPA waiver is in effect.

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

PA 0006131. Industrial waste, SIC: 3312, **LTV Steel Company, Inc.**, 200 Public Square, Cleveland, OH 44114-2308.

This application is for renewal of an NPDES permit to discharge stormwater and groundwater from the Pittsburgh Works in Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters Monongahela River, 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 PA-American Water Company, located at 400 Cooke Lane, Pittsburgh, PA 15234, 0.15 mile below the discharge point.

Outfall 018: existing stormwater discharge.

<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>
Fecal Coliform (#/100 ml)					monitor and report
Iron					monitor and report
Zinc					monitor and report

Outfall 020: existing discharge, discharge flow greater than 75 gpm.

<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				
Ammonia (as N)					monitor and report
Iron					monitor and report
Zinc					monitor and report
Benzene					monitor and report
Naphthalene					monitor and report
Phenol					monitor and report
pH	not less than 6.0 nor greater than 9.0				

Outfall 020: existing discharge, discharge flow of less than or equal to 75 gpm.

<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				
Ammonia (as N)					monitor and report
Iron					monitor and report
Zinc					monitor and report
Benzene			0.001		0.003
Naphthalene			0.01		0.03
Phenol			0.01		0.03
pH	not less than 6.0 nor greater than 9.0				

Outfall 021: existing discharge, discharge flow greater than 75 gpm.

<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				
Ammonia (as N)					monitor and report
Iron					monitor and report
Zinc					monitor and report
Benzene					monitor and report
Naphthalene					monitor and report
Phenol					monitor and report
pH	not less than 6.0 nor greater than 9.0				

Outfall 021: existing discharge flow less than or equal to 75 gpm.

<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				
Ammonia (as N)					monitor and report
Iron					monitor and report
Zinc					monitor and report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzene			0.001		0.003
Naphthalene			0.01		0.03
Phenol			0.01		0.03
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Required to submit a Pollution Reduction Report for Outfalls 018, 020 and 021 within 1 year after issuance of the final permit.

The EPA waiver is not in effect.

PA 0097624. Industrial waste, SIC: 5171, **Glassmere Fuel Service**, 1967 Saxonburg Boulevard, Tarentum, PA 15084.

This application is for renewal of an NPDES permit to discharge treated stormwater from the Glassmere Fuel Service facility in West Deer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Unnamed Tributary to Little Deer Creek, classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Oakmont Borough Municipal Authority, located at Oakmont, on the Allegheny River, over 11 river miles below the discharge point.

Outfall 001: existing discharge, design flow of 2.4 gallons per day.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Recoverable Petroleum Hydrocarbons					monitor and report

Other Conditions: Chemical additives, control floating solids, solids disposal, stormwater conditions, petroleum marketing terminal conditions and prohibition of hydrostatic test water discharge.

The EPA waiver is in effect.

PA 0216712. Industrial waste, SIC: 4941, **Municipal Authority of the City of New Kensington**, P. O. Box 577, New Kensington, PA 15068.

This application is for renewal of an NPDES permit to discharge treated process water and untreated stormwater from the MACNK H. Burns Smith Water Treatment Plant in the City of New Kensington, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Municipal Authority of New Kensington, located near Outfalls 001/002 on the Allegheny River, at the discharge point.

Outfall 001: existing discharge, design flow of 0.387 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Iron (Total)			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.17
pH	not less than 6.0 nor greater than 9.0 s.u.				

Other Conditions: Residual solids control, floating solids control, stormwater conditions, chemical additive requirements, Total Residual Chlorine conditions.

The EPA waiver is in effect.

Outfalls 002, 003 and 004: existing stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oil and Grease					monitor and report
Biological Oxygen Demand (BOD ₅)					monitor and report
Chemical Oxygen Demand (COD)					monitor and report
Total Suspended Solids					monitor and report
Total Kjeldahl Nitrogen					monitor and report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Nitrate plus Nitrite Nitrogen					monitor and report
Total Phosphorus					monitor and report
Iron (Total)					monitor and report
Aluminum					monitor and report
Manganese					monitor and report
Total Residual Chlorine					monitor and report
pH (standard units)					monitor and report

PA 0034282. Sewage, **Maple Grove Modulars, Inc.**, P. O. Box 263, Slovan, PA 15078.

This application is for renewal of an NPDES permit to discharge treated sewage from Maple Grove Trailer Court in Robinson Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as St. Patrick 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: Midland Borough Water Authority.

Outfall 001: existing discharge, design flow of .0075 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅ Day	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)	20,000/100 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 0041785. Sewage, **Frey Family Limited Partnership and Northern Allegheny Stone Company, Inc.**, 5540 North Montour Road, Gibsonia, PA 15044.

This application is for renewal of an NPDES permit to discharge treated sewage from Lardintown Sewage Treatment Plant formerly known as Allegheny Coal Mine Sewage Treatment Plant in Fawn Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Lardintown Run, which are classified as a trout stocked 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: New Kensington Municipal Water Authority located on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.01085 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅ Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 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 0097535. Sewage, **Trans Technology Corporation**, Breeze Industrial Products, 100 Aero-Seal Drive, Saltsburg, PA 15681.

This application is for renewal of an NPDES permit to discharge treated sewage from Breeze Industrial Park STP in Conemaugh Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Elders 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 Borough Waterworks.

Outfall 001: existing discharge, design flow of .002 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 Day	20			40
Suspended Solids	20			40
Ammonia Nitrogen				
(5-1 to 10-31)	9.2			18.4
(11-1 to 4-30)	27.6			55.2
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	7,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
Ph	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0218324. Sewage, **Scott Statler**, R. D. 7, Box 261-B, Greensburg, PA 15601.

This application is for issuance of an NPDES permit to discharge treated sewage from the Statler Commercial Development Sewage Treatment Plant in Unity Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary to Fourmile 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: Buffalo Township Municipal Authority Freeport.

Outfall 001: new discharge, design flow of 0.0008 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 Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	18			36
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	monitor and report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0101940. Sewage. **Country Estates Mobile Home Park**, R. D. 2, Box 12A, Kennerdale, PA 16374-8706.

This application is for renewal of an NPDES Permit, to discharge treated sewage to Trout Run in Clinton Township, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Emlenton Water Company on Allegheny River located at river mile 90.0 and is located 21.5 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0105 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0090182. Sewage. **Concordia Lutheran Ministeries**, 615 North Pike Road, Cabot, PA 16023.

This application is for renewal of an NPDES Permit to discharge treated sewage to the Unnamed Tributary to Little Buffalo Creek in Jefferson Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: high-quality trout stocking 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 first point of free flowing stream use on the Unnamed Tributary to Little Buffalo Creek located in Jefferson Township, Butler County approximately 0.85 mile below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.06 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	10	20
Ammonia-Nitrogen (5-1 to 10-31) (11-1 to 4-30)	2.5 7.5	5 15
Nitrate-Nitrite	12	24
Total Phosphorus (4-1 to 10-31)	1	2
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.0
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0104035. Sewage. **Daily Bread Cafe**, R. D. 1, Box 214B, Port Allegany, PA 16743.

This application is for renewal of an NPDES Permit, to discharge treated sewage to an Unnamed Tributary to the Allegheny River in Liberty Township, **McKean 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 State of New York on the Allegheny River located at river mile 264.0 and is located approximately 15.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.002 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0222933. Industrial waste, SIC: 3317. **Sharon Tube Company**, 20 Church Street, Wheatland, PA 16161.

This application is for a new NPDES Permit, to discharge treated sulfuric acid pickling, alkaline cleaning, NCCW, furnace filter blowdown and stormwater to the Shenango River in Wheatland Borough, **Mercer County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA American Water on the Shenango River located at New Castle, approximately 23 miles below point of discharge.

The proposed discharge limits for Outfall No. 101, based on a design flow of 0.037 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Lead	XX	XX	0.12
Zinc	XX	XX	0.16
Oil and Grease	XX	XX	13.9
Total Suspended Solids	XX	XX	35.0
Dissolved Iron	XX	XX	XX
Total Iron	XX	XX	XX
pH		6.0 to 9.0 at all times	

The proposed discharge limits, based on a design flow of 0.0736 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Oil and Grease	15		30
Dissolved Iron	7.0		17.5
Total Iron	XX		XX
pH		6.0 to 9.0 at all times	

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

Outfall No. 002

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
This discharge consists of uncontaminated stormwater runoff. Refer to Special Condition A in Part C of this permit.			

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0083551	North Carolina Associates Chesapeake Estates 585 Martin Road Gettysburg, PA 17325	Adams County Tyrone Township	Conewago Creek	

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

Application received under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

WQM Permit No. 1799403. Sewerage. Submitted by **Charles R. Brown III**, R. D. 1, Box 240A, Dubois, PA 15801. The application was received by the Northcentral Regional Office on November 15, 1999. This application is to construct and operate a single residence sewage treatment system in Sandy Township, **Clearfield County**.

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

A. 466S15-A3. Sewerage. **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642-2018. Application for the modification and operation of a Retention Tank to serve

the Long Run Pump Station located in North Huntingdon Township, **Westmoreland County**. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

A. 0299401. Sewerage. **Sewickley Hills—Kilbuck Run Sanitary Authority**, Box 283, Sewickley, PA 15143. Application for the construction and operation of the Sewickley Hills—Kilbuck Run Sewage Treatment Plant located in Sewickley Hills Borough, **Allegheny County**.

A. 1171403-A2. Sewerage. **Cambria Township Sewer Authority**, 184 Municipal Rd., P. O. Box 247, Revloc, PA 15948. Application for the modification and operation of a pump station to serve the East Highland Avenue located in Cambria Township, **Cambria County**.

A. 3299405. Sewerage. **Conemaugh Township Municipal Water and Sewer Authority**, R. D. 1, Box 206, Saltsburg, PA 15681. Application for the construction and operation of sewers and appurtenances, pump stations, sewage treatment plant and outfall and headwall to serve the Conemaugh Township MWSA STP/Blacklegs located in Conemaugh Township, **Indiana County**.

A. 461S139-A1. Sewerage. **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642-2018. Application for the modification and operation of a Pump Station to serve Stewartsville Road located in North Huntingdon Township, **Westmoreland County**. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

A. 6573448-A4. Sewerage. **North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642-2018. Application for the relocation and operation of the Headworks for the sewage treatment plant to serve the Youghiogheny STP located in North Huntingdon Township, **Westmoreland County**. The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

A. 6599415. Sewerage. **Mill Service, Inc.**, R. D. 1, Box 135A, Yukon, PA 15698. Application for the construction and operation of a sewage treatment plant to serve the Yukon facility located in South Huntingdon Township, **Westmoreland County**.

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

WQM Permit No. 4399429. Sewage, **James D. Gainor**, 26 Manorview Drive, Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in West Salem Township, **Mer- cer County**.

**INDIVIDUAL PERMITS
(PAS)**

NPDES INDIVIDUAL

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

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

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

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

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

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

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

NPDES Permit PAS10-G394. Stormwater. **Michael Sasso**, 225 Valley Park Road, Phoenixville, PA 19460, has applied to discharge stormwater from a construction activity located in Schuylkill Township, **Chester County**, to Unnamed Tributary to Pickering Creek.

NPDES Permit PAS10-G395. Stormwater. **Green Point Farm, Inc.**, 402 Bayard Road, Suite 100, Kennett Square, PA 19349, has applied to discharge stormwater from a construction activity located in Londonderry Township, **Chester County**, to East Branch Big Elk Creek.

NPDES Permit PAS10-G396. Stormwater. **General Residential Properties, Inc.**, 666 Exton Commons, Exton, PA 19341, has applied to discharge stormwater from a construction activity located in Charlestown Township, **Chester County**, to Pigeon Creek.

NPDES Permit PAS10-G397. Stormwater. **PA Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178, has applied to discharge stormwater from a construction activity located in Easttown and Tredyffrin Townships, **Chester County** and Radnor Township, **Delaware County**, to Valley, Crum and Darby Creeks.

NPDES Permit PAS10-G398. Stormwater. **Kiki L. Courtelis**, 3135 Little Elk Creek Road, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in Elk Township, **Chester County**, to Little Elk Creek.

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

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

NPDES Permit PAS10Q066-R. Stormwater. **Pizzo & Pizzo, d.b.a. Fieldstone Associates, L.P.**, Arthur Corsini, 906 A Cross Keys Drive, Doylestown, PA 18901, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS10Q187. Stormwater. **Lower Macungie Township**, Robert Lee, 3400 Brookside Road, Macungie, PA 18062, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS10Q055-R. Stormwater. **Residuary Trust of Andrew Yastishok, Joseph Iudicello**, 6500 Chapmans Road, Allentown, PA 18106-9264, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

Pike County Conservation District, District Manager, HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

NPDES Permit PAS10V029. Stormwater. **Geoffrey Stoddard**, Symphony West Subdiv., R. R. 1, Box 2380, Shohola, PA 18458, has applied to discharge stormwater from a construction activity located in Shohola Township, **Pike County**, to an UNT to Raymondskill Creek.

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

NPDES Permit PAS10U125. Stormwater. **Manorhouse Retirement Centers, Inc.**, 7201 Glen Forest Drive, Richmond, VA 23226, has applied to discharge stormwater from a construction activity located in Hanover Township, **Northampton County** to Monocacy Creek.

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

NPDES Permit PAS10U124. Stormwater. **Bushkill Township**, Attn: Aaron Hook, Secretary/Treasurer, 1114 Bushkill Center Rd., Nazareth, PA 18064, has applied to discharge stormwater from a construction activity located in Bushkill Township, **Northampton County**, to Bushkill Creek (U.N.T.).

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

NPDES Permit PAS10W079. Stormwater. **William B. Stewart and Pamela W. Stewart**, 788 Rural Valley Road, Washington, PA 15301, have applied to discharge stormwater from a construction site located in Buffalo and Canton Townships, **Washington County**.

SAFE DRINKING WATER

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

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

Permit No. 3199501. Public water supply. **The Grier School**, Warriors Mark Township, **Huntingdon County**. *Responsible Official:* Douglas Grier, Director, P. O. Box 308, Route 453, Tyrone, PA 16686. *Type of Facility:* Installation of Liquid chlorination system for Well No. 1. *Consulting Engineer:* Daniel L. Mattern, PE, Consulting Engineer, 1076 East Bishop St., Bellefonte, PA 16823. *Application received:* November 16, 1999.

Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.

A. 1099504. Public water supply. **Municipal Sewer & Water Authority of Cranberry Township**, 2525 Rochester Road, Suite 700, Cranberry Township, PA 16066-6498. This proposal involves the construction of a new 3.0 million gallon reservoir water storage tank along with 3700 LF of 16" transmission main in Cranberry Township, **Butler County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a de-

scription of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Former Internet Facility, East Hempfield Township, **Lancaster County**. County of Lancaster, 50 North Duke Street, Lancaster, PA has submitted a Notice of Intent to Remediate site groundwater contaminated with PCBs, PAHs, BTEX and heavy metals. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer* on December 6, 1999.

Pennfield Farms, Bethel Township, **Lebanon County**. Pennfield Farms, P. O. Box 70, Fredericksburg, PA 17026 has submitted a Notice of Intent to Remediate site soils. The applicant proposes to remediate the site to meet the site-specific standard requirements for pH. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on November 28, 1999.

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

Duferco Farrell, 15 Roemer Boulevard, Farrell, PA, City of Farrell, **County of Mercer**, has submitted a Notice of Intent to Remediate soil and groundwater. The site has been found to be contaminated with PCBs, Lead, Heavy Metals, Solvents, BTEX, PHCs and PAHs. The

applicant has proposed to remediate the site to meet the Statewide Health Standard and the Site Specific Standard. A Notice of the Intent to Remediate was published in the *Herald* on December 1, 1999.

SOLID AND HAZARDOUS WASTE

RESIDUAL WASTE PROCESSING FACILITIES

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

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

Permit ID No. 301332. Enterprise Tire Recycling, 107 Morgan Hill Road, Morgan, PA 15064. Operation of a waste tire processing facility in South Fayette Township, **Allegheny County.** Application withdrawn in the Regional Office on November 17, 1999.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or 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 plan approval and operating permit. Any comments or protests filed with the Departments Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable

requirements in 25 Pa. Code Chapters 121 through 143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

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

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

22-317-012A: Hershey Foods Corp. (Park Avenue Centre, 25 West Chocolate Avenue, Hershey, PA 17033) for a sugar conveying system controlled by a baghouse in Derry Township, **Dauphin County.**

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

49-313-032G: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821) for operation of various pieces of Avermectin process equipment in Riverside Borough, **Northumberland County.**

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-25-095F: Lord Corp., Mechanical Products Division, (1635 West 12th Street, Erie, PA 16514) for operation of a de-smut tank in Erie, **Erie County.**

PA-25-316B: Ethan Allen Cherry Hill Division, (77 South Main Street, Union City, PA 16438) for operation of a wood furniture robotic coating booth in Union City, **Erie County.**

PA-33-145B: Huntingdon Foam Corp. (11 Industrial Park Drive, Brockway, PA 15824) for operation of expandable resin molding in Brockway, **Jefferson County.**

43-308-008A: Cobra Metals, Inc. (3rd Street and Brentwood Avenue, Transfer, PA 16154) for operation of a rotary furnace in Pymatuning Township, **Mercer County.**

Notice of Intent to Issue Title V Operating Permits

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

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

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

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

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

13-00001: Horsehead Resource Development Co. (4th Street and Franklin Avenue, Palmerton, PA 18071) in Palmerton Borough, **Carbon County**. The facility manufactures inorganic pigments and is a major source of Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Carbon Monoxide (CO) and Volatile Organic Compounds (VOCs).

35-00010: MACtac, Inc. (4560 Darrow Road, Stow, OH 44224-1898) in Moosic Borough, **Lackawanna County**. The facility manufactures coated and laminated paper products and is a major source of Volatile Organic Compounds (VOCs).

30-00003: Apollo Metals Ltd. (1001 14th Avenue, Bethlehem, PA 18018-0045) in the City of Bethlehem, **Lehigh County**. The facility manufactures plated and polished metal products and is a major source of Volatile Organic Compounds (VOCs).

40-00004: White Cap Inc. (Valmont Industrial Park, 350 Jaycee Drive, West Hazleton, PA 18201) in Hazle Township, **Luzerne County**. The facility manufactures coated metal crowns and closures and is a major source of Volatile Organic Compounds (VOCs).

40-00007: Bemis Inc. (Valmont Industrial Park, P. O. Box 557, Hazleton, PA 18201) in Hazle Township, **Luzerne County**. The facility is a commercial printing operation and is a major source of Volatile Organic Compounds (VOCs).

40-00009: Techneglas, Inc. (Old Boston Road, R. R. 4, Box 60, Pittston, PA 18640) in Jenkins Township, **Luzerne County**. The facility manufactures pressed and blown glass and is a major source of Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Particulate Matter (PM), Carbon Monoxide (CO) and Volatile Organic Compounds (VOCs).

45-00005: Connaught Laboratories, Inc. (P. O. Box 187, Route 611, Swiftwater, PA 18370) in Pocono Township, **Monroe County**. The facility manufactures pharmaceutical preparations and is a major source of Nitrogen Oxides (NOx) and Sulfur Oxides (SOx).

48-00018: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) in the City of Easton and Wilson Borough, **Northampton County**. The facility manufactures inorganic pigments and is a major source of Nitrogen Oxides (NOx), Sulfur Oxides (SOx), Particulate Matter (PM) and Carbon Monoxide (CO).

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.

TVOP-56-00167: FirstMiss Steel Inc. (P. O. Box 509, Hollsopple, PA 15935) for operation of a specialty steel manufacturing facility in Conemaugh Township, **Somerset County**. The facility has the potential to emit greater than 100 tons of carbon monoxide and has taken a facility wide restriction to 80 tons per year of NOx and 40 tons per year of VOC.

Proposed Approval of Sulfur Dioxide Operating Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services (AMS), will conduct a public hearing on Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, Philadelphia beginning promptly at 6 p.m. and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department, of Sulfur Dioxide Operating Permits, related to emissions of Sulfur Dioxide (SO₂), for the following facilities:

SO2-95-039: Sunoco, Inc. (R&M) (3144 Passyunk Avenue, Philadelphia, PA 19145)

SO₂ Emission limits have been established for combustion sources at the facility.

SO2-95-006: PECO Energy Co., Schuylkill Generating Station (2800 Christian Street, Philadelphia, PA 19146)

SO₂ Emission limits have been established for combustion sources at the facility.

SO2-95-002: Trigen Energy (2600 Christian Street, Philadelphia, PA 19146)

SO₂ Emission limits have been established for combustion sources at the facility.

SO2-95-002A: Grays Ferry Cogeneration Partnership (2600 Christian Street, Philadelphia, PA 19146)

SO₂ Emission limits have been established for combustion sources at the facility.

The operating permits will be issued as corrective action of potential exceedances of the National Ambient Air Quality Standards for Sulfur Dioxide shown in modeling analysis conducted during the review of the Philadelphia Naval Shipyard PSD Permit in 1996. With the authority under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII AMS will issue these permits to address the potential deficiencies of the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Final Sulfur Dioxide Operating Permits will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revisions to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Thomas Huynh (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposals must be received by AMS by January 26, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

Proposed Approval of Equivalency Operating Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services (AMS), will conduct a public

hearing on Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, Philadelphia beginning promptly at 6 p.m., and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department, of an Equivalency Operating Permit, related to emissions of Volatile Organic Compounds (VOCs) for the following facility.

E-95-027: Model Finishing (4949 Cottman Avenue, Philadelphia, PA 19136)

VOC Emission limits have been established for affected emission sources at the facility.

The operating permit will be issued under 25 Pa. Code § 129.51(a)(6) as equivalency for the requirements of 25 Pa. Code § 129.52. With the authority under the Pennsylvania Code Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII AMS will issue this permit to address the potential deficiencies of the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. The Final Equivalency Operating Permit will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revision to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Thomas Huynh (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposal must be received by AMS by January 26, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

PLAN APPROVALS

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

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

54-0004: Gilberton Power Co. (30 Eleanor Avenue, Frackville, PA 17931) for construction and operation of a bottom ash size classifier in West Mahanoy Township, **Schuylkill County**. This installation will result in minimal increases in particulate matter. Particulate emissions will be limited to less than 0.02 grains per dscf and visible air contaminants from the sources are not to be emitted in such a manner that the opacity of the emission is equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any 1 hour; or equal to or greater than 60% at any time. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

36-05067E: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540) for modification of several operations at the existing lead-acid battery manufacturing plant in Upper Leacock Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

36-310-027G: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) for modification of an existing stone-crushing facility in East Cocalico Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-37-268A: Commercial Asphalt Supply, Inc. (155 Route 228 West, R. D. 3, Box 353, Slippery Rock, PA 16057) for modification increasing asphalt production capacity from 120 tons/hour to 250 tons/hour in Scott Township, **Lawrence County**. This application is subject to 40 CFR Part 60, Subpart I.

24-315-009A: Willamette Industries, Inc., Johnsonburg Mill (100 Center Street, Johnsonburg, PA 15845) for ducting of ClO₂ cone buildup in two ClO₂ storage tanks to the ClO₂ generator scrubber during bleach plant outages in Johnsonburg, **Elk County**. Willamette Industries is a Title V facility.

PA-43-316A: Atlantic States Materials of PA, Inc. (State Route 19, P. O. Box 269, Mercer, PA 16137) for operation of an existing non-metallic mineral processing plant (400 tons/hour) in East Lackawannock Township, **Mercer County**.

PA-43-152A: Sharon Tube Co. (20 Church Street, Sharon, PA 16146) for construction of a new cold draw facility in Wheatland, **Mercer County**.

PA-10-267B: Three Rivers Aluminum Co., Inc. (71 Progress Avenue, Cranberry Township, PA 16066) for construction of a two-tone coating process line in Cranberry Township, **Butler County**.

Notice of Intent to Approve Construction

Two Paper Machines

Washington Township, Wyoming County

Procter & Gamble Paper Product Company

The Procter & Gamble Paper Products Company submitted to the Department of Environmental Protection (Department) an application for approval to construct and operate two paper machines at the existing facility located in Washington Township, Wyoming County. The application was submitted under 25 Pa. Code § 127.11 and has been reviewed in accordance with all applicable air quality regulations including the regulations for the Prevention of Significant Air Quality Deterioration (PSD) (40 CFR, Part 52.21). These Federal regulations have been adopted by the Department in their entirety so that the requirements are independently enforceable by the Department.

The PSD regulations require specific sources of air pollution, such as the proposed two paper machines, to satisfy four conditions before approval to construct and operate may be granted by the Department. First, all pollutants that are subject to this regulation must be controlled by best available control technology (BACT). Second, particulate and sulfur dioxide (SO₂) air pollutant emissions must not cause violations of the allowable

annual, 24 hour, or 3 hour air quality class increments applicable in the area where the source is to be located; nor any class increments applicable in any other areas which would be impacted by the source. Third, the maximum allowable increase in concentrations of all pollutants must not cause violation of either the National primary or secondary ambient air quality standards. Finally, the pollutant emissions from the proposed source must not adversely impact upon soils, vegetation and visibility in the vicinity of the proposed plant site.

A preliminary review of the information submitted by the Procter & Gamble Paper Products Company indicates that the construction and operation of the proposed two paper machines will meet all applicable air quality requirements including the four stated above. Based upon these findings, the Department plans to approve the application and issue a permit for the construction of two paper machines.

The information provided by the applicant, and the Department's own analysis indicates that these paper machines will emit 63.9 tons per year of particulate matter (PM); 306 tons per year of carbon monoxide (CO); 380.2 tons per year of volatile organic compounds (VOCs) and 162.2 tons per year of nitrous oxides (NOx). The emissions of these pollutants are within all applicable emissions limitations and will not cause an exceedance of the National Ambient Air Quality Standards. VOC and PM emissions from these two paper machines are offset by the emissions decrease by the company by shutting down the pump mill and related equipment. A decreasing of NOx emissions from the existing boilers by installing low NOx burners will offset NOx emission increase from these two paper machines. No net increase will occur in sulfur dioxide emissions from this project, therefore, the particulate and sulfur dioxide emissions do not affect the allowable annual, 24 hour, or 3 hour air quality class increments applicable in the area. The modeling performed has demonstrated that the proposed net emissions increase in carbon monoxide will not have a significant impact.

In order to assure compliance with the applicable standards, the Department will place the following conditions on the plan approval.

1. Stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department to show compliance with the applicable standards.

2. NOx and CO emissions from boilers Nos. 1, 2 and 3 shall be recorded continuously.

Any person wishing to provide the Department with additional information they believe should be considered prior to the issuance of the Plan Approval may submit the information to the address shown. Each written comment shall include the following:

1. Name and address and telephone number of the person submitting the comment.

2. Identification of the proposed Plan Approval No. 35-315-035.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

Request for a public fact finding conference or hearing may also be made by writing the Department at the address shown. A public conference may be held if the Department in its discretion decides that such a conference is warranted on the basis of the information re-

ceived. All persons who have submitted comments or have requested a conference will be notified of the decision to hold such a conference by publication in this newspaper or in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. All comments and requests must be received by the Department no later than 30 days after final publication date.

James D. Parette, Acting Chief of Engineering Services, Air Quality Program, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2531.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

Proposed Approval of Reasonably Available Control Technology Plans and Permits; Public Hearing

The City of Philadelphia, Department of Public Health, Air Management Services (AMS), will conduct a public hearing on Wednesday, January 26, 2000, in the Auditorium of the Medical Examiners Office, Spelman Building, 321 University Avenue, beginning promptly at 6 p.m. and continuing to 8 p.m. or the conclusion of testimony. The hearing is being held to receive comments from the public on the proposed approval, by the Department of Reasonably Available Control Technology (RACT) plans and permit amendments, related to emissions of nitrogen oxides (NOx) and volatile organic compounds (VOCs), submitted by the following facilities:

PLID 01501: Sunoco, Inc. (R&M) (3144 Passyunk Avenue, Philadelphia, PA 19145)

Sunoco shall install ultra-low NOx burners on six combustion sources and use combustion tuning on all other heaters and boilers. Sunoco shall follow good combustion practices to reduce NOx from its FCCU. Sunoco shall utilize a fugitive emission leak detection and repair program for a tank farm and related piping. Sunoco shall utilize a monitoring/inspection and maintenance-monitoring program for VOC fugitive emissions from cooling towers.

PLID 01561: Aldan Rubber Co. (Aldan) (2701 East Tioga Street, Philadelphia, PA 19134)

Aldan shall control VOC emissions from the Mixing Churns and Spread Coaters by using a Carbon Adsorber Unit.

PLID 02052: Sun Chemical (Sun) (3301 Hunting Park Avenue, Philadelphia, PA 19129)

Sun shall place lids on all mixing tanks, excluding water based and paste inks. Covers will be placed over all storage vessels, except during filling and removing the contents, excluding water based and paste inks. Vapor return lines shall be used on the storage tanks when a delivery tank truck is equipped with a vapor return line connection.

PLID 02197: SBF Communication Graphis (SBF) (3747 Ridge Avenue, Philadelphia, PA 19132)

SBF shall use material substitution to reduce VOC emissions from the printing operations. SBF shall use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68 F.

PLID 02255: Smit-Edwards-Dunlap (2867 East Allegheny Avenue, Philadelphia, PA 19134)

Smith-Edwards-Dunlap shall use material substitution to reduce VOC emissions from the printing operations. Smith-Edwards-Dunlap shall use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F.

PLID 02260: Graphic Arts, Inc. (4100 Chestnut Street, Philadelphia, PA 19104)

Graphic Arts shall use material substitution to reduce VOC emissions from the printing operations. Graphic Arts shall use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F.

PLID 03679: Braceland Brothers, Inc. (7625 Suffolk Avenue, Philadelphia, PA 19153)

Braceland Brothers shall use material substitution to reduce VOC emissions from the printing operations. Braceland Brothers shall use cleaning solutions that are less than 30% by weight as applied or contain a VOC composite partial vapor pressure less than 10 mm Hg at 68°F.

The RACT proposals have been submitted under requirements of Title 25 of the Pennsylvania Code, Chapter 129, Stationary Sources of NO_x and VOCs (129.91—129.95). Final RACT plan and permit approval actions will be submitted to the Department of Environmental Protection and the United States Environmental Protection Agency as formal revisions to the Philadelphia portion of the Pennsylvania State Implementation Plan for Air Quality.

Copies of the proposals and other supporting information are available for public inspection at the offices of AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, please contact Thomas Huynh, Chief of Source Registration at (215) 685-7572.

Anyone interested in testifying on the proposals at the public hearing is requested to call or write AMS (as indicated above) to be placed on the hearing agenda. It is also requested that written copies of testimony be provided for the hearing record. All written comments on the proposals must be received by AMS by January 26, 2000, in order to be considered.

Persons with a disability, who desire to attend the public hearing and may require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact AMS at (215) 685-7572 to discuss how the Department may accommodate their needs.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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 applicable 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 86.13—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 Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Notice of Action on First Land Applications of Nonexceptional Value Sewage Sludge Under General Permit PAG-8 or PAG-9

14998002. The Department of Environmental Protection (Department) has previously approved coverage under General Permit PAG-8 for the generators of nonexceptional quality sewage sludge listed. General Permit PAG-08-9901 authorizes the beneficial use of residential septage by land application to agricultural land, forest or a reclamation site. The purpose of this notice is to advise the public that the Department has reviewed the Notice for First Land Application of Sewage Sludge for **Kyler Environmental Services LTD.**, R. D. 1, Box 208, Somerset, PA 15501, Mine 25 Operation, located in

Snow Shoe Township, **Centre County** affecting 400 acres, and has determined that the site is suitable for land application of nonexceptional quality sewage sludge effective November 19, 1999.

These actions of the Department may be appealed to the Environmental Hearing Board (Board) at 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 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 Administrative Agency Law). Appeals must be filed within 30 days of 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 Board's rules of practices and procedure may be obtained from the board.

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

Coal Applications Returned

17920111. Waroquier Coal Company, (P. O. Box 128, Clearfield, PA 16830), renewal, transfer of, and a change in permit acreage from 25.6 to 45.5 acres on and existing bituminous surface mine permit located in Pike and Lawrence Townships, **Clearfield County**. The transfer is from R. B. Contracting. Receiving streams: unnamed streams to Hogback Run to West Branch Susquehanna River. Application received October 7, 1999. Application returned November 24, 1999.

17900105. Southwest Reclamation, Inc. (P. O. Box 1419, Clearfield, PA 16830), revision to an existing bituminous surface mine permit for a change in permit acreage from 86.4 to 88.6 acres, located in Huston Township, **Clearfield County**. Receiving streams: Bennett Branch and Horning Run. Application received November 2, 1998. Application returned November 23, 1999.

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

Coal Applications Received

19881301R2. UAE CoalCorp Associates, (P. O. Box 306, Mt. Carmel, PA 17851-0306), renewal of an existing underground mine operation in Conyngham and Mt. Carmel Townships, **Columbia** and **Northumberland Counties** affecting 34.1 acres, receiving stream—Shamokin Creek. Application received December 9, 1999.

35990901. Alliance Sanitary Landfill, Inc., (398 South Keyser Avenue, Taylor, PA 18517), commencement, operation and restoration of a coal incidental operation in Taylor Borough and Ransom Township, **Lackawanna County** affecting 17.3 acres, receiving stream—Unnamed tributary to St. John's Creek. Application received December 10, 1999.

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

32940107. Permit Renewal, Pitt Mining Company, (423 Weiss Road, Shelocta, PA 15774-8417), commencement, operation and restoration of bituminous strip mine in Young Township, **Indiana County**, affecting 66.7 acres, receiving stream Craig Run and Gobblers Run to Crooked Creek to the Allegheny River; Whisky Run to Blacklegs Creek to the Conemaugh River, application received December 8, 1999.

56823108. Permit renewal for reclamation only, C & O Coal Company, (R. D. 4, Box 14, Berlin, PA 1553), for continued restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting

42.1 acres, receiving stream unnamed tributary to Buffalo Creek and Buffalo Creek, application received December 3, 1999.

56880112. Permit Renewal for reclamation only, Svonavec, Inc. (150 West Union Street, Suite 201, Somerset, PA 15501), for continued restoration of a bituminous strip mine in Somerset Township, **Somerset County**, affecting 108.2 acres, receiving stream unnamed tributaries to Wells Creek and Wells Creek, application received December 8, 1999.

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

63950101R. Robinson Coal Company (200 Neville Road, Neville Island, PA 15225). Renewal application received for continued reclamation of a bituminous surface mine located in Robinson Township, **Washington County**, affecting 13.0 acres. Receiving streams: unnamed tributary to Robinson Run. Renewal application received: December 6, 1999.

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

17990123. Thunder Coal Company (P. O. Box 283, Grampian, PA 16838), commencement, operation and restoration of a bituminous surface mine permit in Penn Township, **Clearfield County** affecting 64.8 acres. Receiving streams: unnamed tributary to Kratzer Run; unnamed tributaries to Bell Run. Application received December 6, 1999.

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

33990112. P & N Coal Company, Inc. (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface strip and auger operation in Gaskill Township, **Jefferson County**, affecting 122.1 acres. Receiving streams: Unnamed tributary to Ugly Run to Ugly Run to Canoe Creek and unnamed tributary to Stony Run to Stony Run to Clover Run to East Branch Mahoning Creek all contributory to Mahoning Creek to the Allegheny River. Application received December 6, 1999.

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

Noncoal Applications Received

58930301C2. Red Oak Sand & Gravel, LLC, (P. O. Box 25, Kingsley, PA 18826), correction to an existing quarry operation in Oakland Township, **Susquehanna County** affecting 26.0 acres, receiving stream—None. Application received November 30, 1999.

64730304C3. Hanson Aggregates Pennsylvania, Inc., (P. O. Box 231, Easton, PA 18044-0231), correction to an existing quarry operation affecting 93.4 acres, receiving stream—none. Application received December 3, 1999.

67910301C3. Codorus Stone & Supply Co., Inc. (135 Mundis Race Road, York, PA 17402), correction to an existing quarry operation in East Manchester Township, **York County** affecting 30.0 acres, receiving stream—Codorus Creek. Application received December 9, 1999.

67960301C. Codorus Stone & Supply Co., Inc., (135 Mundis Race Road, York, PA 17402), correction to an existing quarry operation in East Manchester Township, **York County** affecting 42.4 acres, receiving stream—Codorus Creek. Application received December 9, 1999.

Bureau of Deep Mine Safety; Request for Variance

The Bureau of Deep Mine Safety has received a request for variance from **Eighty-Four Mining Company**. The

following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dept.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701—702) provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 268(b) states that shelter holes shall be provided on the clearance side along designated travelingways, which are also used as haulage entries, other than belt conveyor haulage entries. The shelter holes shall be spaced not more than 80 feet apart.

Summary of the request: Eighty-Four Mining Company requests a variance to extend the shelter hole spacing to 150 feet in mains and submains at the Mine 84.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

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

Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E51-181. Encroachment. City of Philadelphia Dept. of Aviation, Philadelphia International Airport, Terminal E, Philadelphia, PA 19153. To construct and maintain a commercial facility within the 100 year floodplain of the Delaware River for Hertz car rental operations, including: a maintenance building with offices and a mezzanine; a car wash; fueling stations and a parking lot. The site is located approximately 1,000 feet northwest from the intersection of Bartram Avenue and Island Avenue (Philadelphia, PA-NJ Quadrangle N: 3.3 inches; W: 16 inches) in the **City and County of Philadelphia**.

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

E39-376. Encroachment. Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, Allentown, PA 18104. To place fill within 1.52 acres of PEM wetlands in the floodway of Cedar Creek (HQ-CWF) for use as an unpaved parking area; to restore approximately 300 linear feet of Cedar Creek through a former impoundment area, with work consisting of the construction of a trapezoidal channel, rock check dams and vegetative streambank stabilization; to construct and maintain a 15-inch SLCPP stormwater outfall structure along the left bank of Cedar Creek. The project is located at Dorney Park and Wildwater Kingdom, approximately 0.3 mile north of the intersection of S. R. 0309 and S. R. 0222 (Hamilton Boulevard) (Allentown West, PA Quadrangle N: 14.0 inches; W: 5.5 inches), South Whitehall Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

E39-377. Encroachment. Pennsylvania Department of Transportation, District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing structure and to construct and maintain a single span, prestressed concrete spread boxbeam bridge across Lower Saucon Creek (CWF) having a normal span of 50.2 feet (15.3 M) and a minimum underclearance of 6.3 feet (1.9 M). The project is located at the S. R. 2047 (Landis Mill Road) bridge of Lower Saucon Creek (Allentown East, PA Quadrangle N: 8.3 inches; W: 1.8 inches), Upper Saucon Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

E40-533. Encroachment. Wilkes-Barre/Scranton International Airport, Avoca, PA 18641. To place fill in 1.57 acres of wetlands as follows: to place fill in 0.30 acre of PEM wetlands (Wetland Area A) which is part of the proposed terminal expansion consisting of a parking garage and an access roadway; to place fill in 1.0 acre of wetlands (Wetland Area W) which includes an impact to a 0.27 acre wetland mitigation area previously required by DEP Permit No. E40-410, which is part of the fuel farm and general aviation expansion; to place fill in several wetland areas totaling 0.26 acre (Wetland Areas B, C, D & E) which is part of the commercial land development. The project is part of the airport's overall master plan which includes upgrades and expansions of the existing facilities and is located at Wilkes-Barre/Scranton International Airport (Avoca, PA Quadrangle N: 16.0 inches; W: 13.7 inches), Dupont Borough, the City of Pittston, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E40-536. Encroachment. Huntsville Limited Partnership, P. O. Box 27, 200 East Front Street, Nanticoke, PA 18634. To place fill in a 0.07 acre waterbody for the development of a 130-room hotel, two restaurants and associated parking. The project, known as the Fairfield Inn Hotel, is located on the southern side of S. R. 0093,

approximately 0.4 mile east of its intersection with S. R. 0081 (Conyngham, PA Quadrangle N: 19.1 inches; W: 4.0 inches), Sugarloaf Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

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

E07-324. Encroachment. **Greenfield Township Municipal Authority**, R. D. 1, Box 948, Claysburg, PA 16625. To construct and maintain a 48-inch diameter, 100-foot long culvert addition to an existing 48-inch diameter, 55-foot long culvert in an unnamed tributary to the Frankstown Branch of the Juniata River for the purpose of enclosing a steep banked stream and providing employee access to the GTMA Wastewater Treatment Plant located on the right side of Bedford Street about 450 feet south of its intersection with SR 3008 (Roaring Springs, PA Quadrangle N: 11.1 inches; W: 9.7 inches) in Greenfield Township, **Blair County**.

E28-268. Encroachment. **Waynesboro Market Place**, Michael Timmons, 1398 Logan Circle, Marietta, GA 30062. To construct and maintain a 15.5-foot by 10.5-foot concrete arch culvert with a length of 78 feet at the channel of Red Run (CWF) in order to construct a driveway for grocery stores called Waynesboro Market Place located just upstream of PA 16—culvert located at the Village of Rouzerville (Smithsburg, MD-PA, Quadrangle N: 20.72 inches; W: 4.73 inches) in Washington Township, **Franklin County**.

E28-270. Encroachment. **Ralph Garber**, 742 Mont Alto Rd., Fayetteville, PA 17222. To dredge and maintain the channel of an unnamed tributary to Conococheague Creek (locally called English Valley Run) in order to maintain the positive slope starting at the Mont Alto Road bridge extending 2,000 feet upstream (Scotland, PA Quadrangle N: 4.45 inches; W: 7.78 inches) in Guilford Township, **Franklin County**.

E31-155. Encroachment. **Charles Lentz**, 73 Main St., New Providence, PA 17560. To remove an existing unauthorized bridge and to construct and maintain a single span steel stringer bridge having a clear span of 20 feet and an underclearance of 5.25 feet across Smith Run for the purpose of providing access to private property located along the west side of Smith Valley Road (SR 3029) about 3 miles from Mapleton Depot (Mount Union, PA Quadrangle N: 2.6 inches; W: 13.5 inches) in Union Township, **Huntingdon County**.

E31-156. Encroachment. **PA Electric**, GPU Energy, 2800 Pottsville Pike, Reading, PA 19640. To construct a fiber optic cable crossing an existing single pole across Spruce Creek (HQ-CWF) at 10 different locations in the Spruce Creek watershed extending from a downstream crossing near the confluence with the Little Juniata River to an upstream crossing located about 0.7 mile upstream from the village of Graysville (Spruce Creek, PA Quadrangle N: 19.7 inches; W: 1.1 inches and Franklin, PA Quadrangle N: 12.6 inches; W: 3.3 inches) in Spruce Creek Township and Franklin Township, **Huntingdon County**.

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

E02-1205 A1. Encroachment. **American Bridge Company**, Three Gateway Center, Suite 1100, Pittsburgh, PA 15222-1004. To amend Permit No. E02-1205 to construct and maintain a sheet pile wall in the channel of and along the left bank of the Ohio River (WWF) for the

purpose of securing barges located approximately 1,050 feet northwest from the intersection of First Avenue and Watt Street (Ambridge, PA Quadrangle N: 4.5 inches; W: 6.3 inches) in Coraopolis Borough, **Allegheny County**.

E30-191. Encroachment. **Greene County**, 93 East High Street, Waynesburg, PA 15370. To remove the existing structure (Greene County Bridge No. 109) and to construct and maintain a bridge having a clear span of 28.3 feet and an underclearance of 6.22 feet across Job Creek (TSF) located on T-381 at a point approximately 130 feet west of its intersection with S. R. 3007. The project includes approximately 210 feet channel straightening and temporary roadway crossing consisting of two 60-inch diameter C. M. pipe culverts (New Freeport, PA Quadrangle N: 14.5 inches; W: 0.75 inch) in Jackson Township, **Greene County**.

E32-412. Encroachment. **Conemaugh Valley Conservancy**, P. O. Box 907, Johnstown, PA 15907-0907. To construct and maintain a trail having a width of 10.0 to 12.0 feet and a depth of 4 inches on four existing former railroad bridges across Conemaugh River (WWF) as part of the Conemaugh Dam Trail Project. The project is located off of Westinghouse Road (T-966) (Blairsville, PA Quadrangle N: 14.0 inches; W: 10.1 inches) in Derry Township, **Westmoreland County** and Conemaugh and Blacklick Townships, **Indiana County**.

E63-480. Encroachment. **William B. and Mary B. Stewart**, 778 Rural Valley Road, Washington, PA 15301. To widen and maintain the channel of Wolf Run (HQ-WWF) for the purpose of constructing a stormwater basin for the proposed Royal Tartan Golf Course located at the intersection of Smiley Road, Rural Valley Road and South Hewlett Road (Washington West, PA Quadrangle N: 13.2 inches; W: 12.5 inches) in Canton Township, **Washington County**.

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

E10-206A. Encroachment. **PA Department of Transportation**, District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701, and **PA Turnpike Commission**, P. O. Box 6767, Harrisburg, PA 17106-7676. To amend DEP Permit No. E10-206 to authorize the following revised work associated with the I-76/I-79/S. R. 19 Cranberry Interchange (Mars, PA Quadrangle N: 9.8 inches; W: 14.0 inches) in Cranberry Township, **Butler County**:

1. To extend and maintain three existing stream enclosures impacting a total of 342 feet of a tributary to Brush Creek.
2. To construct and maintain a 445-foot-long, 9.84-foot-wide by 9.84-foot-high reinforced concrete box stream enclosure in a tributary to Brush Creek.
3. To realign a total of 260 feet of the channel of a tributary to Brush Creek.
4. To construct a total of approximately 527 feet of rock lined channel transitions in a tributary to Brush Creek at the inlet and/or outlet of six stream enclosures.
5. To construct and maintain approximately 150 feet of stream bank protection along the east bank of Brush Creek adjacent to the existing Turnpike Interchange.
6. To fill a total of 1.94 acres of 11 separate wetland areas.

This project includes creation of 2.2 acres of replacement wetland, including 0.15 acre associated with the PA

Turnpike Commission's Warrendale Toll Plaza (DEP File No. E02-1292), at the Thorn Hill Industrial Park adjacent to Brush Creek and construction of 1,360 feet of stream bank improvement along Brush Creek within Brush Creek Park owned and operated by Beaver County under a separate DEP permit.

E25-550B. Encroachment. **Erie Sewer Authority and City of Erie**, c/o Knox, McLaughlin, Gornall & Sennett, 120 West 10th Street, Erie, PA 16501-1461. To amend DEP Permit No. E25-550 to authorize additional work at the Erie Wastewater Treatment Plant along Port Access Road (Erie North, PA Quadrangle N: 3.35 inches; W: 10.35 inches) in the City of Erie, **Erie County**:

1. To remove the existing stream enclosure and to construct and maintain three parallel 370-foot-long, 6-foot, 9-inch-wide by 4-foot, 11-inch-high coated corrugated steel pipe arch stream enclosures in Garrison Run under the access driveway to the Erie Wastewater Treatment Plant.

2. To install and maintain an additional 72-inch-diameter effluent pipe across Garrison Run under the stream enclosure between Junction Structure No. 1 and Junction Structure No. 2 to provide additional wet weather discharge capacity to the outfall to Lake Erie.

E37-127. Encroachment. **Hickory Township**, R. D. 5, New Castle, PA 16105. To remove the existing bridge and to install and maintain twin 5-meter-wide by 2.61-meter-high reinforced concrete box culverts providing a 2.44-meter-high waterway in Hottenbaugh Run on T-478 (McConnell Mill Road) approximately 40 meters south of SR 1010 (New Castle North, PA Quadrangle N: 6.5 inches; W: 1.25 inches) located in Hickory Township, **Lawrence County**.

E62-361. Encroachment. **PA Dept. of Transportation 1-0**, 255 Elm St., P. O. Box 398, Oil City, PA 16301. To remove the existing concrete arch culvert and to install and maintain a precast reinforced concrete box culvert having a clear span of 4.27 meters and an underclearance of 2.6 meters (2.74 meter high box with 0.15 meter depressed invert) on a 60 degree skew in Bimber Run on SR 0062 Segment 0.120, Offset 3695 approximately 3.5 kilometers north of the Buckingham Bridge at Tidioute (Cobham, PA Quadrangle N: 10.6 inches; W: 16.3 inches) in Limestone Township, **Warren County**.

DAM SAFETY

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.

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D02-068A. Dam. **Precision Equities** (2559 Brandt School Road, Wexford, PA 15090). To modify, operate and maintain Huntington Woods Detention Dam across a tributary to Pine Creek (CWF), for the purpose of providing additional capacity for stormwater detention by raising the crest of the dam (Emsworth, PA Quadrangle N: 19.9 inches; W: 11.6 inches) in Franklin Park Borough, **Allegheny County**.

ENVIRONMENTAL ASSESSMENT

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D36-165EA. Environmental Assessment. **Robert Gehert**, (33 W. Mohler Church Road, Ephrata, PA 17522). To breach and remove Martin Dam across Cocalico Creek (WWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 900 feet southeast of the intersection of Mohlers Church Road and Trout Run Road (T-943) (Ephrata, PA Quadrangle N: 12.5 inches; W: 5.5 inches) in Ephrata Township, **Lancaster 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.

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

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

Permits Issued

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

Permit No. 4899406. **Marion Pearce**, 1034 North 27th Street, Allentown, PA 18104. Permit to construct and operate a single family sewage treatment plant, located in Upper Mount Bethel Township, **Northampton County**.

NPDES Permit No. PA-0032590. Sewerage. **Frieden Associates**, 215 W. Church Road, Suite 105, King of Prussia, PA 19406 is authorized to discharge from a facility located in Wayne Township, **Schuylkill County**, to Long Run.

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

Permit No. PA0083488. Sewerage. **Stonebridge Health & Rehab. Center**, 102 Chandra Drive, Duncannon, PA 17020 is authorized to discharge from a facility located in Penn Township, **Perry County** to the receiving waters named Shermans Creek.

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

NPDES Permit No. PA0110582. Sewerage. **Eastern Snyder County Regional Authority**, P. O. Box 330, Selinsgrove, PA 17870. Renewal granted to applicant to discharge treated sewage, from facility located at Penn Township, **Snyder County**.

NPDES Permit No. PA0042722. Sewerage. **Dushore Sewer Authority**, P. O. Box 248, Dushore, PA 18614. Renewal granted to applicant to discharge treated sewage from facility located at Dushore Borough, **Sullivan County**.

NPDES Permit No. PA0024538. Sewerage. **Beech Creek Borough Authority**, P. O. Box 216, Beech Creek, PA 16822. Renewal granted to existing sewage treatment plant located at Beech Creek Borough, **Clinton County**.

NPDES Permit No. PA0112755. Sewerage. **Betty L. Williams**, R. R. 1, Box 308, Gaines, PA 16921. Renewal granted to applicant to discharge treated domestic wastewater from a single family residence, facility located at Gaines Township, **Tioga County**.

NPDES Permit No. PA0113140. Sewerage. **Nicolino Galluppi**, 2525 Mill Road, Quakertown, PA 18951. Renewal granted to Far Valley View Mobile Home Park, owned by Mr. Galluppi. Facility located at Richmond Township, **Tioga County**.

NPDES Permit No. PA0024091 Amendment 1. Sewerage. **Millville Municipal Authority**, P. O. Box 30, Millville, PA 17846. Amendment granted to establish effluent limits for a new sewage treatment plant. Facility located at Millville Borough, **Columbia County**.

NPDES Permit No. PA0111961. Sewerage. **DEP Hawk Run Office**, P. O. Box 209, Hawk Run, PA 16840. Renewal granted to discharge from an existing small flow system located at Morris Township, **Clearfield County**.

WQM Permit No. 0899403. Sewerage. **Borough of Sayre**, 110 West Packer Avenue, Sayre, PA 18840. Construction of a bypass at the Hayden Street Pump Station to handle peak flows. Facility located at Sayre Borough, **Bradford County**.

WQM Permit No. 5799401. Sewerage. **Dushore Sewer Authority**, P. O. Box 248, Dushore, PA 18614. The applicant an application to rerate the existing sewage treatment plant to remain the same capacity as originally permitted. The design modules and calculations show that the existing wastewater treatment plant is capable of meeting the prescribed NPDES effluent limits as these new flows based on existing operating data provided by applicant. Facility located at Dushore Borough, **Sullivan County**.

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

NPDES Permit No. PA0044971. Sewerage. **B.P.O.E. Lodge 512**, 3200 Milligantown Road, P. O. Box 2026, Lower Burrell, PA 15068 is authorized to discharge from a facility located at B.P.O.E. Lodge 512 STP, Lower Burrell, **Westmoreland County** to receiving waters named Little Pucketa Creek.

NPDES Permit No. PA0092347. Sewerage. **Albert Gallatin Area School District**, 10 West Church Street, Masontown, PA 15461 is authorized to discharge from a facility located at Smithfield Elementary School STP, Smithfield Borough, **Fayette County** to receiving waters named Unnamed Tributary to Georges Creek.

NPDES Permit No. PA0097195-A1. Sewerage. **Kiski Area School District**, Administration Office, 200 Poplar Street, Vandergrift, PA 15690 is authorized to discharge from a facility located at Bell Elementary School STP, Bell Township, **Westmoreland County** to receiving waters named Wolford Run.

NPDES Permit No. PA0203955. Sewerage. **84 Lumber Company**, P. O. Box 584, Eighty-Four, PA 15384 is authorized to discharge from a facility located at 84 Lumber Company Sewage Treatment Plant, North Strabane Township, **Washington County** to receiving waters named Little Chartiers Creek.

Permit No. 26864066-A1. Sewerage. **Allegheny Power**, 800 Cabin Hill Drive, Greensburg, PA 15601. Installation and operation of a Norweco Model XT-2000 dechlorination unit located in Bullsken Township, **Fayette County** to serve the Pleasant Valley Service Center STP.

Permit No. 3099401. Sewerage. **Carmichaels-Cumberland Joint Sewer Authority**. Construction of sewer extension located in Cumberland Township, **Greene County** to serve Paisley Pump Station and Sewer Extension.

Permit No. 3299404. Sewerage. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. Construction of pump station, force main, gravity sewers, sewage treatment facilities located in Washington Township, **Indiana County** to serve McKee Run Regional Sewer Plan—Phase I (Creeside Pump Station and STP).

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

NPDES Permit No. PA0024571. Sewerage. **Municipal Sewer & Water Authority of Cranberry Township**, 2525 Rochester Road, Suite 700, Cranberry Township, PA 16066-6498 is authorized to discharge from a facility located in Cranberry Township, **Butler County** to Brush Creek.

INDIVIDUAL PERMITS (PAS)

The following NPDES Individuals Permits for Discharges of Stormwater from Construction Activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant's Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body of Water</i>
PAS10-G371	EPH Land, LLC P. O. Box 615 Woodbury, NJ 08096	East Coventry Township Chester County	Unnamed Tributary to Schuylkill River

INDIVIDUAL PERMITS

(PAR)

APPROVALS TO USE NPDES AND OTHER GENERAL PERMITS

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth; (2) NOIs for coverage under General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangement made for copying at the contact office noted.

The Department has acted on the following requests for coverage under the specified General Permit as follows:

List of General Permit Type

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-10	General Permit for Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Elk County St. Marys	PAR102519	St. Marys Soccer Association 594 Chestnut Street St. Marys, PA 15857	Hellfire Run	Elk Conservation District Elk County Courthouse P. O. Box 448 Ridgway, PA 15853 (814) 776-5373
Erie County Summit Township	PAR10K145	Frank and Carolyn Patton 4652 State Street Erie, PA 16509	Walnut Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Erie County Harborcreek Township	PAR10K147	Harborcreek School District 6375 Buffalo Road Harborcreek, PA 16421	Sevenmile Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Upper Allen Township Cumberland County	PAR-10-H213	Real Source Development Mr. Hugh to Simpson Witney Ridge Development 619 South Market Street Mechanicsburg, PA 17055	UNT Yellow Breeches	Cumberland County CD 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Derry Township Dauphin County	PAR-10-I211	Township of Derry 235 Hockersville Road Hershey, PA 17103	Swatara Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Swatara Township Dauphin County	PAR-10-I218	PA Dept. of Transportation 2140 Herr Street Harrisburg, PA 17103	Swatara Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAR-10-I200	S & A Homes, Inc. 501 Rolling Ridge Drive State College, PA 16801	Beaver Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAR-10-I205	Continental Senior Housing Corp. 220 N. 72nd Street Harrisburg, PA 17111	Spring Creek West	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Greene Township Franklin County	PAR-10-M191	Capital Estates 8908 Molly Pitcher Highway Shippensburg, PA 17257	Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Rapho Township Lancaster County	PAR-10-O-381	Calvin Greiner 294 Rife Run Road Manheim, PA 17545	Rife Run	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Penn Township Lancaster County	PAR-10-O-396	Joseph C. Graybill, Inc. 375 Fruitville Pike Manheim, PA 17545	UNT Chickies Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Warwick Township Lancaster County	PAR-10-O-406	JER Associates 15 Meadow Lane Lancaster, PA 17601	UNT Lititz Run	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Upper Leacock Township Lancaster County	PAR-10-O-408	Wagner Farm Development, Inc. 2229 Creek Hill Road Lancaster, PA 17601	UNT Mill Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361

NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
West Donegal Township Lancaster County	PAR-10-O-418	Conewago Industrial Park Assoc. 1600 N. Second Street Harrisburg, PA 17102	UNT Conewago Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Donegal Township Lancaster County	PAR-10-O-420	Hoffer-Frey Joint Venture 12 Fuhrman Road Marietta, PA 17547	UNT Susquehanna River	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Earl Township Lancaster County	PAR-10-O-421	Horst and Son 160 N. Pointe Blvd. Suite 200 Lancaster, PA 17601	Mill Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Lehigh County Whitehall Township	PAR10Q128	Gary L. and Jane Roth 4520 Quarry St. Whitehall, PA 18052	Lehigh River	Lehigh CD (610) 391-9583
Lehigh County Washington Township	PAR10Q132	John Coughlin 131 Sawmill Rd. Boyertown, PA 19512	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q134	Bible Fellowship Church Homes Robert Zentz 3000 Fellowship Dr. Whitehall, PA 18052	Jordan Creek	Lehigh CD (610) 391-9583
Northampton County Northampton Borough	PAR10U126	Gene Zarayko Bor. of Northampton 1401 Laubach Ave. P. O. Box 70 Northampton, PA 18067	Northampton Creek	Northampton CD (610) 746-1971
Northampton County Lower Saucon Township	PAR10U122	Edwin Novak 1655 Jonathan Lane Bethlehem, PA 18015	Saucon Creek	Northampton CD (610) 746-1971
Northampton County Bethlehem Township	PAR10U123	The Church of Jesus Christ of Latter Day Saints c/o Raymond Griffin 6586 Powder Valley Rd. Zionsville, PA 18092	Lehigh River (UNT)	Northampton CD (610) 746-1971

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Montgomery County Upper Hanover Township	PAR120024	Hershey Foods Corporation Pennsburg Plant 2452 Quakertown Road Pennsburg, PA 18073	Macoby Creek	Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Reading Berks County	PAR123522	Hershey Foods Corporation—Ludens Plant 200 N. 8th Street Reading, PA 19612-5087	Schuylkill River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington County Washington	PAR606146	Coca-Cola Bottling Company of Ohio/Kentucky 5100 Duck Creek Road Cincinnati, OH 45227	Catfish Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Jackson Township Lebanon County	PAG-08-3542	Myerstown Borough 101 East Washington Avenue Myerstown, PA 17067	N/A	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Union County Mifflinburg Township	PAG084815	Donald R. Bitner, Chairperson Mifflinburg Borough Municipal Authority 333 Chestnut St. Mifflinburg, PA 17844		Northcentral 208 W. Third St. 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).**

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

Butler Township, Luzerne County. The Department has completed its review of the Corrective Plan and Schedule (CP&S) submission, dated June 1999 (received by the Department on September 16, 1999) with additional information dated October 14, 1999 (received by the Department on October 15, 1999) as submitted by Nassaux-Hemsley, Inc., on behalf of Butler Township and the Butler Township Authority (Authority).

The submission proposes to systematic plan intended to identify and reduce/eliminate sources of infiltration/inflow (I/I) within the Drums Wastewater Collection/Conveyance System. The ultimate goal of the CP&S is to eliminate the hydraulic overload at the Drums Wastewater Treatment Facility. The Department's review has found that the CP&S is now acceptable and hereby grants planning approval.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20(a)) (Act 537), and Chapter 71 of the Department's Regulations, 25 Pa. Code Ch. 71, the Department will hold Butler Township and the Authority responsible for the complete and timely implementation of the CP&S, as specified in the June 1999 submission. The Department realizes, though, that CP&S activities and their implementation schedules are dynamic in nature. Should conditions be encountered, during the implementation of the CP&S, which require the alteration of the approved CP&S, Butler Township

and its Authority shall contact the Department, in writing, and discuss the need to modify the CP&S at the earliest possible instance.

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

Location: Farmington Township, **Clarion County.**
Farmington Township Supervisors, P. O. Box 148,
Leeper, PA 16233. **Project Description:** This approved
project proposes construction of a 100,000 gpd extended
aeration-activated sludge Wastewater Treatment Plant
with a combination of conventional gravity and pressure
sewer system.

The service area includes the villages of Leeper and Tylersburg, the Route 36 corridor between the two villages and extending west on S. R. 36 up to and including the North Clarion County Elementary and High Schools.

The effluent would be discharged to an unnamed tributary to Licking Creek west of Tylersburg.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

SAFE DRINKING WATER

**Action taken under the Pennsylvania Safe Drinking
Water Act (35 P. S. §§ 721.1—721.17).**

Permits Issued

*Northwest Regional Office: Regional Manager, 230
Chestnut Street, Meadville, (814) 332-6899.*

Permit No. 3799501. Public water supply. **Pine Hills
Mobile Home Court,** 1068 Adams Street, New Castle,
PA 16101 has been issued a construction permit for
modifications to wells No. 1 and 2. Also the distribution
system will be extended to include an additional 15 units

to the existing 52 units in Shenango Township, **Lawrence County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* William P. Deemer, P. E., William P. Deemer and Associates, Consulting Engineers, 205-B South Duffy Road, Butler, PA 16001. *Permit to Construct Issued:* December 7, 1999.

HAZARDOUS SITES CLEAN-UP

Under the act of October 18, 1988

Notice of Interim Response under the Hazardous Sites Cleanup Act

Naginey Quarry Site

Armagh Township, Mifflin County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has proposed an interim response at the Naginey Quarry Site (Naginey Site).

The Naginey Site is located at Armagh Township, Mifflin County, PA. The Naginey Site is located in the Village of Naginey along the south side of Naginey Road, approximately 3 miles east of Route 322. The site measures about 55 acres. The site is bisected by Honey Creek in the northern portion of the site. Krentzman & Sons, Inc. (Krentzmans) owns the 1.7 acres of site located on the north side of Honey Creek. Charles Naginey owns the remaining 53.3 acres, located to the south of Honey Creek. The Naginey Site supports a masonry block building. The site is located in a rural area bordered on the south and east by agricultural lands, on the west by residential homes, and on the north by a recycling facility and limestone quarry. The area of contaminated soil occupies approximately 3 acres of the Charles Naginey portion of the site and several areas of the Krentzman portion of the site. Both properties comprise the Naginey Site and are proposed for cleanup.

The quarry was originally owned and operated by Johnstown Mining as a limestone quarry. Bethlehem Steel took over Johnstown Mining in 1917. In the 1930's, the Naginey family (Naginey) purchased the site and continued to lease it to Bethlehem Steel. Although Naginey owned the property, Bethlehem Steel owned the building on the property. Bethlehem Steel sold the building to Krentzmans in 1972, and Naginey sold the 1.7-acre parcel of property to Krentzmans.

Krentzmans leased their property to the Independent Trading Corporation (ITC). The ITC operated on the property from 1978 to December 1980. The operational procedures of the ITC at the site included the breaking of battery casings and/or crushing of battery tops, removing the lead and stockpiling the cases on the plant yard. During the late 1970's, the ITC also began dumping battery casings on the adjoining part of the site owned by Charles Naginey. Charles Naginey became aware of the dumping and entered into a lease with IRC for the adjoining part of the site.

The Department sampled the Naginey site in December of 1996. Composite samples from drummed waste on the site revealed lead levels of 3,760 mg/kg. Soil samples were also collected from the battery casing disposal area. Those soil samples indicated total lead at levels of 8,150 mg/kg. Both of these sample results indicate total lead at levels exceeding the regulatory direct contact standard for nonresidential areas (1,000 mg/kg).

Based on the December 1996 sampling results, the Department conducted a Prompt Interim Response at the

Naginey Site in July of 1998. The response addressed 180 drums of foundry casting sands and 1,600 tons of battery casings/soils. The Prompt Interim Response was conducted to remove the direct contact threat that existed at the site. Additionally, the removal action provided the Department with an opportunity to further assess the property for residual soil contamination and potential groundwater impacts from the waste disposal activities.

The Naginey Site was further investigated in May/June of 1999. Sample results indicated elevated levels of lead, arsenic and antimony in the soils at the site. Lead levels were detected up to 90,800 mg/kg, antimony up to 1,950 mg/kg, and arsenic up to 487 mg/kg (see Table 1). The presence of lead, antimony and arsenic is consistent with the presence of a battery cracking operation.

Based upon the Department's investigations, the Department has determined that the immediate concerns at the site are contaminated soils containing lead, antimony and arsenic. It is anticipated that 3—5 acres of the Naginey site contain contaminated soils due to impacts of the improper storage of battery casings. The depth of the contaminated soils is estimated to average 2' on the south side of Honey Creek and 2' on the north side of Honey Creek. The amount of contaminated soils at the site is estimated at 2,150 tons.

The hazardous substances associated with the soils pose a threat to human health by ingestion, inhalation and dermal contact. The proposed interim response is intended to address the human health threats posed by the site.

The Department considered two alternatives for the Naginey Site: 1) No Action, and 2) Excavation and Offsite Disposal. The no action alternative is retained as a baseline for comparison with other alternatives. Under this alternative, the Department would take no action at the site. All substances and contaminants would remain in place. This alternative would not remove the direct contact threat from exposure to these substances. The Excavation and Offsite Disposal alternative provides for the removal of contaminated site soils. This alternative would require the mechanical excavation of contaminated soils or similar technology, short-term stockpiling of contaminated soils, and disposal of the sites at an offsite, permitted facility. Soils would be excavated to meet appropriate Act 2 standards. This action would eliminate the potential and actual threat to the public and the environment from exposure to lead, antimony and arsenic at concentrations above established risk-based standards. Alternative #2, Excavation and Offsite Disposal is the Department's preferred remedy.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)), and the publication of this notice starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 705-4864. The Administrative Record can also be reviewed at the Armagh Township Municipal Building, 224 College Avenue, Milroy, PA 17063 between the hours of 9 a.m. and 5 p.m.

The administrative record will be open for comment from the date of publication of this notice in the *Pennsyl-*

vania Bulletin, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before March 25, 2000, by mailing them to Barbara Faletti at the above address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for February 1, 2000 at 7 p.m. at the Armagh Township Municipal Building, 224 College Avenue, Milroy, PA 17063. Persons wishing to present formal oral comment at the hearing should register before 4 p.m., January 28, 2000, by calling Sandra Roderick at (717) 705-4931.

If no person registers to present oral comments by 4 p.m., January 28, 2000, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact Sandra Roderick at the same number above. An informational meeting will be held following the hearing.

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 Sandra Roderick at the above number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD), to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

The Former Heintz Corp., Property, Parcel A, City of Philadelphia, **Philadelphia County**. Edwin Hicks,

Roy F. Weston, Inc., 1515 Market St., Suite 151, Philadelphia, PA 19102-1956, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The report is intended to document remediation of the site to meet Statewide health and site-specific standards.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-1527.

CNG Transmission Corporation, South Bend Compressor Station, South Bend Township, **Armstrong County**. CNG Transmission Corporation, 445 West Main Street, Clarksburg, West Virginia 26302 and Kevin McCullen, Dams & Moore, 2020 Ardmore Boulevard, Room 205, Pittsburgh, PA 15221 has submitted a Final Report concerning remediation of site soil contaminated with PCBs, BTEX and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Hyde Park Foundry, Borough of Hyde Park, **Westmoreland County**. National Wool Company, Railroad Avenue, Avonmore, PA 15618, and Daniel J. Barton, Crouse and Company, 400 Penn Center Boulevard, Suite 600, Pittsburgh, PA 15235 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to meet the site specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation 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 on a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation

performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has acted upon the following plans and reports:

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

Gundy Powerhouse, Bristol Borough, **Bucks County**. Michael A. Christie, P.G., Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Baseline Remedial Investigation Work Plan to initiate the administrative process of the Land Recycling and Environmental Remediation Standards Act as it applies to a Special Industrial Area site. The report was approved by the Department on November 12, 1999.

Hannes Property, Buckingham Township, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyron Drive, Suite A1, Sky Run II, Doylestown, PA 18901, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and petroleum hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on December 7, 1999.

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

Lafarge Corporation, Whitehall Township, **Lehigh County**. Jennifer Stafford, Project Manager, Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 submitted a Final Report (on behalf of her client, Lafarge Corporation, 5160 Main Street, Whitehall, PA 18052) concerning the remediation of site soils found to have been contaminated with no. 2 fuel oil compounds. The report demonstrated attainment of the Statewide health standard and was approved on December 8, 1999.

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

Crompton & Knowles Colors Inc., Robeson Township, **Berks County**. Crompton & Knowles Colors Inc., P. O. Box 341, Reading, PA 19603 has submitted a final report concerning the remediation of site soils contaminated with heavy metals and groundwater contaminated with solvents. The final report demonstrated attainment of the site-specific standard, and was approved by the Department on December 6, 1999.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Grammer Industries, Inc., 18375 East 345 South, Grammer, IN 47236; License No. **PA-AH 0636**; license issued November 17, 1999.

Taplin Environmental Contracting Corp., 5100 West Michigan Avenue, Kalamazoo, MI 49006; License No. **PA-AH 0637**; license issued November 17, 1999.

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Auchter Industrial Vac Service, Inc., 4801 South Wood Avenue, Linden, NJ 07036; License No. **PA-AH 0444**; renewal license issued November 4, 1999.

Casie Ecology Oil Salvage, Inc. t/a Casie, P. O. Box 92, Franklinville, NJ 08322; License No. **PA-AH 0307**; renewal license issued November 15, 1999.

Chemical Analytics, Inc., 29959 Beverly, Romulus, MI 48174; License No. **PA-AH 0584**; renewal license issued November 15, 1999.

M. P. Environmental Services, Inc., 3400 Manor Street, Bakersfield, CA 93308; License No. **PA-AH 0585**; renewal license issued December 2, 1999.

McCutcheon Enterprises, Inc., 250 Park Road, Apollo, PA 15613-8730; License No. **PA-AH 0130**; renewal license issued November 8, 1999.

Onyx Industrial Services, Inc., 6151 Executive Heights, OH 45424; License No. **PA-AH 0583**; renewal license issued December 7, 1999.

Par-Tech, Inc., P. O. Box 443, Andover, NJ 07821; License No. **PA-AH 0581**; renewal license issued December 7, 1999.

Price Trucking Corp., P. O. Box 70, Buffalo, NY 14220; License No. **PA-AH 0371**; renewal license issued December 8, 1999.

Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.

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

Logano Transportation Company, Inc., P. O. Box 186, Portland, CT 06480; License No. **PA-AH 0424**; license terminated November 8, 1999.

License expired under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

CMD Transportation, Inc., P. O. Box 1556, Oregon City, OR 97045; License No. **PA-AH S244**; license expired on November 30, 1999.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits issued 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.

Southcentral Regional Office: Regional Solid Waste Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

Permit No. 100739. Western Berks Refuse Authority (455 Poplar Neck Road, Birdsboro, PA 19508). Application for Major Modification for Cell 5 Expansion & Restructuring Cell 4 for a site in Cumru Township, **Berks County**. Permit issued in the Regional Office October 28, 1999.

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

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

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

Brookville Hospital, 100 Hospital Road, Brookville, PA 15825; License No. **PA-HC 0137**; renewal license issued November 9, 1999.

Ephrata Community Hospital, P. O. Box 1002, Ephrata, PA 17522; License No. **PA-HC 0204**; renewal license issued December 9, 1999.

Incendere, Inc., 6175 Northwest 153rd Street, Suite 324, Miami Lakes, FL 33014; License No. **PA-HC 0058**; renewal license issued December 9, 1999.

S. H. Bio-Waste, Ltd., P. O. Box 1866, Norristown, PA 19040-1866; License No. **PA-HC 0096**; renewal license issued November 9, 1999.

AIR QUALITY

OPERATING PERMITS

General Plan Approval and Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

GP7-06-3016: Kutztown Publishing Co., Inc. (15076 Kutztown Road, Kutztown, PA 19530) for operation of four sheet fed offset lithographic printing presses in Maxatawny Township, **Berks County**.

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

GP3-17-01: Steel Systems Installation, Inc. (P. O. Box 307, Quarryville, PA 17566) on November 2, 1999, for construction and operation of a portable stone crushing and screening plant under the General Plan Approval and General Operating Permit for Portable Non-metallic Mineral Processing Plants (BAQ-GPA/GP-3) in Lawrence Township, **Clearfield County**.

GP5-17-13: Kriebel Minerals, Inc. (P. O. Box 765, Clarion, PA 16214-0765) on November 8, 1999, for construction and operation of a 195 horsepower natural gas fired reciprocating internal combustion compressor and associated catalytic converter under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP 5) at the Grampian Compressor Site in Lumber City Borough, **Clearfield County**.

GP1-55-01: Selinsgrove Area School District (600 North Broad Street, Selinsgrove, PA 17870) on November 18, 1999, for construction and operation of two 10.5 million Btu per hour natural gas/#2 fuel oil fired boilers equipped with low NOx burners under the General Plan Approval and General Operating Permit for Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP 1) at the Selinsgrove Area High School in Selinsgrove Borough, **Snyder County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

GP-43-223: Mercer County Career Center, Mercer County Area Vocational-Technical School (776 Greenville Road, Mercer, PA 16137) on December 8, 1999, for operation of a natural gas fired boiler (HB Smith, Model 650) in Coolspring Township, **Mercer County**.

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

22-03021A: A. P. Green Refractories, Inc. (105 North Wood Street, Middletown, PA 17057) on December 10, 1999, for operation of refractory products manufacturing controlled by three fabric collectors in Middletown Borough, **Dauphin County**.

44-304-009: Donsco, Inc. (P. O. Box 2001, Wrightsville, PA 17368-0040) on December 10, 1999, for operation of a cold-box core machine at the Belleville Foundry in Union Township, **Mifflin County**.

67-309-042C: The J. E. Baker Co. (P. O. Box 1189, York, PA 17405) on December 10, 1999, for operation of a periodic kiln controlled by an afterburner in West Manchester Township, **York County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

25-301-064A: Erie Sewer Authority (68 Port Access Road, Erie, PA 16507) on November 30, 1999, for operation of sewage sludge incinerator in Erie, **Erie County**.

PA-42-182A: Allegheny Store Fixtures, Inc. (57 Holley Avenue, Bradford, PA 16701) on November 30, 1999, for operation of surface coating in Bradford Township, **McKean County**.

Operating Permits Minor Modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

40-0031: Williams Generation Co. (R. R. 1, Box 409-D, Humboldt Industrial Park, Hazleton, PA 18201) has applied for a minor modification to incorporating into the operating permit the shut down of the Heat Recovery Steam Generator (HRSG), Flare and 16 Gasifier Vents and the permanent curtailment of turbine operation in Hazle Township, **Luzerne County**. The proposed minor modification will not change or affect any conditions of the previously issued permit. It will not change any existing monitoring, reporting or recordkeeping requirements as stated in the permit. The proposed minor operating permit modification would prohibit emissions from the sources listed in the table above and allow for the creation of Emission Reduction Credits (ERCs) in the amount of 794.6 tpy (tons per year) of nitrogen oxides (NO_x), 50.4 tpy of particulate (PM), 89.5 tpy of carbon monoxide (CO) and 308.4 tpy of sulfur oxides (SO_x).

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.

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

06-01007R: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 14662) on December 1, 1999, for modification of the specialty steel facility at the Reading Plant in Reading/Muhlenberg Township, **Berks County**.

28-03027: Kurdziel Industrial Coatings, Co. (9473 Lincolnway West, St. Thomas, PA 17252) on December 8, 1999, for installation of painting and sanding operations in St. Thomas Township, **Franklin County**.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

OP-41-0007B: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701) on December 7, 1999, for construction of a coil coating application station and associated air cleaning device (a catalytic oxidizer) to April 5, 2000, in the City of Williamsport, **Lycoming County**.

55-302-005B: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) on December 10, 1999, for operation of a wood-fired boiler (Boiler 1) and associated air cleaning devices [two multiclones in series] on a temporary basis until April 8, 2000, in Middlecreek Township, **Snyder County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-25-069B: Engelhard Corp. (1729 East Avenue, Erie, PA 16503) on November 30, 1999, for a nickel plant fluid bed reactor in Erie, **Erie County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—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).

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

Coal Permits Issued

54840206R3. William Penn Breaker, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing coal refuse reprocess and disposal operation in West Mahanoy Township, **Schuylkill County** affecting 164.3 acres, receiving stream—none. Renewal issued December 7, 1999.

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

Coal Permits Issued

16890110. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Renewal of an existing bituminous strip and coal ash replacement operation in Porter Township, **Clarion County** affecting 110.5 acres. This renewal is issued for reclamation only. Receiving streams: Two unnamed tributaries to Leatherwood Creek and Long Run. Application received: October 14, 1999. Permit Issued: December 1, 1999.

16763035. Terry Reddinger (P. O. Box 58, Distant, PA 16223) Renewal of an existing bituminous strip and auger operation in Redbank Township, **Clarion County** affecting 230.6 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Town Run. Application received: October 13, 1999. Permit Issued: December 6, 1999.

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

Coal Permits Issued

17814033. Philip Reese Coal Company (P. O. Box 87, Karthaus, PA 16845), renewal of an existing bitumi-

nous surface mine permit in Karthaus Township, **Clearfield County** affecting 403.3 acres. Receiving streams: two unnamed tributaries to an unnamed tributary of Salt Lick Run and Salt Lick Run's unnamed tributary of Salt Lick Run to Salt Lick Run; Salt Lick Run to West Branch of the Susquehanna River to Susquehanna River. Application received July 30, 1999. Permit issued November 24, 1999.

17960107. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830), revision to an existing bituminous surface mine-auger permit for a change in permit acreage from 40.7 to 41.3 acres. The permit is located in Greenwood Township, **Clearfield County**. Receiving streams: unnamed streams to West Branch Susquehanna River. Application received June 3, 1999. Permit issued November 12, 1999.

Greensburg District Office, R. R. 3, Box 603-C, Greensburg, PA 15601.

03910115. Allegheny Mineral Corp. (P. O. Box 1022, Kittanning, PA 16201). Renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in West Franklin Township, **Armstrong County**, affecting 468.8 acres. Receiving streams: Buffalo Creek to the Allegheny River. Application received: September 2, 1999. Renewal issued: December 9, 1999.

63940101. Robinson Coal Company (P. O. Box 9347, Neville Island, PA 15225). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Robinson and Smith Townships, **Washington County**, affecting 160.4 acres. Receiving streams: unnamed tributary to Robinson Run, Robinson Run to Chartiers Run, Chartiers Run to the Ohio River. Application received: May 6, 1999. Renewal issued: December 9, 1999.

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

32890107. Permit Renewal for reclamation only, T.L.H. Coal Company (R. D. 1, Box 170, Rochester Mills, PA 15771), for continued restoration of a bituminous strip mine in Rayne and East Mahoning Townships, **Indiana County**, affecting 16.0 acres, receiving stream Dixon Run and unnamed tributaries to Rayne Run, application received December 1, 1999, issued December 6, 1999.

11890103. Permit renewal for reclamation only, Marquise Mining Corporation (3889 Menoher Boulevard, Johnstown, PA 15905), for continued restoration of a bituminous strip mine in Lower Yoder Township, **Cambria County**, affecting 67.0 acres, receiving streams unnamed tributaries to and St. Clair Run, application received November 24, 1999, issued December 6, 1999.

56940107. Permit Renewal for reclamation only, Godin Brothers, Inc. (136 Godin Drive, Boswell, PA 15531), for continued restoration of bituminous strip mine in Jenner Township, **Somerset County**, affecting 63.4 acres, receiving stream Quemahoning Creek, application received November 15, 1999, issued December 6, 1999.

56703107. Permit Transfer from Badger Coal Company, Inc. to Hoffman Mining, Inc. (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), to delete 329 acres from the existing 1,192 acre operation and for continued operation and restoration of a bituminous-auger strip mine in Paint Township, **Somerset County**, affecting 863.0 acres, receiving stream unnamed tributaries to Paint Creek; to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek;

and to Shade Creek application received September 10, 1999, issued December 7, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

53990802. Superior Stone, Inc. (765 West Line Road, P. O. Box 174, Linden, PA 17744-0174), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Abbott Township, **Potter County** affecting 2 acres. Receiving streams: unnamed tributary to Little Kettle Creek. Application received February 17, 1999. Permit issued November 22, 1999.

08970822. Cecil Johnson, Jr. (R. R. 4, Box 4158, Wyalusing, PA 18853), transfer of an existing Small Industrial Minerals (Bluestone) permit from Robert J. Johnson. The permit is located in Orwell Township, **Bradford County** and affects 2 acres. Receiving streams: unnamed tributary to South Creek. Application received September 17, 1999. Permit issued November 12, 1999.

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

33990810. Calvin Gray (R. D. 4, Brookville, PA 15825) Commencement, operation and restoration of a small noncoal shale operation in Union Township, **Jefferson County** affecting 2.8 acres. Receiving streams: None. Application received: August 20, 1999. Permit Issued: December 1, 1999.

42992801. D & D Stone Company (P. O. Box 87, East Smethport, PA 17630) Commencement, operation and restoration of a small noncoal sandstone operation in Liberty Township, **McKean County** affecting 5.0 acres. Receiving streams: None. Application received: October 13, 1999. Permit Issued: December 6, 1999.

43992805. David Construction Company (1991 South Hermitage Road, West Middlesex, PA 16159) Commencement, operation and restoration of a small noncoal clay operation in the City of Hermitage, **Mercer County** affecting 6.0 acres. Receiving streams: None. Application received: July 29, 1999. Permit Issued: December 6, 1999.

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

Noncoal Permits Issued

66880301C3. Wyoming Sand & Stone Company (R. R. 2, Box 100, Tunkhannock, PA 18657), correction of an existing quarry operation and renewal of NPDES Permit No. PA0594229 in Falls Township, **Wyoming County** affecting 328.6 acres, receiving stream—Buttermilk Creek. Correction issued December 8, 1999.

67990301. Glen-Gery Corporation (P. O. Box 7001, Wyomissing, PA 19610-6001), commencement, operation and restoration of a quarry operation in Dover Township, **York County** affecting 39.87 acres, receiving stream—unnamed tributary to Fox Run. Permit issued December 8, 1999.

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

4876SM12. Waterford Sand & Gravel (15871 Sturgis Road, Union City, PA 16438) Renewal of NPDES Number PA0108448 in Waterford Township, **Erie County**. Receiving streams: Unnamed tributary to LeBoeuf Creek. Application received: October 27, 1999. Permit Issued: December 1, 1999.

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

65980401. New Enterprise Stone & Lime Co., Inc. (Box 77, Church Street, New Enterprise, PA 16664). Permit issued for commencement and operation of a large noncoal (limestone quarry) surface mine located in Donegal Township, **Westmoreland County**, affecting 76.7 acres. Receiving streams: two unnamed tributaries to Indian Creek and Indian Creek. Application received: April 23, 1998. Permit issued: December 9, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (*Note:* Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

Permits Issued and Actions on 401 Certifications

The following is a correction to the action published on December 4, 1999.

Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E15-617. Encroachment Permit. Columbia Transmission Communications Corporation P. O. Box 10146, Fairfax, VA 22030-0146. Giving its consent to install and maintain a fiber optic utility line communication system across the following streams and wetlands:

1. West Branch of Brandywine Creek (TSF-MF) located approximately 1,000 feet northwest of the intersection Creek Road and Saw Mill Road (Coatesville USGS Quad-

rangle N: 12.7 inches, W: 3.6 inches) in Newlin Township, **Chester County** (Resource No. PA-36).

2. Broad Run (EV, MF) located approximately 1,300 feet south of the intersection of Broad Run Road and Chestnut Lane (Unionville USGS Quadrangle N: 15.5 inches, W: 15.95 inches) in West Bradford Township, Chester County (Resource No. PA-38).

3. Unnamed tributary of Broad Run (EV, MF) located approximately 3,300 feet northeast of the intersection of Broad Run Road and Beacon Hill Road (Unionville USGS Quadrangle N: 18.1 inches, W: 15.3 inches) in West Bradford Township, Chester County (Resource No. PA-38A).

4. Unnamed tributary of Broad Run (EV, MF) located approximately 1,800 feet north-northeast of the intersection of Strasburg Road (S. R. 0162), Romansville Road and Shadyside Road (Unionville USGS Quadrangle N: 15.15 inches, W: 16.55 inches) in West Bradford Township, Chester County (Resource No. PA-38B).

5. Unnamed tributary of Broad Run (EV, MF) located 500 feet northeast of the intersection of Poorhouse Road and Federal Drive (Unionville USGS Quadrangle N: 19.9 inches, W: 14.8 inches) in West Bradford Township, Chester County (Resource No. PA-39).

6. Birch Run (EV) and adjacent wetland (PEM) located approximately 600 feet west of the intersection of Hollow Road and Horseshoe Trail Downingtown (USGS Quadrangle N: 21.3 inches, W: 5.1 inches) in West Bradford Township, Chester County (Resource No. PA-52).

7. Unnamed tributary to Birch Run (EV) located approximately 2,000 feet west of the intersection of Hollow Road and Birchrun Road (Pottstown USGS Quadrangle N: 0.8 inch, W: 3.55 inches) in West Vincent Township, Chester County (Resource No. PA-53).

8. Unnamed tributary to Birch Run (EV) located approximately 1,600 feet north of the intersection of Hollow Road and Flowing Springs Road (Pottstown USGS Quadrangle N: 1.80 inches, W: 2.20 inches) in West Vincent Township, Chester County (Resource No. PA-54).

9. French Creek (HQ-TSF, MF) located 300 feet west of the intersection of Pughtown Road and Sheeder Road (Phoenixville USGS Quadrangle N: 4.8 inches, W: 16.8 inches) in East Vincent and West Vincent Townships, Chester County (Resource No. PA-56).

In addition, the permittee agrees to follow the recommendations made by the PA Fish and Boat Commission and U. S. Fish and Wildlife Service regarding the construction methods for various wetland crossings along the fiber optic line route which may be potential habitat to the following threatened and endangered species: Bog turtle and Red-bellied turtle.

This project is a segment of the Chesapeake Network Fiber Optic Project, which will be installed along existing Columbia Gas Pipeline right-of-way. In Pennsylvania, this project will extend through Lancaster, Chester, Montgomery, Bucks, Lehigh, and Northampton Counties. Wetland disturbance will be temporary and minimized. In Chester County this linear project will extend from a point in West Nottingham Township (Kirkwood USGS Quadrangle N: 7.6 inches, W: 6.25 inches) to a point in East Coventry

Township (Phoenixville USGS Quadrangle N: 15.1 inches, W: 11.5 inches) and will traverse East Nottingham, Lower Oxford, Upper Oxford, Londonderry, Highland, East Fallowfield, West Bradford, Caln, East Brandywine, Upper Uwchlan, West Vincent and East Vincent Townships. The descriptions and locations of all crossings are listed on the attached Table 1.1.

The changes to the following Table 1-1 apply to Permits E09-795, E15-617 and E46-840.

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Stream	Resource Type Water Uses Protected	Floodplain	Length of Crossing Disturbance	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
Lancaster	Conowingo Dam, MD-PA	PA-003 PA.01.011	72+06	PA-1		Unnamed Tributary to Octoraro Creek	TSF; MF	350'	5' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Station 72+06 East of Jenkins Corner and south of Wrightsdale.
		PA-004 PA.01.014	88+50	PA-2		Unnamed Tributary to Octoraro Creek	TSF; MF	200'	6' Stream, 12' Bank-Bank	plow/biologist onsite or seasonal restriction****	Octoraro Creek	Southwest of Quarry Road Crossing
		PA-005 PA.01.019	117+24	PA-3		Unnamed Tributary to Octoraro Creek	TSF; MF		4' Stream, 8' Bank-Bank	Open cut/biologist onsite or seasonal restriction****	Octoraro Creek	Stream depicted on Soil Survey but not on U.S.G.S. map.
	Rising Sun, MD-PA	PA-006 PA.01.021	145+86	PA-4		Unnamed Tributary to Reynolds Run			10' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-006 PA.01.021	146+76	PA-5		Unnamed Tributary to Reynolds Run			5' Stream	plow/biologist onsite or seasonal restriction****	Octoraro Creek	South of Sleepy Hollow Road
		PA-007 PA.01.030	182+45	PA-6		Reynolds Run	HQ-TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	South of Kirks Mills
		PA-010 PA.01.082	281+79	PA-7		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream, 15' Bank-Bank	Open cut	Octoraro Creek	West of Summerhill
		PA-012 PA.01.086	316+10	PA-8		Unnamed Tributary to McCreary Run	TSF; MF		3' Stream	Insert or Plow*	Octoraro Creek	Approximately 800 feet north of intersection of Pine Grove Rd. and TR 756
	Kirkwood, PA	PA-012 PA.01.090.01	326+24	PA-9		McCreary Run	TSF; MF		4' Stream, 6' Bank-Bank	Insert or Plow*	Octoraro Creek	Approximately 1100 feet north of Pine Grove Rd. and just east of TR 756
		PA-012 PA.01.090.01	329+01	PA-10		McCreary Run	HQ-TSF; MF	300'	15' Stream, 30' Bank-Bank	Open cut	Octoraro Creek	Approximately 3,000 feet northeast of PA Route 272
		PA-013 PA.01.093	362+81	PA-11		Unnamed Tributary to Octoraro Creek	TSF; MF		10' Stream	Insert or Plow*	Octoraro Creek	Approximately 4500 feet southwest of Pine Grove
		PA-015 PA.01.100	407+30	PA-12		Octoraro Creek	TSF; MF	2,200' Parallel	45' Stream (both counties)	Insert or Bore	Octoraro Creek	Southeast of Pine Grove
		PA-015 PA.01.100	407+82	PA-12		Octoraro Creek	WWF, MF	see above	see above	Insert or Bore	Octoraro Lake	200 feet west of Ashville Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type		Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location	
						Stream	Water Uses Protected					
Oxford, PA		PA-016 PA.02.007, .008	440+712- 440+912	PA-13	PEM	Tweed Creek	TSF; MF	15' Stream; 200' Wetland	Insert or Bore	Octoraro Lake	200 feet southwest of Bethel Road	
		PA-018 PA.02.0017	502+57	PA-14		Leech Run	TSF; MF	350'	15' Stream	Insert or Plow	Octoraro Lake 1000 feet northeast of Lancaster Pike	
		PA-024 PA.02.033, .035	666+23	PA-15		Muddy Run	TSF; MF		60' Stream	Insert or Plow		
		PA.025	688+47	PA-16		Unnamed Trib to Muddy River			4' Stream	Insert or Bore****	North of Cheek Road	
		PA.025 PA.02.040	697+82	PA-17		Unnamed Trib to Muddy River			4' Stream	Insert or Plow*	North of Catamount Road	
		PA-026 PA.02.041,.042	729+94- 730+64	PA-18	PEM Wetland				150' Wetland	Bore**		Southeast of SR 0896
		PA-026 PA.02.041	732+14	PA-19		Unnamed Trib to Muddy River			5' Stream	Insert or Plow*		
		PA-029 PA.02.0050	810+49- 812+43	PA-20	PEM Wetland				600' Wetland	Bore**		
		PA-030 PA.02. 0054.01	825+78- 827+74	PA-021	PEM Wetland				200' Wetland	Bore**		
		PA-031 PA.02.0059	857+23	PA-22	Big Elk Cr.				6' Stream	Insert or Bore***		
Parkersburg, PA		PA-031 PA.02.0061	861+09+-	PA-23	PEM Wetland	Int Trib			300' Wetland and Stream Crossing	Insert or Bore****		
		PA-033 PA.02.0068	918+50- 919+20	PA-24	PEM Wetland	Int Trib			100' Wetland and Stream Crossing	Bore		
		PA-033 PA.02.0069	928+69	PA-25		Int Trib			3' Stream	Insert or Plow		
		PA-035 PA.02.0078	978+08	PA-26		Unnamed Tributary to Doe Run		250'	6' Stream	Insert or Plow*	Doe Run	1000 feet northeast of Fernwood Road
		PA-035 PA.02.0081	995+23	PA-27		Unnamed Tributary to Doe Run			3' Stream	Insert or Plow*		300 Feet Northeast of Hannum Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad	Map No.- Parcel	Station No.	Resource No.	Wetland	Stream	Resource Type	Water Uses Protected	Floodplain	Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location	
Coatsville, PA	PA.02.0087, .0089	PA-039	1089+77	PA-28		Doe Run			450'	50' Stream	Insert or Bore	Doe Run	1000 feet northwest of Creek Road and Rosenvick Road Intersection	
		PA.02.0092	1110+43-1110+93	PA-29	PEM	Unnamed Intermittent Tributary to Doe Run				3' Stream; 50' Wetland	Insert or Bore***	Doe Run	1700 northeast of Rosenvick Road	
		PA.02.0092	1123+96	PA-30		Unnamed Intermittent Tributary to Doe Run				6'	Insert or Bore***	Doe Run	2500 feet south of Doe Run Road, adjacent to Highland Town Line	
		PA.02.0098	1159+95	PA-31		Unnamed Intermittent Tributary to Doe Run			375'	4' Stream	Insert or Bore***	Doe Run	Intersection of Doe Run Road	
		PA.02.0103	1201+10	PA-32		Unnamed Tributary to Doe Run			300'	5' Stream	Insert or Bore***	Doe Run	600 feet east of State Rte. 82	
		PA.02.0103	1202+53	PA-33		Unnamed Tributary to Doe Run			300'	5' Stream (in same Drainage as 32)	Insert or Bore****	Doe Run	600 feet east of State Rte. 82	
		PA.02.0106	1244+70	PA-34		Buck Run	TSF; MF		650'	50' Stream	Bore		Buck Run	1000 feet southeast of DuPont Road
		PA.02.0117	1319+36+-	PA-35	Potential Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF			250' Wetland; 2' Stream	Bore**		Brandywine Creek	1000 feet south of Fairview Road
		PA.02.0125.01, .0215.02	1354+53	PA-36		West Branch Brandywine Creek	TSF,MF		500'	75' Stream	Bore		Brandywine Creek	Directly west of Creek Road
		PA02.0131	1402+96+-	PA-37	Palustrine Emergent Wetland	Unnamed Tributary to Brandywine Creek	WWF,MF			400' Wetland and Stream Crossing	Bore**		Brandywine Creek	1500 feet south of Strasburg Road
Unionville, PA	PA.02.0139	PA-051	1447+88	PA-37A	Potential Wetland	Small Spring-fed Stream				2'-3' Stream	Bore**		East of Evergreen Drive	
		PA-052	1475+38	PA-38		Broad Run	EV,MF			15' Stream	Bore	Broad Run	Adjacent to Broad Run Road	
		PA-053	1513+97	PA-38A						5' Stream; Bank-Bank	Bore***		Adjacent to Victoria Drive	

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

<i>County</i>	<i>USGS/NWI Quad.</i>	<i>Map No.- Parcel</i>	<i>Station No.</i>	<i>Resource No.</i>	<i>Wetland</i>	<i>Stream</i>	<i>Resource Type Water Uses Protected</i>	<i>Floodplain</i>	<i>Length of Crossing Disturbance</i>	<i>Crossing Methods/ Construction Restriction</i>	<i>Watershed (Subbasin)</i>	<i>Location</i>
		PA-054	1526+25	PA-38B		Potential Intermittent Stream			5' Intermittent Stream; Bank-Bank	Bore**		Adjacent to Russel Circle
		PA-055 PA.02.	1559+00- 1560+25	PA-39	Palustrine Emergent Wetland	Tributary			50' Crossing; meandering 3' channel	Bore**	Broad Run	200 feet north of Poorhouse Road
Downing- town, PA		PA-57B PA.02.0156 .03	1618+43	PA-40	Palustrine Emergent Wetland	Beaver Creek	TSF;MF	1,000'	400' Wetland; 4' Stream	Bore**	East Branch Brandywine	Directly west of Lloyd Ave.
		PA-57B PA.02.0156 .03	1624+22	PA-41	Palustrine Emergent Wetland	Unnamed Tributary to Beaver Creek	TSF;MF	1,000'	500' Wetland; 35'-40' Stream	Bore**		
		PA-58B	1642+01	PA-42		Unnamed Trib			5' Stream	Plow		
		PA-060 PA.02.0169. 03.04	1704+54	PA-43		Unnamed Intermittent Tributary to East Branch Brandywine			5' Stream	Plow	East Branch Brandywine	600 feet northeast of Rock Raymond Road
		PA-061 PA.02.0170. 13	1731+23	PA-44		Unnamed Intermittent Tributary to East Branch Brandywine	HQ,-TSF,MF		10' Stream	Plow	East Branch Brandywine	1731+23
		PA-061 PA.02.0170	1749+67	PA-45		Unnamed Tributary to East Branch Brandywine	HQ,-TSF,MF		2' Stream	Plow	East Branch Brandywine	1749+67
		PA-062	1769+70	PA-46/ 46a		East Branch Brandywine	WWF,MF	250'	75' Stream	Insert or Bore***	East Branch Brandywine	1770+18
		PA-063	1786+42	PA-47		Shamona Creek	HQ-TSF,MF	200'	30' Stream	Bore	East Branch Brandywine	Dowlins Forge and Shelmire Roads
		PA-066 PA.02.0188 .03	1882+82	PA-48		Unnamed Tributary to Marsh Creek Lake			5' Stream	Bore	East Branch Brandywine	500' South of Turnstone Way
		PA-067 PA.02 .0192	1911+22- 1912+52	PA-49	PEM PFO (outside of ROW)	Unnamed Intermittent Tributary to Marsh Creek Lake			5' Stream	Bore**	East Branch Brandywine	Approximately 1500 feet south of State Rte. 76 (PA Turnpike)
		PA-069	1967+08- 1967+58	PA-49A	Potential Wetland	Drainage wet from adjacent Cow Pond		50' wet drain	Open cut	Bore (red-bellied turtle)		800' West of SR 0100

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Stream	Resource Type	Water Uses Protected	Floodplain	Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
		PA-070 PA.02.0203	1995+41- 1999+06	PA-50	Treatment Pond Wetland					250' Pond/ Wetland Crossing	Bore***	Pickering Creek	Directly south of Fellowship Road
		PA-072 PA.02.0208	2045+16	PA-51	Palustrine Emergent Wetland	Pine Creek			200'	150' Wetland; 10' Stream	Bore**	Pickering Creek	Directly south of Fellowship Road
		PA-074 PA.02.0218	2114+70	PA-52	PEM	Birch Run	EV			150' Wetland; 12' Stream	Bore***	French Creek	500 feet southwest of Horseshow Trail Road
Pottstown, PA		PA-076 PA.02.0231	2170+00	PA-53		Unnamed Tributary to Birch Run	EV			20' Stream	Bore	French Creek	Approximately 250 feet Southwest of Birch Run Road
		PA-077 PA.02.0239	2203+86	PA-54		Unnamed Tributary to Birch Run	EV			2' Stream	Plow	French Creek	550' Northeast of Flowing Springs Road
		PA-077 PA.02.0242, .0243,.0244	2213+00- 2229+86	PA-55	Palustrine Emergent Wetland					1,650' Wetland	Bore**	French Creek	Adjacent to Birch Run
Phoenixville, PA		PA-080 PA.02.0259	2287+78	PA-56		French Creek	HQ-TSF,MF	1,000'		125' Stream	Bore	French Creek	Directly south of Pughtown Road
		PA-081 PA.02.0268.01	2326+77	PA-57	Palustrine Emergent Wetland	Unnamed Tributary to French Creek	HQ-TSF,MF			200' Wetland; 6' Stream	Bore	French Creek	Directly north of Sheeder Road
		PA-084 PA.02.0272	2393+35- 2395+10	PA-58	Palustrine Emergent Wetland	Stony Run	HQ-TSF	500'		300' Wetland; 10' Stream	Bore**	Schuylkill River	Approximately 1000 feet northeast of Woods Road
		PA-087 PA.02.0293	2493+76	PA-59		Pigeon Creek	HQ-TSF			15' Stream	Bore	Schuylkill River	Directly north of Schuylkill Road
		PA-087	2498+88	PA-59A	Wet drain					2' Meandering channel	Open Cut****		
		PA-088 PA.02.0301	2524+22	PA-60		Unnamed Tributary to Schuylkill River	HQ-TSF			3' Stream	Bore	Schuylkill River	Directly adjacent to Schuylkill River
		PA-088 PA.02.0301	2525+29- 2530+28	PA-61		Schuylkill River	CWF			500' Stream (Chester Co. Portion)	Bore	Schuylkill River	East of Linfield
Montgomery PA	Phoenixville, PA	PA-089		PA-61		Schuylkill River (Cont'd.)	CWF			500' Stream (Montgomery Co. Portion)	Bore	Schuylkill River	East of Linfield

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type			Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
						Stream	Water Uses Protected	FloodplainDisturbance				
Sassmansville, PA		PA-089	2530-3532+50	PA-62	PEM	Schuylkill River Floodplain			100' Wetland	Bore	Schuylkill River	Between Schuylkill River and toe of Reading Rail Road Bend
		PA-090	2574+25-2574+75	PA-63					60' Wetland	Bore	Schuylkill River	Just south of Keen Road (Northern)
		PA-091	2585+65	PA-64			Brook Evans Creek		10' Stream Bank-Bank	Bore	Schuylkill River	South of Keen Road (Northern)
		PA-091	2586+45-2587+20	PA-65	PEM				70' Wetland	Bore	Schuylkill River	North of Keen Road (Northern)
		PA-092	2623+11	PA-66			Possum Hollow Run		10' Stream Bank-Bank	Bore	Schuylkill River	South of Possum Hollow Road
		PA-092	2639+12	PA-67	PEM				Wetland	Bore	Schuylkill River	North of Possum Hollow Road
		PA-094	2687+79	PA-68			Hartenstine Creek		10' Stream Bank-Bank	Plow*	Santoga Creek	East of Penn Road
		PA-096	2734+50-2737+00	PA-69	PEM				175' Wetland Bank-Bank; 3' Stream	Bore***	Santoga Creek	North of Pruss Hill Road
		PA-097	2774+17-2779+64	PA-70	PEM Phragmites				500' Wetland	Bore****	Swamp Creek	North of Mill Road
		PA097	2781+16-2784+26	PA-70A	PEM					Bore***		
		PA-098	2811+42-2812+04	PA-71			Swamp Creek		60' Stream	Bore	Swamp Creek	South of Swamp Creek Road
		PA-099	2820+75-2824+20	PA-72	PEM		Tributary to Swamp Creek		350' Wetland; 5' Stream	Bore**	Swamp Creek	North of Swamp Creek Road
		PA-100	2856+19	PA-73			Tributary to Swamp Creek		8' Stream	Plow*	Swamp Creek	North of Keyser Road
		PA101	2877+02	PA-74			Intermittent Stream			Bore***		
		PA-101	2877+82-2879+61	PA-74A	PEM				200' Wetland; 3' Stream	Bore****		West of Neiffer Road, South of SR 073
	PA-102	2917+04	PA-75			Scioto Creek		15' Stream	Bore	Swamp Creek	Southeast of Perkiomenville Road	

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type		Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
						Stream	Water Uses Protected FloodplainDisturbance				
Bucks	Milford Square, PA	PA-104	2960+34	PA-76		GoshenHoppen Creek		8' Stream	Plow*	Perkiomen Creek	West of Perkiomenville Road, South of Gottshalki Road
		PA-107	3070+25-3072+30	PA-77	PEM-Created	Deep Creek		200' Wetland; 25' Stream	Plow*	Perkiomen Creek	North of Deep Creek Road
		PA-108		PA-77	Bordering Emergent Wetland	Deep Creek (continued)			Bore*** or more info		
		PA-109	3114+94-3125+00	PA-78		Green Lane Reservoir	TSF	990' open water	Bore	Perkiomen Creek	
		PA-110	3145+93	PA-79		Tributary to Green Lane Reservoir		10' Stream	Plow*	Perkiomen Creek	South of SR 29
		PA-112	3210+97-3211+60	PA-80		Macoby Creek	TSF	65' Stream	Bore	Perkiomen Creek	East of Campbell Road
		PA-115	3277+17	PA-81		Tributary to Macoby Creek	TSF	10' Stream	Plow*		
		PA-115	3290+24-3296+75	PA-82	Potential Wetland			75' Pond Edge	Bore****		
		PA-119	3390+61	PA-83A		Hazelback Creek	TSF	8' Stream	Bore*** or more info	Unami Creek	Northeast of Fels Road
		PA-120	3422+00	PA-83B		Potential Wetland		60' Wetland Back-Back	Bore**	Unami Creek	1,000 feet northeast of Hazelback Creek
		PA-120	3439+16	PA-84		Schmoutz Creek	TSF	30' Wetland; 15' Stream	Plow*	Unami Creek	300 feet west of Kumry Raod
		PA-122	3481+65	PA-85		Intermittent Stream		Intermittent Stream	Bore	Unami Creek	100' East of Turnpike
		PA-122	3487+57-3494+50	PA-86	PEM	Molasses Creek	TSF	200' Wetland; 5' Stream	Bore**	Unami Creek	1,000 feet east of Pennsylvania Turnpike and south of State Route 663 (Spinnerstown-Quakertown Road).
		PA-122	3502+00	PA-87	PEM	Unnamed Intermittent tributary to Molasses Creek		60' Wetland	Plow	Unami Creek	400' south of Quaker Route Road

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type		Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
						Stream	Water Uses Protected				
		PA-124	3541+89	PA-088		Licking Creek	TSF	15' Stream	Plow*	Unami Creek	Approximately 3,000 feet northeast of Spinnertown- Quakertown Road.
		PA-124	3544+00	PA-089				50' Wetland	Plow	Unami Creek	
		PA-124	3555+00	PA-090	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek		150' Wetland	Plow	Unami Creek	Approximately 1,000 southeast of Intersection with Allentown Road.
		PA-125	3561+00- 3567-50	PA-091	Palustrine Emergent Wetland	Unnamed Tributary to Licking Creek	TSF	450' Wetland	Bore**	Unami Creek	Intersection of Allentown Road.
		PA-126	3589+00- 3601+00	PA-092	Palustrine Forested Wetland	Unnamed Tributary to Unami Creek	TSF	1200' Wetland; 12' Stream	Bore**	Unami Creek	800 feet north of Mill Pond Road.
		PA-126	3606+00- 3610+75	PA-093	Palustrine Scrub Shrub Wetland	Tributary to Unami Creek		125' Wetland; 6' Stream	Bore***	Unami Creek	1,400 feet north of Mill Pond Road.
		PA-126	3618+00- 3621+00	PA-094	PEM	Unnamed Tributary to Unami Creek	TSF	170' Wetland; 6' Stream	Bore**	Unami Creek	At Intersection of unnamed road north of Mill Pond Road, and west of Brick Tavern.
		PA-127	3634+75- 3638+00	PA-095	PEM	Unami Creek		150' Wetland; 20' Stream	Bore****	Unami Creek	1000 feet east of Wiend Road
		PA-127	3646+50- 3648	PA-096	PEM			150' Wetland	Plow	Unami Creek	Just west of old Bethlehem Pike
		PA-128	3650+40- 3653+00	PA-097	PEM			250' Wetland	Bore**	Unami Creek	Just northeast of Old Bethlehem Pike
		PA-130	3719+00- 3720+00	PA-098	PEM			100' Wetland	Bore****	Unami Creek	
		PA-130	3720+85- 3722+90	PA-099	PEM			150' Wetland	Bore	Unami Creek	
		PA-130	3723+66	PA-100		Tributary to Unami Creek		10' Stream	Bore	Unami Creek	
		PA-131	3737+02	PA-101		Tributary to Tohickon Creek		7' Stream	Plow*	Unami Creek	
		PA-131	3744+34- 3745+85	PA-102	PEM-Pond PUB	Pond		150' Pond	Not Crossing pond****	Tohickon Creek	

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Stream	Resource Type	Water Uses Protected	Floodplain	Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
		PA-132	3770+17-3772+14	PA-103	Emergent Wetland					65' Wetland	Plow		
Northampton	Hellertown, PA	PA-133	3791+68-3792+50	PA-104	Palustrine Forested Wetland	Unnamed tributary to Tohickon Creek				95' Wetland; 3-15' Stream	Bore	Tohickon Creek	Directly north of unnamed road in vicinity of Rock Valley.
		PA-138	3960+81	PA-105		Unnamed headwater-Cooks Creek		EV		5' Intermittent Stream	Dry ditch/plow	Cooks Creek	800 feet southwest of Richland Road
		PA-139	3986+20	PA-106		Tributary to Cooks Creek		EV		30' Wetland; 3' Stream	Bore	Cooks Creek	2000 feet northeast of Richland Road
		PA-141	4026+58	PA-107	PEM-PSS	Tributary to Cooks Creek		EV		150' Wetland; 5' Bank-Bank	Bore		2000 feet northeast of SR 412
		PA-143	4085+94	PA-108		Polk Valley Run				12' Bank-Bank	Dry ditch/plow****		300 feet south of Folk Valley Road
		PA-144-145	4130+52-4145+50	PA-109	PEM-PSS	Silver Creek (04133+79)				1300' Wetland; 12' Stream; Bank-Bank	Bore**		300-1000 feet south of Wassergrass Road
		PA-147	4196+03	PA-110		Unnamed Tributary to East Branch Saucon Creek				1' Intermittent Stream	Plow*	East Branch Saucon Creek	400 feet south of Apple Street
		PA-147	4196+82	PA-111		Unnamed Tributary to East Branch Saucon Creek				1' Intermittent Stream	Plow*	East Branch Saucon Creek	450 feet south of Apple Street
		PA-150	4276+28	PA-112		Tributary to East Branch Saucon Creek				8' Stream; Bank-Bank	Plow*	East Branch Saucon Creek	500 feet southwest of Easton Road
		PA-150	4277+37	PA-113		East Branch Saucon Creek				12-15' Stream; Bank-Bank	Plow*	Saucon Creek	500 feet southeast of Easton Road
		PA-151	4327+98	PA-114		Tributary to East Branch Saucon Creek				5' Stream	Bore**	East Branch Saucon Creek	1500 feet southwest of Trichline Road
		PA-155	4439+53	PA-115		Tributary to Frya Run				4' Bank-Bank	Plow*		1200 feet east of Rangeville Road
		PA-159	4557+20	PA-116		Delaware Canal		Park Property and Historic		40' Stream; Bank-Bank	Bore		75 feet east of SR 61

**TABLE 1-1. CHESAPEAKE NETWORK FIBER OPTIC PROJECT
PENNSYLVANIA STREAM AND WETLAND CROSSINGS**

County	USGS/NWI Quad.	Map No.- Parcel	Station No.	Resource No.	Wetland	Resource Type			Length of Crossing	Crossing Methods/ Construction Restriction	Watershed (Subbasin)	Location
						Stream	Water Uses Protected	FloodplainDisturbance				
		PA-159	4559+29-4562+62 (state line)	PA-117		Delaware River			350' to middle of River	Bore		200 feet east of SR 01

KEY:

WWF = Statewide List (Statewide list plus DO2 and Temp2)

CWF = Statewide List plus Cold Water Fish (Statewide List plus DO1 and Temp1)

TSF = Statewide List plus Trout Stocking (Statewide List plus DO5 and Temp3)

HQ-WWF = Statewide List plus High Quality Waters (Statewide List plus DO1 and Temp2)

HQ-CWF = Statewide List plus High Quality Waters and Cold Water Fish (Statewide List plus DO6 and Temp1)

HQ-TSF = Statewide List plus High Quality Waters and Trout Stocking (Statewide List plus DO1 and Temp3)

EV = Statewide List plus Exceptional Value Waters (Existing Quality)

(*) The stream crossing will be completed in the dry. If there is flow at the time of construction, (and inserting is not available) the flow will be diverted away from the work area during construction and the conduit will be installed by plowing (or trenching as needed).

(**) These sites are committed by Transcom to be bored after consultation at USFWS office on regarding Bog Turtle Habitat.

(***) These sites are considered Bog Turtle habitat per M. McCarthy, USFWS on 9/15/99 and must be avoided, including equipment crossings.

(****) Crossing Methods and/or Restrictions per Andy Shiels, PAFBC letter dated 9/16/99.

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

E40-521. Encroachment. **Transcontinental Gas Pipe Line Corporation**, 2800 Post Oak Boulevard (77056), P. O. Box 1396, Houston, TX 77251-1396. To construct and maintain 68 utility line stream crossings, consisting of 32 crossings of watercourses and 36 crossings of wetlands (as detailed on the attached lists) for the purpose of constructing a 17.72-mile section of 42-inch natural gas pipeline (known as the Benton Loop). The project will temporarily impact 14.28 acres of forested scrub-shrub emergent wetlands and includes a temporary road crossing at each utility line stream crossing. The project extends from Transco's Leidy Line/Wilkes-Barre Block Valve Yard at Milepost 28.56 in Salem Township, **Luzerne County** (Berwick, PA Quadrangle N: 20.8 inches; W: 8.3 inches), continuing northwestward, parallel to the existing Leidy Line and Leidy Line "A" to Compressor Station 517 in Jackson Township, Columbia County (Elk Grove, PA Quadrangle N: 3.8 inches; W: 7.6 inches).

E48-281. Encroachment. **Transcontinental Gas Pipe Line Corporation**, 2800 Post Oak Boulevard (77056), P. O. Box 1396, Houston, TX 77251-1396. To construct and maintain 33 utility line stream crossings, consisting of 18 crossings of watercourses and 15 crossings of wetlands (as detailed on the attached lists), for the purpose of constructing a 6.27-mile section of 42-inch diameter natural gas pipeline (known as the Allentown Loop). The project will temporarily impact 3.04 acres of forested wetlands and 3.25 acres of emergent and scrub-shrub wetlands and includes temporary road crossings at each utility line stream crossing. The project begins at Transco's Delaware Regulatory Station at Milepost (MP) 30.29 in Lower Mt. Bethel Township, Northampton County (Bangor, PA-NJ Quadrangle N: 2.0 inches; W: 9.9 inches), continues along Transco's existing pipeline and terminates at a block valve yard at MP 36.56 in Plainfield Township, **Northampton County** (Wind Gap, PA Quadrangle N: 13.1 inches; W: 4.9 inches).

E48-282. Encroachment. **Columbia Transmission Communications Corporation**, 12801 Fair Lakes Parkway, P. O. Box 10146, Fairfax, VA 22030-0146. To construct and maintain 13 utility line crossings of streams and wetlands and 7 temporary road crossings (as detailed on the attached list) associated with the Chesapeake Network Fiber Optic Project which extends through southeast Pennsylvania. This portion of the overall project involves the installation of multiple (4) 1 1/4-inch diameter HDPE conduit bundles within the existing Columbia Gas Pipeline R.O.W. through Northampton County beginning approximately 800 feet north of the intersection of Northampton and Bucks Counties (Hellertown, PA Quadrangle N: 7.0 inches; W: 11.5 inches) in Lower Saucon Township, Northampton County and ending at the Pennsylvania-New Jersey boundary in the Delaware River, approximately 800 feet northeast of the intersection S. R. 0611 and Canal Road (Easton, PA-NJ Quadrangle N: 0.7 inch; W: 9.0 inches) in Williams Township, **Northampton County**.

E64-205. Encroachment. **Donald Henderson and Louis Bellucci**, R. R. 2, Honesdale, PA 18431. To construct and maintain a private low flow crossing of a tributary to Purdy Creek, consisting of an 8 foot by 1.5 foot open bottom aluminum box culvert. The project is located 0.5 mile west of the intersection of Daniels (Township Road T-399) and Maines (Township Road T-365) roads (Lakeview, PA Quadrangle N: 14.2 inches; W: 4.6 inches) in Paupack Township, **Wayne County**.

Northcentral Region, Water Management-Soils and Waterways, F. Alan Sever, Chief, 208 West Third Street, Williamsport, PA 17701.

E53-333. Encroachment. **Stanley G. Corbett**, 634 North Hollow Road, Coudersport, PA 16915. To maintain a culvert, 48 inches in diameter, in North Hollow Creek located off North Hollow Road approximately 2.7 miles north of Route 6 (Sweden Valley, PA Quadrangle N: 7 inches; W: 9 inches) in Sweden Township, **Potter County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-449. Encroachment. **Laurie Pettengill**, Coastal Mart Inc., P. O. Box 1000, Westville, NJ 08093. To construct and maintain a deceleration lane consisting of 750 cubic yards of fill on .12 acre in the floodway of Pine Run and proposes to impact 10,450 square feet (0.24 acres) of wetlands for the construction of the Coastal Mart convenience store/vehicle fueling area, deceleration lane, and utility line. The wetlands shall be replaced with a minimum of 12,250 square feet (.281 acre) along the southwestern boundary of the existing onsite wetlands located on Rt. 220, 2 miles northeast of the intersection of Rt. 220 and Rt. 287 (Linden, PA Quadrangle, N: 16.37 inches, W: 7.71 inches) in Woodward Township, **Lycoming County**.

E57-086. Encroachment. **Fishing Creek Watershed Association**, 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815. To construct, operate and maintain a limestone diversion well in and along East Branch—Fishing Creek for the abatement of acid precipitation. The abatement system shall consist of a 12-inch diameter intake structure in the channel of East Branch—Fishing Creek, a 12-inch diameter water supply line in the floodway of East Branch—Fishing Creek, and two diversion wells with limestone supply hoppers also in the floodway of the stream. The water intake shall be constructed in dry work conditions through the use of a flume or pumping water around the work area. The project is located along the northern right-of-way of SR 0118 approximately 2.3-miles north of the intersection of SR 4049 and TR-725 (Red Rock, PA Quadrangle N: 12.7 inches; W: 12.9 inches) in Davidson Township, **Sullivan County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E63-468. Encroachment. **Brian Homes, Inc.**, 3027 South Park Road, Bethel Park, PA 15102. To place and maintain fill in approximately 0.06 acre of wetlands adjacent to an unnamed tributary to Brush Creek (WWF) for the purpose of constructing Phase 4 of the McMurray Highlands Development located on the east side of East McMurray Road, approximately 500 feet northeast from the intersection of East McMurray and Bebout Road (Bridgeville, PA Quadrangle N: 7.3 inches; W: 10.3 inches) in Peters Township, **Washington County**. The permittee has met the wetland replacement obligation by contributing to the Wetland Replacement Project. This permit also authorizes the construction and maintenance of sanitary and storm sewer wetland crossings.

E02-1297. Encroachment. **James S. Tortorice and Vicky Jerenko**, Old Route 837, Clairton, PA 15025. To remove the existing culvert and to construct and maintain a single span bridge having a minimum span of 47 feet and a minimum underclearance of 7.8 feet across Lobbs Run (WWF). The project is located on the north

side of Walton Road (S. R. 3021) approximately 500 feet east of its intersection with Scheinbach Road (Glassport, PA Quadrangle N: 3.4 inches; W: 7.0 inches) in Jefferson Hills Borough, **Allegheny County**.

E30-190. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 80.0 feet and a minimum underclearance of 13.2 feet across South Fork Tenmile Creek (HQ-WWF) for the purpose of improving the roadway standards and transportation safety. This permit also authorizes the construction and maintenance for a 21-inch diameter storm water outfall pipe into South Fork Tenmile Creek (HQ-WWF). The project is located on S. R. 0018, Section 05M, Segment 0280, Offset 2882 (Holbrook, PA Quadrangle N: 22.5 inches; W: 4.5 inches) in Center Township, **Greene County**.

E32-405. Encroachment. **East Mahoning Township**, P. O. Box 164, 12052 Route 119 North, Marion Center, PA 15759. To operate and maintain a 40-foot long, twin cell, 4-foot diameter pipe culvert (invert depressed 4 inches) in Pine Run (CWF), located on T-832 approximately 200 feet west of the intersection of S. R. 119 and T-832 (Marion Center, PA Quadrangle N: 4.4 inches; W: 8.1 inches) in East Mahoning Township, **Indiana County**.

E32-408. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701-0429. To remove the existing structure and to construct and maintain a dual span bridge having two normal spans of 86.8 feet and a minimum underclearance of 19.5 feet across Mahoning Creek (WWF). This permit also authorizes the placement and maintenance of fill in 0.131 acre of wetlands (0.01 PEM, 0.03 PSS, and 0.091 PFO) for the purpose of widening the bridge approaches, the temporary placement and maintenance of fill in 0.11 acre of palustrine scrub/shrub and forested wetlands and the construction, maintenance and removal of a temporary stream crossing consisting of five 84-inch diameter pipes in Mahoning Creek (WWF). The project is located on S. R. 4026, Section 450, Station 143 + 71, just south of the intersection of S. R. 4026 and T-371 (Dayton, PA Quadrangle N: 3.8 inches; W: 9.8 inches) in West Mahoning Township, **Indiana County**. To compensate for wetland loss, the permittee shall provide a minimum of 0.131 acre of replacement wetlands.

65-725. Encroachment. **True Line Corporation**, 470 Old Frankstown Road, Monroeville, PA 15146. To place and maintain fill in 0.39 acre of wetlands (PEM) as part of the Chanticleer Plan of Lots development project. To compensate for wetland loss, the permittee is required to provide a minimum of 0.54 acre of replacement wetlands. The project is located off of School Street (Mt. Pleasant, PA Quadrangle N: 19.6 inches; W: 15.5 inches) in the Borough of New Stanton, **Westmoreland County**.

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

E25-595. Encroachment. **Marina Holdings, Ltd.**, 726 West Bayfront Parkway, Erie, PA 16507. To remove two existing buildings and to construct and maintain a new two story building measuring 170 feet long by 92 feet wide extending beyond the existing seawall into Presque Isle Bay, Lake Erie, supported by 16 pile driven caissons over an area measuring approximately 150 feet long by 29 feet wide for Shakespiper's Bar & Grill Restaurant at

Bay Harbor Marina (Erie North, PA Quadrangle N: 0.9 inch; W: 13.8 inches) located in City of Erie, **Erie County**.

SPECIAL NOTICES

Municipal Waste Processing Facilities

Draft Department initiated general permit 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 municipal waste management regulations for a general permit to process or beneficially use municipal waste.

Central Office: Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit No. WMGM007: Storage and/or processing of residual septage prior to its beneficial use. This is a Statewide general permit.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), and section 271.811 of the municipal waste management regulations to issue general permits for any category of beneficial use or processing that results in beneficial use of municipal waste on a regional or Statewide basis when the Department determines that the use does not harm or present harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard conditions.

The proposed general permit will authorize the processing in aboveground tanks and/or aboveground storage in tanks of residential septage prior to beneficial use. Treatment processes must be in accordance with General Permit (PAG-9); Land Application to Agricultural Land, Forest or a Reclamation Site. The aboveground storage tank and processing units cannot exceed a combined volume of 250,000 gallons.

Comments concerning the proposed general permit should be directed to Stephen Socash, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit or a copy of the general permit may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend additional conditions or revisions to or approval or disapproval of the proposed permit.

Certified Emission Reduction Credits in Pennsylvania's ERC Registry

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (PADEP) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the require-

ments of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered, and certified ERCs in the ERC Registry are currently available for use as follows:

(1) To satisfy new source review (NSR) emission offset ratio requirements;

(2) To “net-out” of NSR at ERC-generating facilities;

(3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expire

for use as offsets 10 years after the emission reduction occurs. ERCs generated by the overcontrol of emissions by an existing facility do not expire for use as offsets. However, credits in the registry which are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency (EPA).

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. The ERC Registry Application, instructions and ERC Registry report can be found on the DEP's world wide web site at <http://www.dep.state.pa.us>, select air quality, select permits.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
American National Can Company County: Lehigh, PA Nonattainment status: Moderate Contact Person: R. M. Rivetna Telephone Number: (312) 399-3392	VOCs	166.7	11/06/2002	Trading
National Fuel Gas Supply Corp. Knox Compressor Station County: Jefferson, PA Nonattainment status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	145.7	06/30/2002	Internal Use and Trading
National Fuel Gas Supply Corp. Roystone Compressor Station County: Warren, PA Nonattainment status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	103.3	12/28/2002	Internal Use and Trading
U. S. Naval Hospital County: Philadelphia Nonattainment Status: Severe Contact person: Mark Donato Telephone Number: (215) 897-1809	NOx	30.5	3/31/2005	Trading
United States Steel Group County: Bucks Nonattainment Status: Severe Contact Person: Nancy Hirko Telephone Number: (412) 433-5914	NOx VOC	1101.7 18.1	8/01/2001	Trading
Lord Corporation Source: Two coal fired boilers County: Erie Ozone nonattainment status: Moderate Contact Person: Robert E. Nipper Telephone Number: (814) 868-0924	NOx	9.5	12/20/2004	Trading
Julian B. Slevin, Inc. Recipient/Holder: Ronald W. Lockhart Sandra S. Lockhart Source Location: Lansdowne County: Delaware Ozone nonattainment status: Severe Contact Person: Seth Cooley Telephone Number: (215) 979-1838	VOCs	85.22	12/20/2005	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
R. R. Donnelley & Sons Co. County: Lancaster Ozone nonattainment status: Moderate Contact Person: David A. York Telephone Number: (717) 293-2056	VOCs	33.0		Internal Use
Kurz Hastings Inc. County: Philadelphia Nonattainment Status: Severe Contact Person: Robert Wallace Telephone Number: (215) 632-2300	VOCs	323.0	ERCs will be proportionally reduced to comply with MACT standards for rotogravure and flexographic facilities.	Trading
Pennsylvania Electric Company (Penelec) Source Location: Williamsburg Station County: Blair Ozone nonattainment status: Moderate Contact Person: Tim McKenzie Telephone Number: (814) 533-8670	NOx VOCs	452.0 3.0	1/18/2001	Trading
Sharon Steel Corp. Source Location: Farrell County: Mercer Ozone nonattainment status: Moderate Contact Person: Robert Trbovich Telephone Number: (412) 983-6161	VOCs	10.7	11/30/2002	Trading
Pennsylvania Power Company (PA Power) Source Location: New Castle Plant County: Lawrence Ozone nonattainment status: Moderate Contact Person: Donald R. Schneider Telephone Number: (412) 652-5531	NOx	214.0	4/02/2003	Trading
Ford New Holland, Inc. Source Location: Mountville County: Lancaster Ozone nonattainment status: Moderate Contact Person: William E. Knight Telephone Number: (717) 355-4903	NOx VOCs	4.0 78.0	1/22/2003	Trading
Mercersburg Tanning Company Source Location: Mercersburg County: Franklin Ozone nonattainment status: Moderate Contact Person: David W. Warne Telephone Number: (717) 765-0746	VOCs	20.0	10/1/2004	Trading
I.H.F.P., Inc. Source Location: Milton Borough County: Northumberland Ozone nonattainment status: Moderate Contact Person: Michael West Telephone Number: (717) 742-6639	NOx VOCs	24.45 12.88	4/1/2006	Trading
3M Minnesota Mining & Manufacturing Plant Location: Bristol, Bucks Ozone nonattainment status: Severe Contact Person: Jeff Muffat Telephone Number: (651) 778-4450	VOCs	641.95	Varies from 4/16/2001 to 10/18/2001	Trading
Scranton-Altoona Terminal Corporation Source Location: Pittston Township County: Luzerne Ozone nonattainment status: Moderate Contact Person: John M. Arnold Telephone Number: (717) 939-0466	VOCs	18.36	1/1/2003	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone nonattainment status: Moderate Contact Person: Martin Mueller Telephone Number: (412) 762-5263	VOCs	41.7	06/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone nonattainment status: Moderate Contact Person: Lori Burgess Telephone Number: (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources:				Trading
Trichloroethylene Vapor Degreaser (151)	VOCs	12.2	06/01/2006	
Trichloroethylene Vapor Degreaser (152)	VOCs	2.7	10/01/2005	
Source Location: Spring Garden Township, County: York Ozone nonattainment status: Moderate Contact Person: Garen Macdonald Telephone Number: (717) 771-7346				
Pennzoil Products Company Source Location: Rouseville County: Venango Ozone nonattainment status: Moderate Contact Person: Lee E. Wilson Telephone Number: (814) 678-4649	NOx	31.6	04/15/2002	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone nonattainment status: Moderate Contact Person: LeRoy H. Hinkle Telephone Number: (610) 916-4248	NOx	9.42	11/22/2005	Trading
Avery Dennison Corporation Fasson Roll North America Source Location: Quakertown County: Bucks Ozone nonattainment status: Severe Contact Person: Roy R. Getz Telephone Number: (215) 538-6271	VOCs	108.53		Trading
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone nonattainment status: Moderate Contact Person: D. David Hancock, Jr. Telephone Number: (215) 777-7811	VOCs	18.0	7/28/2005	Trading
Magee Rieter Automotive Systems County: Columbia Ozone nonattainment status: Moderate Contact Person: Tim Bergerstock Telephone Number: (717) 784-4100	NOx VOCs	0.39 0.02	4/17/2006	Internal Use
Congoleum Corporation Source Location: Marcus Hook County: Delaware Ozone nonattainment status: Severe Contact Person: Robert G. Rucker Telephone Number: (610) 485-8900	NOx VOCs	5.2 0.9		Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
CNG Transmission Corporation Source Location: Leidy Township County: Clinton Ozone nonattainment status: Moderate Contact Person: Sean R. Sleigh Telephone Number: (304) 623-8462	NOx VOCs	39.28 0.55	10/27/2004	Internal use and trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone nonattainment status: Moderate Contact Person: J. R. Koch Telephone Number: (610) 694-2307	NOx VOCs	963.0 21.0	Varies from 11/18/2005 to 3/3/2007	Trading
Morgan Adhesives Company (MActac) Source Location: Scranton County: Lackawanna Ozone nonattainment status: Moderate Contact Person: Tim Owens Telephone Number: (330) 688-1111	VOCs	75	6/30/2008	Trading
Pennsylvania Electric Company (Penelec) Source Location: Front St. Station County: Erie Ozone nonattainment status: Moderate Contact Person: Tim McKenzie Telephone Number: (814) 533-8670	NOx	1477.90	1/18/2001	Trading
Crown Cork & Seal Co. Inc. Source Location: Sheet Coating and Decorating Lines County: Philadelphia Ozone nonattainment status: Severe Contact Person: Robert G. Vatistas Telephone Number: (215) 698-5308	NOx VOCs	10.1 36.5	Varies from 1/11/2002 to 2/27/2008	Trading
SUPERPAC, INC. Source Location: Southampton County: Bucks Ozone nonattainment status: Severe Contact Person: Robert Stull Telephone Number: (215) 322-1010	VOCs	26.91	Varies from 3/29/2001 to 9/30/2003	Trading
ICI Paints North America Source Location: Reading, Glidden Plant County: Berks Ozone nonattainment status: Moderate Contact Person: Bruce F. Maco Telephone Number: (610) 376-8320	VOCs	35.0	12/18/2005	Trading
Meritor Heavy Vehicle Systems LLC Source Location: New Castle County: Lawrence Ozone nonattainment status: Moderate Contact Person: Harry Klodowski Telephone Number: (412) 281-7997	NOx	64.2	5/31/2003	Trading
National Fuel Gas Supply Corporation Sources: Generators, # 1 Source Location: Ellisburg Station County: Potter Ozone nonattainment status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx VOCs	16.14 1.80	2/1/2009	Internal Use

Quarterly Summary of ERC Transactions

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection, Commonwealth of Pennsylvania. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

- 1 *ERC Generating Facility Information*
 ERC Generating Facility Name: Armstrong World Industries, Inc.
 Location of Source: Lancaster, PA
 Certified ERCs (tpy): 41.1 tpy of VOCs
 Amount of ERCs traded to Purchaser/Recipient: 41.1 tpy of VOCs
 Date of ERCs Transfer: September 28, 1999
 ERCs available for future use: 0

Purchaser/Recipient of ERCs
 Purchaser/Recipient of ERCs: PG&E Energy Trading-Power, L.P.
 Location of Source: Athens Generating Facility, Athens, New York
 VOCs credits used: 41.1
 VOCs credits available for future use: 0

- 2 *ERC Generating Facility Information*
 ERC Generating Facility Name: Meritor Heavy Vehicle Systems LLC
 Location of Source: New Castle, Lawrence County, PA
 Certified ERCs (tpy): 64.2 tpy of NOx and 13.4 tpy of VOCs
 Amount of ERCs traded to Purchaser/Recipient: 13.4 tpy of VOCs
 Date of ERCs Transfer: October 15, 1999
 ERCs available for future use: 64.2 tpy of NOx

Purchaser/Recipient of ERCs
 Purchaser/Recipient of ERCs: Consol Pennsylvania Coal Company
 Location of Source: Bailey Prep Plant, Greene County, PA
 Plan Approval Number: 30-072B
 VOC credits used: 0
 VOC credits available for future use: 13.4 tpy

- 3 *ERC Generating Facility Information*
 ERC Generating Facility Name: Avery Dennison Corporation, Fasson Roll North America
 Location of Source: 35 Pann-Am Drive, Quakertown, PA
 Certified ERCs (tpy): 219.53 tpy of VOCs
 Amount of VOC ERCs traded to Purchaser/Recipient: 68 tpy and 43 tpy
 Date of ERCs Transfer: October 15, 1999; October 26, 1999
 ERCs available for future use: 108.53 tpy of VOCs

 1. *Purchaser/Recipient of ERCs*
 Purchaser/Recipient of ERCs: Dart Container Corporation
 Location of Source: Leola, Lancaster County, PA
 Plan Approval Number: 36-05015B
 VOCs credits available for future use: 68 tpy

 2. *Purchaser/Recipient of ERCs*
 Purchaser/Recipient of ERCs: Kvaerner Philadelphia Shipyard, Inc.
 Location of Source: Philadelphia Naval Business Center, Philadelphia, PA
 VOCs credits used: 0
 VOCs credits available for future use: 43 tpy

- 4 *ERC Generating Facility Information*
 ERC Generating Facility Name: Universal Packaging Corporation
 Location of Source: Saratoga County, New York
 Certified ERCs (tpy): 66 tons per year of VOCs
 Amount of ERCs traded to Purchaser/Recipient: 66 tons per year of VOCs
 Date of ERCs Transfer: November 4, 1999
 ERCs available for future use: 0

Purchaser/Recipient of ERCs
 Purchaser/Recipient of ERCs: National Fuel Gas Supply Corporation
 Location of Source: Ellisburg Compressor Station, Potter County, PA
 Plan Approval Number: 53-00009D
 VOCs credits used: 0
 VOCs credits available for future use: 66 tpy

5 *ERC Generating Facility Information*
 ERC Generating Facility Name: Cargill Salt, Inc.
 Location of Source: Watkins Glen, New York
 Certified ERCs (tpy): 142.60 tpy of NOx
 Amount of ERCs traded to Purchaser/Recipient: 142.60 tpy of NOx
 Date of ERCs Transfer: November 24, 1999
 ERCs available for future use: 0

Purchaser/Recipient of ERCs
 Purchaser/Recipient of ERCs: AES Ironwood, L.L.C.
 Location of Source: Lebanon, PA
 Plan Approval Number: None
 NOx credits used: 0
 NOx credits available for future use: 142.60 tpy of NOx

[Pa.B. Doc. No. 99-2170. Filed for public inspection December 23, 1999, 9:00 a.m.]

Mining and Reclamation Advisory Board—Regulation, Legislation and Technical Committee; Meeting

The Mining and Reclamation Advisory Board's Regulation, Legislation and Technical Committee will have a meeting on Thursday, January 6, 2000, at 9 a.m. in the Delaware Conference Room, 16th Floor, Rachel Carson State Office Building, Harrisburg.

Questions concerning the agenda can be directed to Natalie Shepherd at (717) 783-5338 or E-mail to shepherd.natalie@dep.state.pa.us. The agenda for this meeting 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 Natalie Shepherd directly at (717) 783-5338 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-2171. Filed for public inspection December 23, 1999, 9:00 a.m.]

Stream Redesignation Evaluations; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to public notice of receipt of evaluation or assessment of waters for High Quality or Exceptional Value Waters redesignation) the Department of Environmental Protection (Department) hereby gives notice that evaluations of all or portions of the streams listed below are being conducted. Persons who have technical data concerning the water quality, instream habitat or biological condition of these waters are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Robert F. Frey, Division of Water Quality Assessment and Standards, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, E-mail frey.robert@dep.state.pa.us. Data should be submitted no later than January 25, 2000. Questions concerning these evaluations can be directed to Robert Frey at (717) 787-9637.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Brinton Run	Chester	Brandywine Creek
Browns Run	Warren	Allegheny River
Cove Creek	Bedford	Raystown Br. Juniata River
Grimes Run	Clearfield	Mosquito Creek
Little Bush Kill	Pike	Bush Kill
Lizard Creek	Schuylkill	Lehigh River
Oswayo Creek	Potter	Allegheny River
Oysterville Creek	Berks	Manatawny Creek
UNT Delaware R. (Smithtown Creek*)	Bucks	Delaware River
Trout Run	York	Codorus Creek
UNT Brandywine Cr. (Renwick Run*)	Chester	Brandywine Creek
UNT Brandywine Cr. (Wylie Run*)	Chester	Brandywine Creek
UNT Chester Creek**	Delaware	Chester Creek
West Branch Perkiomen Creek	Berks	Perkiomen Creek

UNT = Unnamed tributary to

* Local Name

** Flows through the Glen Mills School

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Robert Frey directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-2172. Filed for public inspection December 23, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code, Part IV Health Facilities, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from September 5, 1998 through September 4, 1999. Future publications of decisions on exception requests will appear on a quarterly basis.

All requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Elaine Gibble, Director, P. O. Box 90 Harrisburg, PA 17108. Inquiries regarding long term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Director, P. O. Box 90, Harrisburg, PA 17108. Those persons needing special assistance for speech or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

Request for Exceptions from Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Children's Hospital of Phila.	28 Pa. Code § 101.54	8/28/99	Approved
Children's Institute of Pittsburgh	28 Pa. Code § 107.2	12/26/98	Approved
HealthSouth Rehabilitation Hospital of Altoona	28 Pa. Code § 107.2	12/5/98	Denied
Allegheny University Hospital—Canonsburg	28 Pa. Code § 107.25(b)(8)	12/5/98	Denied
Clearfield Hospital	28 Pa. Code § 107.25(b)(8)	12/5/98	Denied
Medical Center, Beaver, Pa.	28 Pa. Code § 107.25(b)(8)	3/6/99	Denied
Shriners Hospital for Children	28 Pa. Code § 107.25(b)(8)	4/3/99	Denied
St. Francis Hospital of New Castle	28 Pa. Code § 107.25(b)(8)	5/1/99	Denied
Milton S. Hershey Medical Ctr.	28 Pa. Code § 107.26(b)(2)	4/3/99	Denied
UPMC Lee Regional Hospital	28 Pa. Code § 107.32	3/6/99	Denied
St. Francis Hospital of New Castle	28 Pa. Code § 107.32	7/31/99	Denied
J.C. Blair Memorial Hospital	28 Pa. Code § 107.62(a)	7/31/99	Denied
Muhlenberg Hospital Center	28 Pa. Code § 107.62(b)	3/6/99	Denied
Lehigh Valley Hospital	28 Pa. Code § 107.62(b)	3/6/99	Denied
Philipsburg Area Hospital	28 Pa. Code § 107.62(b)	4/3/99	Denied
Warren General Hospital	28 Pa. Code § 109.2	12/5/98	Denied
Doylestown Hospital	28 Pa. Code § 138.15	10/3/98	Information Pending
Hanover General Hospital	28 Pa. Code § 139.12(a)	12/5/98	No longer required
Hanover General Hospital	28 Pa. Code § 139.13(a)	12/5/98	No longer required
Corry Memorial Hospital	28 Pa. Code §§ 143.4 & 143.7	7/31/99	Denied
Marian Community Hospital	28 Pa. Code §§ 143.4 & 143.7	7/31/99	Denied
Good Samaritan Hospital	28 Pa. Code § 151.21(a)	4/3/99	Denied
Pocono Medical Center	28 Pa. Code § 571.1*	7/17/99	Approved in part/ Denied in part
Washington Hospital	28 Pa. Code § 571.1*	7/31/99	Denied
Sewickley Valley Hospital	28 Pa. Code § 571.1*	7/31/99	Denied
Memorial Hospital	28 Pa. Code § 571.1*	7/31/99	Approved
Latrobe Area Hospital	28 Pa. Code § 571.1*	7/31/99	Approved in part/ Denied in part

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Hahnemann University Hospital	28 Pa. Code § 571.1*	7/31/99	Approved
Good Samaritan Hospital	28 Pa. Code § 571.1*	7/31/99	Approved
Episcopal Hospital	28 Pa. Code § 153.1(a)	4/3/99	Approved
Sacred Heart Hospital	28 Pa. Code § 153.1(a)	4/3/99	Approved
Shriners Hospital for Children	28 Pa. Code § 153.1(a)	4/3/99	Denied
Miners Memorial Medical Center	28 Pa. Code § 153.1(b)	9/5/98	Approved
Pennsylvania Rehabilitation Group, Inc.	28 Pa. Code § 153.1(b)	12/26/98	Approved in part/ Denied in part
Doylestown Hospital	28 Pa. Code § 153.1(b)	2/27/99	Approved
Doylestown Hospital	28 Pa. Code § 153.1(b)	2/27/99	Approved
Pinnacle Health Hospitals	28 Pa. Code § 153.1(b)	3/6/99	Approved
Titusville Area Hospital	28 Pa. Code § 153.1(b)	3/6/99	Approved
UPMC Lee Regional Hospital	28 Pa. Code § 153.1(b)	3/6/99	Approved
Meadville Medical Center	28 Pa. Code § 153.1(b)	4/3/99	Approved
Allied Services John Heinz Institute of Rehab. Medicine	28 Pa. Code § 153.1(b)	5/1/99	Approved
Moss Rehabilitation Hospital	28 Pa. Code § 153.1(b)	5/1/99	Approved
St. Clair Hospital	28 Pa. Code § 153.1(b)	5/1/99	Denied
Southern Chester Cty. Medical Center	28 Pa. Code § 153.1(b)	7/17/99	Approved
Frankford Hospital—Torresdale Division, Phila, PA	28 Pa. Code § 153.1(b)	7/24/99	Denied
Moss Rehabilitation Hospital	28 Pa. Code § 153.1(b) (handrails)	7/24/99	Approved
Western Pennsylvania Hospital	28 Pa. Code § 153.1(c)	9/19/98	Denied
UPMC Lee Regional Hospital	28 Pa. Code § 153.1(c)	4/3/99	Approved
Ellwood City Hospital	28 Pa. Code § 153.12	12/5/98	Approved

*Denotes exception request erroneously being filed under § 571.1. Should have been filed under § 153.1

Request for Exceptions from Nursing Care Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Meadowood	28 Pa. Code § 201.17	2/13/99	Approved
Albert Einstein Health Network—Germantown Hospital Proposed Skilled Nursing Facility	28 Pa. Code § 201.17	2/13/99	Approved
Germantown Hospital and Community Health Services	28 Pa. Code § 201.17	6/12/99	Approved
Twining Hall	28 Pa. Code § 201.17	8/28/99	Approved
ManorCare Health Svcs—Elizabethtown	28 Pa. Code § 201.17	8/28/99	Approved
Piney Mountain Home	28 Pa. Code § 201.17	8/28/99	Approved
Meadowood	28 Pa. Code § 201.17	9/4/99	Approved
Riddle Memorial Hospital Skilled Nursing Facility	28 Pa. Code § 201.18(f)	11/7/98	Now 201.18(e) Approved
Transitional Care Center Shenango Valley Campus	28 Pa. Code § 201.18(f)	11/7/98	Now 201.18(e) Approved
Mary Evans Extended Care Center	28 Pa. Code § 201.18(f)	11/7/98	Now 201.18(e) Approved
Transitional Care Center Greenville Campus	28 Pa. Code § 201.18(f)	11/7/98	Now 201.18(e) Approved
Medical Center Beaver PA LTC Unit	28 Pa. Code § 201.18(f)	8/28/99	Now 201.18(e) Approved
Mary Evans Extended Care Center	28 Pa. Code § 201.18(f)	8/28/99	Now 201.18(e) Approved
George L. Harrison House Episcopal Hospital	28 Pa. Code § 201.18(f)	9/4/99	Now 201.18(e) Approved
Riddle Memorial Hospital Based SNF	28 Pa. Code § 201.18(f)	9/4/99	Now 201.18(e) approved
Transitional Care Center of Gettysburg Hospital	28 Pa. Code § 201.18(f)	9/4/99	Now 201.18(e) approved
Mercy Fitzgerald Hospital SNF	28 Pa. Code § 201.18(f)	9/4/99	Now 201.18(e) Approved
UPMC Horizon	28 Pa. Code § 201.18(f)	9/4/99	Approved Now 201.18(e)
UPMC Horizon Transitional Care Center—Shenango	28 Pa. Code § 201.18(f)	9/4/99	Approved Now 201.18(e)

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Cornwall Manor Health Center	28 Pa. Code § 203.1	9/26/98	Approved
Hickory House Nursing Home	28 Pa. Code § 203.1	9/26/98	Approved
Valley View Home	28 Pa. Code § 203.1	10/24/98	Approved
Springs Manor Care Center	28 Pa. Code § 205.6(a)	11/7/98	Approved
Woodland Place	28 Pa. Code § 205.6(a)	11/7/98	Approved
Caledonia Manor	28 Pa. Code § 205.6(a)	11/7/98	Approved
Berks County Home—Berks Heim	28 Pa. Code § 205.6(a)	2/13/99	Information pending
Beverly Healthcare—Meadville	28 Pa. Code § 205.6(a)	2/13/99	Approved
Beverly Healthcare—Western Reserve	28 Pa. Code § 205.6(a)	2/13/99	Information pending
Harmar Village Care Center	28 Pa. Code § 205.6(a)	2/13/99	Approved
Quincy United Methodist Home	28 Pa. Code § 205.6(a)	2/13/99	Approved
Fairways at Brookline	28 Pa. Code § 205.6(a)	6/12/99	Approved
Saint John Neumann Nursing Home	28 Pa. Code § 205.6(a)	6/12/99	Approved
Elk Haven Nursing Home	28 Pa. Code § 205.6(a)	8/28/99	Approved
Longwood at Oakmont	28 Pa. Code § 205.6(a)	8/28/99	Approved
Piney Mountain Home	28 Pa. Code § 205.6(a)	8/28/99	Approved
DuBois Nursing Home	28 Pa. Code § 205.6(a)	9/4/99	Approved
The Health Care Center at White Horse Village	28 Pa. Code § 205.9(c)	9/4/99	Information pending
Valley View Home	28 Pa. Code § 205.19(a)	11/7/98	Approved
Green Ridge Nursing Home	28 Pa. Code § 205.20(b)	6/12/99	Approved
Valley View Home	28 Pa. Code § 205.20(k)	11/7/98	Approved
Berks County Home—Berks Heim	28 Pa. Code § 205.20(h)(5)	11/7/98	No longer required
Wesbury United Methodist Community	28 Pa. Code § 205.20(h)(1)(5)	6/12/99	Approved Now no longer required
Neshaminy Manor Nursing Home	28 Pa. Code § 205.20(m)	6/12/99	Approved Now no longer required
Germantown Hospital and Community Health Svcs.	28 Pa. Code § 205.20(m)(1)	6/12/99	Approved Now no longer required
Albert Einstein Health Network—Germantown Hospital Proposed Skilled Nursing Facility	28 Pa. Code § 205.20(m)(1)	2/13/99	Approved Now no longer required
Butler Memorial Hospital	28 Pa. Code § 205.20(m)(1)	6/12/99	No longer required
Armstrong Cty. Memorial Hospital—Skilled Nursing Unit	28 Pa. Code § 205.20(m)(1)	6/12/99	No longer required
Woodhaven Care Center	28 Pa. Code § 205.20(m)(1)	8/28/99	No longer required
West Shore Health and Rehabilitation Center	28 Pa. Code § 205.20(m)(1)(h)(4)	8/28/99	No longer required
Manchester Presbyterian Lodge	28 Pa. Code § 205.20(m)(1)(h)(4)	8/28/99	No longer required
Neshaminy Manor Nursing Home	28 Pa. Code § 205.24(b)(c)(d)	6/12/99	Approved
The Ball Pavilion	28 Pa. Code § 205.25(a)	6/12/99	Approved
StoneRidge Village	28 Pa. Code § 205.27(a)	2/13/99	Information pending
Transitional Level of Care Unit	28 Pa. Code § 205.28(d)	11/7/98	No longer required
Tel Hai Nursing Center	28 Pa. Code § 205.29(a)	8/28/99	No longer required
Transitional Level of Care Unit	28 Pa. Code § 205.31(c)	2/13/99	No longer required
Germantown Hospital & Community Health Svcs.	28 Pa. Code § 205.33(a)	6/12/99	Approved
Albert Einstein Health Network—Germantown Hospital Proposed Skilled Nursing Facility	28 Pa. Code § 205.33(a)	2/13/99	Approved
Transitional Care Center at Crozer-Chester Med. Ctr.	28 Pa. Code § 205.34	11/7/98	No longer required
Transitional Care Center at Pittsburgh Ohio Valley General Hospital	28 Pa. Code § 205.34	2/13/99	No longer required
Transitional Level of Care Unit	28 Pa. Code § 205.34	2/13/99	No longer required
Hospitality Care Center	28 Pa. Code § 205.34	6/12/99	No longer required
Valley View Home	28 Pa. Code § 205.36(g)(h)	11/7/98	Approved
Albert Einstein Health Network—Germantown Hospital Proposed Skilled Nursing Facility	28 Pa. Code § 205.36(k)	2/13/99	Approved
Neshaminy Manor Nursing Home	28 Pa. Code § 205.36(k)	6/12/99	Approved
Rebecca Residence	28 Pa. Code § 205.36(l)	9/4/99	Approved

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Inglis House, A Wheelchair Community	28 Pa. Code § 205.37	11/7/98	Information pending
Woodhaven Care Center	28 Pa. Code § 205.38(b)	8/28/99	Approved
Beverly Healthcare—Lancaster	28 Pa. Code § 205.38(b)	9/4/99	Approved
Lutheran Home at Kane	28 Pa. Code § 205.38(c)	9/4/99	No longer required
Neshaminy Manor Nursing Home	28 Pa. Code § 205.38(d)(f)	6/12/99	Approved
Neshaminy Manor Nursing Home	28 Pa. Code § 205.38(a)	6/12/99	Approved
Tel Hai Nursing Center, Inc.	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
Cornwall Manor	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
Pleasant View Retirement Community	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
Colonial Manor Nursing Home	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
The Green Home, Inc.	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
South Hills Health & Rehabilitation Center	28 Pa. Code § 205.71(a)(b)(d)	11/7/98	No longer required
Stenton Hall Nursing Convalescent Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Beaver Valley Geriatric Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Blough Health Care Center, Inc.	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Chapel Manor Nursing and Convalescent Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Grove Manor	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Lutheran Home for the Aged	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
ManorCare Health Services—Bethlehem	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Spring House Estates	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Towne Manor West	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Northwood Nursing and Convalescent Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
York Terrace Nursing Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Countryside Convalescent Home Ltd. Partnership	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Millville Health Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Kirkland Village	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Bryn Mawr Terrace Convalescent Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Mansion Nursing and Convalescent Home	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
John J. Kane Regional Center—Ross Township	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
The Middletown Home	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Kinkora Pythian Home	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Broad Mountain Nursing and Rehabilitation Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Pennsburg Manor	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Mulberry Square	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Claremont Nursing and Rehabilitation Center	28 Pa. Code § 205.71(a)(b)(d)	2/13/99	No longer required
Wesbury United Methodist Community	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Cherry Tree Nursing Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Lakeside Nursing Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Presbyterian Health Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Wightman Center for Nursing and Rehabilitation	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Rosemont Manor	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Lafayette Manor, Inc.	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Country Meadows Nursing Center of Bethlehem	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Orwigsburg Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Lutheran Home for the Aged	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
John J. Kane Regional Center Glen Hazel	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Towne Manor West Nursing and Rehabilitation Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Wayne Center	28 Pa. Code § 205.71(a)(b)(d)	6/12/99	No longer required
Buffalo Valley Lutheran Village	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
Kramm Nursing Home, Inc.	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required

NOTICES

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<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Health Care Center at White Horse Village	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
HealthSouth Harmorville Transitional Unit	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer Required
Osprey Ridge Healthcare and Rehabilitation Center	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
Susque-View Home, Inc.	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
Dauphin Manor	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
Brookmont Health Care Ctr.	28 Pa. Code § 205.71(a)(b)(d)	8/28/99	No longer required
Albert Einstein Health Network—Germantown Hospital Proposed Skilled Nursing Facility	28 Pa. Code § 205.72(b)	2/13/99	No longer required
Germantown Hospital and Community Health Svcs.	28 Pa. Code § 205.72(b)	6/12/99	No longer required
Neshaminy Manor Nursing Home	28 Pa. Code § 205.72(h)	6/12/99	Information pending
Stoneridge Village	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
HealthSouth Rehabilitation of Mech.—Renova Center	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
Nipple Convalescent Home	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
Weatherwood—Carbon Cty. Nursing Home & Rehab. Ctr.	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
Wallingford Nursing & Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
Harston Hall Nursing and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
Osprey Ridge Healthcare and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	11/7/98	No longer required
The Ball Pavilion	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Rose View Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Western Pa. Hospital Skilled Nursing Facility	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Homestead Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Brookmont Health Care Center, Inc.	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Lutheran Home Hollidaysburg	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Rest Haven - York	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Southwestern Nursing Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Pennypack Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Wesbury United Methodist Community	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Allegheny Valley Hospital Skilled Nursing Facility	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Ridge Crest Nursing and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Chapel Manor Nursing and Convalescent Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Forestview	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Dresher Hill Health and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Transitional Care Unit	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Gwynedd Square Center for Nursing and Convalescent Care	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Sky Vue Terrace	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Marwood Rest Home, Inc.	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Pennsylvania Memorial Home	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Rathfon Convalescent Home	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
ISH of Chestnut Hill	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
Lawson Nursing Home, Inc.	28 Pa. Code § 211.2(g)(h)	2/13/99	No longer required
United Zion	28 Pa. Code § 211.2(g)(h)	6/12/99	No longer required
Luther Acres Manor	28 Pa. Code § 211.2(g)(h)	6/12/99	No longer required
ManorCare Health Svcs— Monroeville	28 Pa. Code § 211.2(g)(h)	6/12/99	No longer required
Cedars of Monroeville	28 Pa. Code § 211.2(g)(h)	6/12/99	No longer required
River's Edge Nursing and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Rosemont Manor	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Saint Luke Pavilion	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
St. Joseph Transitional Level of Care Center	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Chandler Hall	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Valley Crest Nursing Home	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
The Heritage Shadyside	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Attleboro Nursing and Rehabilitation Center	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Blair Nursing Home, Inc.	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Gettysburg Lutheran Home	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Bryn Mawr Terrace Convalescent Center	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
UPMC McKeesport Long Term Care Facility	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Integrated Health Services at Julia Ribaud	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Skilled Nursing Center at Jeannette District Mem. Hosp.	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Mary J. Drexel Home	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Tucker House	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
HealthSouth Harmarville Transitional Unit	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Calvary Fellowship Homes	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Cathedral Village	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Shrewsbury Lutheran Retirement Village	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
United Zion Retirement Community	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
Thornwald Home	28 Pa. Code § 211.2(g)(h)	8/28/99	No longer required
The Long Home	28 Pa. Code § 211.12(g)(h)	9/4/99	Denied
Blair Nursing Home, Inc.	28 Pa. Code § 211.12(g)(h)	9/4/99	Denied

Request for Exceptions from Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Mainline Surgery Center	28 Pa. Code § 555.22(a)(1)	4/3/99	Approved
Gastroenterology Associates of York	28 Pa. Code § 571.1	4/10/99	Approved
West Shore Endoscopy Center	28 Pa. Code § 571.1	5/1/99	Approved
Surgery Center Services of America, Inc.	28 Pa. Code § 571.1	7/17/99	Approved
Wills Eye Surgery Center in South Philadelphia	28 Pa. Code § 571.1	7/31/99	Denied

Request for Exceptions from Home Health Agencies

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.1	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.2	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.3	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.4	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.5	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.6	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.11	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.12	4/3/99	Denied

<i>Facility Name</i>	<i>Regulation</i>	<i>Date Published</i>	<i>Decision</i>
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.13	4/3/99	Denied
Pennsylvania Association of Home Health Agencies	28 Pa. Code § 51.41	4/3/99	Denied

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-2173. Filed for public inspection December 23, 1999, 9:00 a.m.]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Per Diem Rates Per Resident at Pennsylvania State Veterans' Homes

The following per diem rates for residents of Pennsylvania State Veterans' Homes are effective January 1, 2000 through December 31, 2000:

Hollidaysburg Veterans' Home:

Nursing Care \$137.48
Personal Care \$100.14

Pennsylvania Soldiers' and Sailors' Home:

Nursing Care \$140.37
Personal Care \$ 92.09

Southeastern Veterans' Center:

Nursing Care \$140.89
Personal Care \$ 93.74

Northeastern Veterans' Center:

Nursing Care \$132.24
Personal Care \$ 75.82

Southwestern Veterans' Center:

Nursing Care \$137.75
Personal Care \$ 90.45

MAJOR GENERAL WILLIAM B. LYNCH,
Adjutant General

[Pa.B. Doc. No. 99-2174. Filed for public inspection December 23, 1999, 9:00 a.m.]

Revised Income Restriction for Admission to a Pennsylvania State Veterans' Home

Title 43 Pennsylvania Code Military Affairs, and Section 7.3 (relating to qualifications for admission to a State Veterans Home) provide as follows at subsection (a)(4) . . . The maximum income shall be adjusted each year after 1985 by the same percentage of adjustment applied by the United States Veterans Administration to veterans' disability compensation. The Department will submit the revised limits to the Legislative Reference Bureau for recommended publication as a notice in the *Pennsylvania Bulletin* and for recommended codification in this chapter. An applicant whose income exceeds the levels established by this section may still qualify for admission if he can demonstrate exceptional circumstances creating a financial need for admission to the home.

Effective immediately, the allowable income for a single Domiciliary care applicant is \$24,432 per year plus \$1,404

per year per dependent, the maximum income paid to a 100% disabled veteran by the United States Department of Veterans Affairs. An income below the \$24,432 will demonstrate the applicant may be incapable of self-support and demonstrate a financial need. An amount above the \$24,432 may qualify an applicant for admission on his/her ability to pay the full per diem cost.

MAJOR GENERAL WILLIAM B. LYNCH,
Adjutant General

[Pa.B. Doc. No. 99-2175. Filed for public inspection December 23, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Millennium Megabucks Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Millennium Megabucks.

2. *Price:* The price of a Pennsylvania Millennium Megabucks instant lottery game ticket is \$5.00.

3. *Play Symbols:* Each Pennsylvania Millennium Megabucks instant lottery game ticket will contain one play area featuring one "Winning Numbers" area and one "Your Numbers" area. The play symbols and their captions located in the "Winning Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), 11 (ELEVN), 12 (TWELV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENTY). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), 11 (ELEVN), 12 (TWELV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY) and Rocket Symbol (2K-DY-YR).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTEEN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUN), \$500 (FIV HUN), \$2,000 (TWO THO), \$20,000 (TWY THO) and 2K-DAY-YR (SVNTRYTHO).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$75, \$100, \$500, \$2,000, \$20,000 and \$730,000. The player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 1,800,000 tickets will be printed for the Pennsylvania Millennium Megabucks instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Rocket Symbol (2K-DY-YR) play symbol, and a prize play symbol of 2K-DAY-YR (SVNTRYTHO) appears under the Rocket Symbol (2K-DY-YR) play symbol, on a single ticket, shall be entitled to prize of \$732,000 for prizes claimed before March 1, 2000, and \$730,000 for prizes claimed on or after March 1, 2000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$20,000 (TWY THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$2,000 (TWO THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$75 (SVY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$50 (FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$40 (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$25 (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$20 (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$15 (FIFTEEN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$10 (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Winning Numbers" play symbols and a prize play symbol of \$5 (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Match Any Of Your Numbers to Any Of The Winning Numbers With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners per 1,800,000 Tickets</i>
\$5	\$5	1:5.17	348,000
\$5 x 2	\$10	1:30	60,000
\$10	\$10	1:60	30,000
\$5 x 3	\$15	1:200	9,000
\$5 + \$10	\$15	1:200	9,000
\$15	\$15	1:300	6,000
\$5 x 4	\$20	1:600	3,000
\$5 x 2 + \$10	\$20	1:600	3,000
\$10 x 2	\$20	1:600	3,000
\$15 + \$5	\$20	1:600	3,000
\$20	\$20	1:600	3,000
\$5 x 5	\$25	1:300	6,000
\$5 x 2 + \$15	\$25	1:300	6,000
\$5 x 3 + \$10	\$25	1:300	6,000
\$10 + \$15	\$25	1:300	6,000
\$25	\$25	1:300	6,000
\$5 x 5 + \$15	\$40	1:480	3,750
\$25 + \$5 x 3	\$40	1:800	2,250
\$40	\$40	1:1,200	1,500
\$10 x 5 + \$5 x 5	\$75	1:6,000	300
\$5 x 15	\$75	1:6,000	300
\$10 x 7 + \$5	\$75	1:6,000	300
\$75	\$75	1:24,000	75
\$25 x 4	\$100	1:20,000	90
\$20 x 5	\$100	1:17,143	105
\$100	\$100	1:60,000	30
\$50 x 10	\$500	1:180,000	10
\$100 x 5	\$500	1:180,000	10
\$500	\$500	1:180,000	10
\$500 x 4	\$2,000	1:257,143	7
\$2,000	\$2,000	1:360,000	5
\$20,000	\$20,000	1:900,000	2

<i>Match Any Of Your Numbers to Any Of The Winning Numbers With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners per 1,800,000 Tickets</i>
"ROCKET" Symbol	*	1:900,000	2

*\$732,000 for prizes claimed before March 1, 2000
\$730,000 for prizes claimed on or after March 1, 2000

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Millennium Megabucks instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Millennium Megabucks, prize money from winning Pennsylvania Millennium Megabucks instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Millennium Megabucks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Millennium Megabucks or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-2176. Filed for public inspection December 23, 1999, 9:00 a.m.]

Realty Transfer Tax; Revised 1998 Common Level Ratio Real Estate Valuation Factor

The following real estate valuation factor is based on sales data compiled by the State Tax Equalization Board in 1998. This factor is the mathematical reciprocal of the actual common level ratio. For Pennsylvania Realty Transfer Tax purposes, this factor is applicable for documents accepted from January 1, 2000 to June 30, 2000. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

<i>County</i>	<i>Adjusted Common Level Ratio Factor</i>
Delaware	1.00*

*Adjusted by the Department of Revenue to reflect assessment base change effective January 1, 2000.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-2177. Filed for public inspection December 23, 1999, 9:00 a.m.]

**DEPARTMENT OF
TRANSPORTATION**

Administrative Docket Filing Fee Schedule

The Department of Transportation, Office of Chief Counsel, by this notice, hereby establishes, consistent with provisions of 67 Pa. Code § 491.5 (relating to filing fees), the Administrative Docket Filing Fee Schedule for use in calendar year 2000, or until the next annual list is published.

The Administrative Docket Filing Fee Schedule prescribes the filing fee, not otherwise provided by statute or regulation, for all requests for a hearing in appeal of Department action under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Law).

Under 67 Pa. Code § 491.5, the Department has reviewed the schedule of filing fees and has determined that amendment of the existing fees is not necessary at this time. The Department will continue to review and revise this schedule of filing fees as necessitated by the increasing costs of adjudication.

Comments, questions or suggestions concerning appeals from the Department's denial or recall of occupational limited licenses; appeals from the Department's cancellation, denial or recall of probationary licenses, or requests for record reviews under Section 1516 of the Motor Vehicle Code; and hearings to request credit toward serving driving privilege or vehicle registration suspensions shall be directed to Terrie L. Prayer, Administrative Docket Clerk, Safety Administration, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104-2516, (717) 705-2492.

Comments, questions or suggestions relating to all other matters subject to administrative hearings shall be directed to Mary L. Sumpman, Administrative Docket Clerk, Office of Chief Counsel, Pennsylvania Department of Transportation, 9th Floor, Forum Place, Harrisburg, PA 17101-1900, (717) 772-8397.

Administrative Docket Filing Fee Schedule

1. Basic filing fee \$100
Includes proceedings regarding the following matters:
 - (a) Application for credit toward suspension of operating privilege.
 - (b) Minimum use driveway permits (25 vehicles, or less per day).
 - (c) Occupational limited license privilege denial.
 - (d) School bus/hazardous walking routes.
 - (e) Probationary license denial.
 - (f) Miscellaneous matters (including Petitions to Intervene, Formal and Informal Complaints, and Protests).
2. Level II filing fee \$150

Includes proceedings regarding the following matters:

(a) Low volume driveway permits (25 to 750 vehicles per day).

(b) Municipal reimbursement matters.

(c) Overweight or oversize truck hauling permits.

(d) Private airport permits.

3. Level III filing fee \$250

Includes proceedings regarding the following matters:

(a) Medium volume driveway permits (750 to 1,500 vehicles per day).

(b) Highway beautification/outdoor advertising matters.

4. Level IV filing fee \$500

Includes proceedings regarding the following matters:

(a) High volume driveway permits (>1,500 vehicles per day).

(b) Public airport permits.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2178. Filed for public inspection December 23, 1999, 9:00 a.m.]

Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(2) H.A.W.K. Traffic Safety Radar System (identified on the radar housing as H.A.W.K.). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(4) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66214.

(5) Model 100, Decatur RA-GUN (identified on the radar housing as RA-GUN). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(6) Genesis-I. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(7) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(8) TS-3. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(9) Vindicator, (VH-1), (Identified on the radar housing as Vindicator). Manufactured by MPH Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(10) MPH Model K-15. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(11) Stalker. Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(12) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, Pennsylvania 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, Pa. 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, Minnesota 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Pennsylvania 17701.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

Under 75 Pa.C.S. § 3368(c)(1) and § 3368(c)(3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code, Chapter 105, Mechanical, Electrical and Electronic Speed-Timing Devices. The Department issues an approved speed-timing device certificate for the device, as required by Section 105.72. The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy which was

issued within sixty (60) days of the citation and an approved speed-timing device certificate issued by the Department of Transportation, Bureau of Motor Vehicles.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(3) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

The Department of Transportation, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for radar devices which may only be used by members of the State Police:

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, Pa. 17111-4511 (Appointed: 01/27/97, Station R2).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, Pa. 18103 (Appointed: 09/19/96, Station R9).

Siemens Westinghouse Technical Services, Inc. a Siemens Company, 1002 McKee Road, Oakdale, Allegheny County, Pa. 15071 (Appointed: 08/25/98, Station R4).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404 (Appointed: 01/14/75, Station R3).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, Pa. 19057 (Appointed: 03/14/74, Station S54).

Auto Technology-Vocational Technical School Laboratory, 540 North Harrison Road, Pleasant Gap, Centre County, Pa. 16823 (Appointed: 02/10/69, Station S22).

Bob's Speedometer Service, Incorporated, 1920 West Marshall Street, Norristown, Montgomery County, Pa. 19403 (Appointed: 11/15/77, Station S79).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, Pa. 16501 (Appointed: 03/25/93, Station S39).

James M. Coulston, Incorporated, 2915 Swede Road, Norristown, Montgomery County, Pa. 19401 (Appointed: 02/11/75, Station S49).

Dave's Service Center, 3617 Nicholas Street, Easton, Northampton County, Pa. 18045 (Appointed: 10/29/76, Station S33).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 11/25/63, Station S19).

Gabe's Speedometer Service, 2635 West Passyunk Avenue, Philadelphia, Philadelphia County, Pa. 19145 (Appointed: 06/03/97, Station S85).

Humenicks Auto Electric, 646 East Diamond Avenue, Hazleton, Luzerne County, Pa. 18201 (Appointed: 11/13/67, Station S74).

Izer Garage, 4616 Buchanan Trail East, Zullinger, Franklin County, Pa. 17272 (Appointed: 02/23/53, Station S106).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, Pa. 18508 (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, Pa. 15010 (Appointed: 11/13/67, Station S23).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, Pa. 15317 (Appointed: 01/03/84, Station S7).

Melody Lakes Tire & Auto Care, Incorporated, 1113 North West End Boulevard, Quakertown, Bucks County, Pa. 18951 (Appointed: 09/15/71, Station S38).

North Boro Speedometer Service, 547 California Avenue, Pittsburgh, Allegheny County, Pa. 15202 (Appointed: 11/02/78, Station S69).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, Pa. 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 06/29/62, Station S67).

Reading Mack Distributors, Incorporated, 4226 Pottsville Pike, Reading, Berks County, Pa. 19605 (Appointed: 05/15/79, Station S48).

Reading Speedometer Service Company, 200-210 Warren Street, Reading, Berks County, Pa. 19601 (Appointed: 09/22/78, Station S47).

S & D Calibration Services, 134 Camp Lane, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

Stewart's Speedometer & Auto Parts, 112 South Third Street, Youngwood, Westmoreland County, Pa. 15601 (Appointed: 03/20/80, Station S58).

Thoman Auto Electric, Incorporated, 227 Valley Street, Lewistown, Mifflin County, Pa. 17044 (Appointed: 10/03/78, Station S104).

Thomas Auto Electric, 109 North 9th Street, Stroudsburg, Monroe County, Pa. 18360 (Appointed: 07/24/89, Station S105).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which measure elapsed time between measured road surface points by using two sensors:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EL20).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 04/07/93, Station EL3).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station EL12).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, Pa. 18821—Also authorized to use mobile units (Appointed: 03/26/85, Station EL14).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 12/01/78, Station EL2).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountain Top, Luzerne County, Pa. 18707 (Appointed: 11/27/79, Station EL6).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Beerbower Incorporated, 1546 East Pleasant Valley Boulevard, Altoona, Blair County, Pa. 16602 (Appointed: 09/02/77, Station W14).

George L. Cogley, 1222 Liberty Avenue, Natrona Heights, Allegheny County, Pa. 15065 (Appointed: 09/27/77, Station W9).

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station W2).

Department of General Services Metrology, Room B-124, Transportation and Safety Building, Harrisburg, Dauphin County, Pa. 17120 (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 10/28/77, Station W29).

Greene Jewelers, Route 819, Armbrust, Westmoreland County, Pa. 15616 (Appointed: 06/23/78, Station W41).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station W3).

Hostetter's Jewelers, 2 Hill Street, Shrewsbury, York County, Pa. 17361 (Appointed: 11/18/77, Station W30).

Leitzel's Jewelry, 422 East, Myerstown, Lebanon County, Pa. 17067 (Appointed: 09/01/87, Station W58).

Leitzel's Jewelry Store, 296 Center Street, Millersburg, Dauphin County, Pa. 19061 (Appointed: 07/28/77, Station W7).

Marella's Jewelry, 416 North Springfield Road, Clifton Heights, Delaware County, Pa. 19018 (Appointed: 08/10/79, Station W42).

Mountz Jewelers, 153 North Hanover Street, Carlisle, Cumberland County, Pa. 17013 (Appointed: 09/21/87, Station W59).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, Pa. 19107 (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 09/15/86, Station W56).

Oscar Roth Jewelers, 659 Memorial Highway, Dallas, Luzerne County, Pa. 18612 (Appointed: 09/22/78, Station W47).

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, Pa. 16630 (Appointed: 05/18/78, Station W40).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 04/22/91, Station W63).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

Wolf's Jewelry, 314 Market Street, Lewisburg, Union County, Pa. 17837 (Appointed: 10/06/77, Station W22).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 08/30/89, Station W60).

Zimmel Jewelers, 1521 Bethlehem Pike, Flourtown, Montgomery County, Pa. 19031 (Appointed: 04/17/80, Station W35).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which calculate average speed between any two points:

Cowden Enterprises, 733 Diamond Street, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 04/04/96, Station EM20).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, Pa. 18969—Also authorized to use mobile units (Appointed: 02/11/93, Station EM23).

Highway Safety Traffic Surveillance, 5131 Springhouse Lane, Bridgeville, Allegheny County, Pa. 15017—Also authorized to use mobile units (Appointed: 05/03/94, Station EM10).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, Pa. 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EM22).

S & D Calibration, 132 Fawn Valley Drive, McMurray, Washington County, Pa. 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, Pa. 18821—Also authorized to use mobile units (Appointed: 02/27/85, Station EM13).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, Pa. 18822—Also authorized to use mobile units (Appointed: 10/02/80, Station EM2).

Targetron, Incorporated, 1821 Lycoming Creek Road, Williamsport, Lycoming County, Pa. 17701—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

Thomas Associates R. & E. Incorporated, 65 South Mountain Boulevard, Mountaintop, Luzerne County, Pa. 18707 (Appointed: 10/06/80, Station EM3).

YIS, Incorporated, 1049 North Hartley Street, York, York County, Pa. 17404—Also authorized to use mobile units (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Station Processing, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787- 2895.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2179. Filed for public inspection December 23, 1999, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

Notice is hereby given that the Department of Transportation pursuant to 71 P. S. § 513(e)(7), intends to sell certain land owned by it.

The following is a list of the properties available for sale by the Department:

In Marple Township, Delaware County. The parcel contains two acres of unimproved land situated at Langford Road, and I-476, the Blue Route. The estimated fair market value is \$90,000.00.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to: Andrew L. Warren, District Administrator, Commonwealth of Pennsylvania, Department of Transportation, 7000 Geerdes Blvd., King of Prussia, PA 19406-1525.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2180. Filed for public inspection December 23, 1999, 9:00 a.m.]

Retention of Engineering Firms

Lawrence County

Project Reference No. 08430AG2466

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twelve (12) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 0065, Section L15, Lawrence County
Local Name: 5th Street to Hogue Road

This project involves curb to curb reconstruction, milling, bituminous resurfacing, shoulders and shoulder widening, minor drainage and guiderail in Ellwood City Borough and Wayne Township.

2. S.R. 0018, Section L16, Lawrence County
Local Name: Mitchell Road to Lawrence County Line

This project involves roadway resurfacing, drainage and guiderail upgrades, and installation of a new traffic signal at the intersection of S.R. 0018 and S.R. 0208 in Wilmington and Neshannock Townships.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in bituminous resurfacing, milling, shoulders, drainage, guiderail and installation of a new traffic signal. (References for each inspector should be made available upon request).
- b. Understanding of the Department's requirements, policies and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS)	2 (2)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector (TCI)	6 (6)
(NICET Highway Construction Level 2 or equivalent)	
Technical Assistant (TA)	4 (0)
(NICET Highway Construction Level 1 or equivalent)	

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 2000:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$41.75
(TCI)	\$36.53
(TA)	\$25.10

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License
- 1 Vehicle for the Transportation of Nuclear Gauge
- 4 Cellular Phones
- 2 Camera (data-back)

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten percent (10%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	2
TCI	7

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer
 Engineering District 11-0
 45 Thoms Run Road
 Bridgeville, PA 15017
 Attention: Design Development Unit

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian A. Krul, District 11-0, at (412) 429-3801.

Fayette and Greene Counties

Project Reference No. 08430AG2467

The Department will retain an engineering firm, for a multi-phase, specific project agreement, to perform environmental studies, preliminary engineering, final design and services during construction for S.R. 0088, Section A10, the replacement of an existing, five span, 810' bridge on a new alignment. The bridge is currently listed in the National Register as historically significant. The project is located in Greene and Fayette Counties, at Point Marion, approximately 1.5 miles north of the West Virginia State line. The estimated construction cost is \$12 million.

The existing bridge is on a 90 degree skew and carries State Route 0088, which runs north and south, over the Monongahela River at river mile 89.8. State Route 0088 ties into S.R. 0119 at Point Marion, connecting Uniontown in the north at Morgantown, West Virginia in the south. The approximate limits of work along S.R. 0088 are from (segment/offset) 0006/0000 to 0006/1300.

The selected firm will be required to: develop and evaluate roadway and structure improvement alternatives; perform field surveys; plot topography and cross sections; prepare Design Field View Submission; perform an environmental assessment and prepare and submit all related documents; prepare submission for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; perform hydrologic and hydraulic analysis and obtain all necessary permits; perform bridge replacement studies; complete structure designs, including type, size and location reports; conduct soils investigations; prepare reconnaissance report and develop a core boring layout; prepare a foundation report and foundation design; develop traffic control plans and narratives; investigate utility involvement; provide material for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; perform alternative analysis to assess impacts and mitigation; investigate and design roadway drainage; prepare construction plans, specifications and estimates submission; provide project scheduling, project coordination and participate in public involvement and provide services during construction.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

- a. Specialized experience and technical competence of the firm. The specific experience of individuals who constitute the firms will be considered.
- b. Understanding of the Department's requirements, Design Manuals, policies, procedures and specifications.

c. Past record of performance with respect to cost control, work quality and ability to meet schedules.

d. Location of the consultant with respect to the District office. This will include ability/provisions for quick response to District requests.

e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer
 Engineering District 12-0
 N. Gallatin Avenue Ext.
 Uniontown, PA 15401
 Attention: Mr. Stephen E. Hvizda, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the tenth (10th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Stephen E. Hvizda, P.E., District 12-0, at (724) 439-7264.

Lehigh County

Project Reference No. 08430AG2468

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eight (8) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 0987, Section AIR, airport area project—Race Street, Airport Road and Schoenersville Road, in Lehigh County.

This project is located in Hanover Township and the City of Bethlehem, and involves the relocation of S.R. 0987 and S.R. 1004, including the construction of approximately 14,640 linear feet of various types of superpave asphalt mixtures of base course, binder course, and wearing course, variable 26 feet to 90 feet in width; also special rolling, concrete islands, drainage improvements, concrete curb, paved shoulders, erosion control, traffic signing and signals, utility relocation, and pavement marking within a length of 15, 704.92 linear feet (2.974 miles). The estimated construction cost is \$12.5 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, traffic signals, and superpave. The TCI-M must be NICET Level II Highway Materials Certified and Nuclear Gauge Certified. The CDS Operator will be a full time position as a TCI who is PennDOT CDS Certified. Experience also needed on high profile, public relations, dealing with the public type projects.

b. Understanding of Department's requirements, policies, and specifications.

c. Past Performance.

d. Ability to provide CDS operator.

e. Number of NICET certified inspectors in each payroll classification.

f. Number of available inspectors in each payroll classification.

g. Ability to provide CPM scheduling.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (2)
Transportation Construction Inspector— Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	3 (2)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering

Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License (at point of need when required)
- 1 Base Radio Station
- 8 Two-Way Radios
- 1 Two-Way Radio Repeater Station
- 1 Camera (type 35mm)

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project reference number must include a letter, signed by the individuals you propose for all TCM-1 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant(s) do not need to be identified in the letter of interest.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	3
TCI-M	2
TCI	4

No resumes are required for the TA Classification.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum

of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Walter E. Bortree, P.E., District Engineer
 Engineering District 5-0
 2460 Parkwood Drive
 Allentown, PA 18103
 Attention: Mr. Brian H. Graver

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the tenth (10th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian H. Graver, District 5-0, at (610) 791-6022 or Mr. Kevin E. Milnes, P.E., District 5-0, at (610) 791-6036.

Statewide

Project Reference No. 08430AG2469

The Department will retain a consulting firm to fulfill the requirements of a Statewide Open-End Contract for Planning and Project Needs Studies. The contract will be for a sixty (60) month period with projects assigned on an as needed basis. The maximum dollar amount of the Open-End Contract will be \$5.0 million.

The Department will establish an order of ranking of a maximum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The selected firm will perform Planning and Project Needs Studies and will provide District, Central Office, Metropolitan Planning Organization, Local Development Districts, Independent County staff, and other consultants with the technical and management assistance required to successfully complete Planning and Project Needs Studies. These studies will be suitable for use in the Department's transportation planning and project development processes. The selected firm will develop standardized procedures and assist the Department with implementation of those procedures.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

1. Specialized experience and technical competence of the firm or project team in the following planning and engineering areas:

- *Purpose and Needs Analyses;
- * Land Use Planning;
- * Regional and Corridor Multi-Modal Transportation Planning;
- * Computer Modeling;
- * Linking transportation and land use planning with such environmental programs as air, noise, water, land use, Greenways, natural resources, and cultural resources;
- * Conducting demographic trend analysis to include social, economic or environmental issues and constraints;

- * Secondary and Cumulative Impact Assessments;
 - * Community Impact Assessments;
 - * Access management, asset management, and congestion management studies;
 - * Policy Development.
2. Specialized experience and technical competence of the firm and the proposed project team in the following environmental areas:
- * NEPA document preparation and review, including data documentation, technical support files and reports, as they relate to transportation projects;
 - * NEPA analysis and data interpretation;
 - * Environmental inventory and mapping in regards to environmental streamlining;
 - * Environmental context sensitive design;
 - * Developing and conducting all coordination efforts with federal, state, and local agencies and other interested parties;
 - * Experience with legislative, local public officials and general public meetings and hearing presentations.
3. The specific experience of individuals employed by the firm or team of firms will be considered.
4. Available staffing for assignments and the ability to meet the Department's need.
5. Past record of performance with respect to: cost control, work quality, ability to meet schedules and previous experience on relevant projects.

6. Location of proposed project team with respect to the Commonwealth. Selected firm will have an office or a field office located in the greater Harrisburg area.

The work and services required under this Contract may encompass a wide range of scopes with the possibilities of several different types of projects with concurrent completion schedules. Tasks involved in performing Planning and Project Needs Studies and related work described above include (but are not limited to) the following:

1. Conduct multi-modal/inter-modal transportation planning (statewide, MPO/LDD/Independent County, municipal, & corridor)
2. Prepare Purpose and Needs Analyses (Plan, Program and Project)
3. Assist in the development of Secondary and Cumulative Impact Assessments guidelines and procedures
4. Conduct Secondary and Cumulative Impact Assessments
5. Assist with the development of Community Impact Assessments guidelines and procedures
6. Conduct Community Impact Assessments
7. Provide assistance on Title VI/Environmental Justice (Compliance w/ Executive Order #12898) analyses and assessments
8. Link transportation and land use planning with such environmental programs as air, noise, water, land use, Greenways, natural resources, and cultural resources
9. Conduct land use planning analyses in association with the Municipalities Planning Code
10. Conduct program analysis linking planning and project development

11. Provide policy and program development assistance and technical assistance on Transportation related issues
12. Provide assistance on Access Management, Asset Management, and Congestion Management type studies
13. Provide assistance in coordinating agency and public involvement activities
14. Provide assistance with community visioning
15. Conduct legislative and regulatory analysis
16. Conduct macro scale environmental analysis and tool development
17. Provide information and assistance in preparation of visualization presentations
18. Collection and analysis of traffic and accident data
19. Undertake and provide demographic trend analysis to include social, economic or environmental issues and constraints
20. Conduct financial analyses on transportation planning projects
21. Conduct bicycle, pedestrian and Greenways Plan Development studies
22. Provide conflict resolution, mediation and facilitation assistance and support
23. Initiate, chair, and document special meetings with local interest groups, agencies and/or Department and consultant personnel
24. Provide meeting and conference planning and support
25. Provide management and technical assistance
26. Assist with the review and analysis of program needs and the development of strategic plans to meet those needs

The planning studies, environmental studies and engineering services identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to Wayne W. Kober, Director, Bureau of Environmental Quality, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA 17101-1900.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this notice.

Any technical questions concerning the requirements of this project should be directed to Ralph Zampogna of the Bureau of Environmental Quality at (717) 705-1481.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presump-

tive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2181. Filed for public inspection December 23, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (act) (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (i) of the act (75 P. S. § 745.5a(h) and (i)).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulations. The final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
54-55	Pennsylvania Liquor Control Board Licensees and Vendors (29 Pa. B. 5301 (October 9, 1999))	12/9/99	12/9/01

**Pennsylvania Liquor Control Board
Regulation No. 54-55
Licensees and Vendors
December 9, 1999**

We have reviewed this proposed regulation from the Liquor Control Board (Board) and submit for consider-

ation the following objections and recommendations. Subsection 5a(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ in determining whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. General.

Sections 3.63 (relating to agents), 13.73 (relating to privileges of vendors' agents), 13.77 (relating to Agent's order books), 13.78 (relating to special orders: requirements and conditions) and 13.81 (relating to samples of liquor) were submitted as final-omitted Regulation No. 54-56 by the Board on November 8, 1999, and scheduled for action by the Commission at its December 2, 1999 meeting. Therefore, these sections are not addressed in these Comments.

2. Section 7.1. Filing of applications for transfer.—Clarity.

There are a number of sections in the proposed rule-making that refer to forms:

- Section 7.1. Filing of applications for transfer. The Board references a "regular transfer form."
- Section 7.5. Transfers on death of the Licensee. A "transfer form" is cited.
- Section 7.41. Applications. A "form furnished by the Board" is mentioned.
- Section 11.3(a)(1). Sales at retail. A "form furnished by the Board" is referenced.
- Section 13.43. Interior display. The Board cites a "form furnished by the Board."

We understand that these forms have multiple uses and may frequently change titles and identification numbers. Further, the Board uses similar language to describe forms throughout these regulations. However, for clarity, the Board should consider providing a brief description of the forms after each of the aforementioned phrases. This will help licensees obtain and use the appropriate forms.

3. Section 7.5. Transfers on death of the licensee.—Clarity.

There appears to be a typographical error in Section 7.5. The comma between the phrase "transfer form" and the word "application" should be deleted.

4. Section 7.9. Site plans.—Clarity.

This section requires an applicant for a new license or one who wants to transfer the location of an existing license to submit a site plan. The site plan must "depict the location of the proposed licensed premises in relation to identifiable property lines or easily identified landmarks." The term "landmarks" in this section is unclear. What does the term include? For clarity, the final-form regulation should define the term "easily identified landmarks."

5. Section 13.43. Interior displays.—Clarity.

Subsections (b) and (c) use the term "maximum value." This term is vague. We assume that "maximum value" is

a dollar amount set by the Board. Therefore, the Board should define the term by providing that the Board will set the maximum value.

6. Section 13.87. Records.—Clarity.

Subsection (b) states "[T]he records shall also be open to inspection by authorized representatives of the Board during normal business hours." Does the phrase "normal business hours" mean the standard hours of operation of the vendor or the Board? The Board should clarify what it means by "normal business hours" in the final-form regulation.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2182. Filed for public inspection December 23, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

Reg. No.	Agency/Title	Received
11-195	Insurance Department Quality Health Care Accountability and Protection	12/9/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2183. Filed for public inspection December 23, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate

American Network Insurance Company, a Vermont stock casualty insurance company, has submitted a Plan of Redomestication, whereby it proposes to redomesticate from the State of Vermont to the Commonwealth of Pennsylvania. The filing was made under the requirements set forth under 15 Pa.C.S. §§ 1101—1997 (relating to Business Corporation Law of 1988). Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Company Licensing Division, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2184. Filed for public inspection December 23, 1999, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On December 10, 1999, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing for a loss cost level change for Workers' Compensation insurance. This filing is made in accordance with section 705 of Act 44 of 1993. The PCRB requests an overall 8.32% increase. Also, the PCRB has calculated the employer assessments to be 3.75%, compared to 3.18% last year. Updates to a variety of other rating values and Manual rules to reflect the most recent experience and terminology are also being submitted for approval.

The entire April 1, 2000 loss cost filing will be available for review on the PCRB web site at www.pcrb.com under the section "Data Reports and Special Studies" section. Also, copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Pennsylvania Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, Actuarial Review Division, 1311 Strawberry Square, Harrisburg, PA 17120 (E-mail at cromberg@ins.state.pa.us) within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2185. Filed for public inspection December 23, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has 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 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 Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Sharon Minnick; file no. 99-267-34228; Omni Insurance Company; doc. no. PH99-12-009; March 6, 2000 at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2186. Filed for public inspection December 23, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has 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 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 Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Janet M. Dalton; file no. 99-308-71933; Erie Insurance Group; doc. no. PI99-12-010; March 17, 2000 at 1 p.m.;

Appeal of Daniel A. Elias; file no. 99-308-71934; Progressive Casualty Insurance Co.; doc. no. PI99-12-012; March 17, 2000 at 2:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party

intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2187. Filed for public inspection December 23, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured 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 Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Linda G. Rumbaugh; file no. 99-308-72121; State Farm Fire and Casualty; doc. no. PI99-12-011; March 17, 2000, 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 procedure). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2188. Filed for public inspection December 23, 1999, 9:00 a.m.]

Workers' Compensation Security Fund Assessment

The Insurance Commissioner has determined that assessments for the Workers' Compensation Security Fund (WCSF) for 1999 will be required of all insurers writing workers' compensation insurance in the Commonwealth. Accordingly, an assessment equal to 1% of each insurer's net written premiums determined as of June 30, 1999 will be imposed.

Under section 5 of the Workers' Compensation Security Fund Act (77 P. S. § 1055), the Commissioner shall impose an assessment equal to 1% of each insurer's net written premiums if the WCSF Balance minus the WCSF Loss Reserve is less than 5% of the Insurers' Loss Reserve. The Commissioner ascertained that the Insurers' Loss Reserve as of June 30, 1999 is \$6,086,832,071. Five percent of that reserve is \$304,341,603.55. The WCSF Balance minus the WCSF Loss Reserve is \$209,011,586.17. Accordingly, the WCSF Balance less the WCSF Loss Reserve is less than 5% of Insurers Loss Reserve, triggering the need for the assessment.

Payment of the assessment is due no later than January 24, 2000. Insurers will be billed by the WCSF in December, 1999. Questions or comments regarding the assessment may be directed to: Michael P. Sullivan, Claims Manager, Workers' Compensation Security Fund, 901 N. 7th Street, Harrisburg, PA 17102, Telephone: (717) 783-8093, FAX: (717) 705-0140.

Insurers are reminded that any carrier which fails to pay the contribution when due is subject to a 5% penalty on the total unpaid contribution. Thereafter, for each month (or portion thereof) in which the contribution remains unpaid, a 1% penalty will be imposed on the unpaid balance. Additional penalties for nonpayment can also include revocation of the insurer's certificate of authority. (77 P. S. § 1059)

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2189. Filed for public inspection December 23, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service Without Hearing

A-121850F2022. National Fuel Gas Distribution Corporation. Application for Approval of Abandonment of Service by National Fuel Gas Distribution Corporation to five Gas Service Customers Located in Cranberry Township, Venango County, Pennsylvania.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before January 10, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: National Fuel Gas Distribution Corporation.

Through and by Counsel: Gwendolyn M. Ralph, Assistant General Counsel, 1100 State Street, Erie, PA 16501.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2190. Filed for public inspection December 23, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to applications published herein are due on or before January 18, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00116419. York Limousine, Inc., t/d/b/a York Limousine (3220 Lynwood Lane, York, York County, PA 17402), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of York, Lancaster and Dauphin, and from points in said counties, to points in Pennsylvania, and vice versa.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00116426. Arrow Limo, Inc. (230 Anvil Drive, Feasterville, Bucks County, PA 19053), a corporation of the Commonwealth of Pennsylvania—persons, in limousine service, between points in the city and county of

Philadelphia, and within an airline distance of 10 miles from the limits thereof, and from points in said territory, to points in Pennsylvania, and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00110557 to Five Star Limousine Service, Inc., t/d/b/a Flamingo Limousine Service, Ltd., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

[Pa.B. Doc. No. 99-2191. Filed for public inspection December 23, 1999, 9:00 a.m.]

Telecommunications

P-00971244. Buffalo Valley Telephone Company and Conestoga Telephone & Telegraph Company. Joint Petition of Buffalo Valley Telephone Company and Conestoga Telephone & Telegraph Company for Commission Action Under Section 251(f) (2) and 253(b) of the Telecommunications Act of 1996.

On March 26, 1996, the Pennsylvania Public Utility Commission (Commission) entered a final opinion and order which granted the Buffalo Valley Telephone Company (Buffalo Valley) and Conestoga Telephone & Telegraph Company (Conestoga) a 2-year suspension of the obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996, 47 U.S.C.A. § 101 et seq., with the opportunity to request three 1-year extensions of that suspension.

On September 21, 1999, Buffalo Valley and Conestoga filed a joint petition requesting a 1-year extension of the original 2-year suspension. The Commission has determined that publication and comment on this joint petition is appropriate. Interested parties must submit comments on the Buffalo Valley and Conestoga petition within 7 days of publication in the *Pennsylvania Bulletin*. Reply Comments must be submitted within 14 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Office of the Secretary, upon request. The contact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2192. Filed for public inspection December 23, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of Three Engineering Firms

Open End Contracts to Provide Design Services

Reference No. 3-125

The Pennsylvania Turnpike Commission will retain three engineering firms for Open End Contracts to provide engineering design services on various projects located on the entire length of the Pennsylvania Turnpike System.

The services will encompass a wide range of design efforts with the possibility of several different types of

projects being designed under short completion schedules. The anticipated types of projects include bridge replacements or bridge rehabilitation with minor approach work; roadway rehabilitation or resurfacing projects; capital improvement projects (bridges or roadway); minor location studies, traffic studies, or any other engineering-related activity as determined by the Engineering Department to expedite a project. Each contract will be for a maximum cost of \$500,000, or for a period of 2 years, whichever occurs first.

Each firm may be required to: perform field surveys; plot topography and cross sections; prepare submissions for utility verification and relocation engineering; prepare submissions for field view meetings; prepare all pertinent submissions and material necessary for the Commission to prepare the application to the Pennsylvania Public Utility Commission (PUC) and for a PUC field conference; attend and supply any required information for all PUC meetings during the design of a project; develop erosion control details and narrative; develop right-of-way plans; prepare hydraulic report for waterway approvals; prepare type, size and location report; prepare structure drawings, including culverts, bridges and sign supports, for repair, rehabilitation or replacement; prepare traffic control plans with narrative; provide soil and foundation engineering reports; investigate utility and property involvements; perform traffic counts and speed and delay studies; and prepare construction plans, specifications and estimates.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

a. Specialized experience and technical competence of prime consultant and subconsultants. The firm must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the assigned projects in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

c. The specific experience and number of individuals who constitute the firm. Firms should have sufficient qualified permanent full-time personnel to complete assignments with short delivery schedules.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Direct inquiries to Jeffrey C. Davis, P.E., at (717) 939-9551, Ext. 5160; or by E-mail at jdavis@paturnpike.com.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project

from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified.)

2. Three page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

5. A copy of the Annual Qualification Package submitted to the Pennsylvania Department of Transportation for the current year that is the best suited for this project.

The Annual Qualification Package should contain at a minimum, the following information for the prime consultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in the Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in Pennsylvania.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the PA Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 p.m. (noon), Local Time, Friday, January 14, 2000. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, three firms will

be selected, one for each contract. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for the work and services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-2193. Filed for public inspection December 23, 1999, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development
374 Forum Building
Harrisburg, PA 17120
800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
Vendor Services Section
717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities

1229209 Raincoats. For a copy of the bid package fax request to (717) 787-0725.

Department: State Police
Location: Harrisburg, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

1304229 2000 compact enclosed type 4 wheel drive truck. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

1271159 Bag type filters and panel type prefilters in various sizes. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

1240119 Auxiliary cluster cutter with blower and air blast cleaner. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Bellefonte, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

8247010 "Dare To Care" bystander care kits in accordance with bid specifications. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Reading, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

99-394 Containers, plastic, 1 gallon w/cap to be included w/each jug cap to be white permaseal or plastic.

Department: Corrections
Location: Correctional Industries SCI Huntingdon, 1100 Pike Street, Huntingdon, PA 16652
Duration: 1 year
Contact: MaryAnn Ulrich, (717) 731-7134

1286819 Provide software and training for Primavera Project Planner. For a copy of the bid package fax request to (717) 787-0725.

Department: Office of the Budget/Executive Offices
Location: New Cumberland, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

1252119 Heavy Duty 4 x 4 diesel powered pick-up with extended cab with rear seat and cap, dark blue. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Harrisburg, PA
Duration: FY 1999-2000
Contact: Vendor Services, (717) 787-2199

100 Electrical miscellaneous electrical supplies.

Department: Military Affairs
Location: Building 11-59, Fort Indiantown Gap, Annville, PA 17003
Duration: FY 1999-2000
Contact: Gene Ollar, (717) 861-2921

ACAD-61 2 each, panelfold folding partitions, various sizes. To be furnished and installed.

Department: State Police
Location: 175 E. Hersheypark Drive, Hershey, PA 17033
Duration: June 30, 2000
Contact: Robert D. Stare, (717) 705-5921

SERVICES

Advertising—01

024-99-139-0001 The Department is looking for a contractor to help carry out the Commonwealth's travel, tourism and film production industry marketing efforts. The Commonwealth's current program involves specific travel and tourism advertising and public relations activities and requires a contractor capable of handling both aspects. The Department's objective is to implement travel and tourism sales and marketing, advertising, publishing, public relations, promotional and other programs designed to promote Pennsylvania as a travel destination for domestic and international leisure and business travelers. In addition, the Department is seeking a contractor capable of positioning Pennsylvania as a production location for the entertainment industry.

Department: Community and Economic Development
Location: Statewide
Duration: The contract will be entered into as soon after the final selection as feasible and will operate for 5 years from that date.
Contact: Janice Collier, (717) 787-5453

024-99-164-0001 The Department is searching for a contractor to help carry out the Commonwealth's economic development marketing effort. The Commonwealth's current program involves domestic and international economic development marketing, advertising and public relations. It requires a contractor capable of handling all aspects. The Department's objective is to stimulate business retention, expansion and attraction in the Commonwealth. The majority of the marketing and public relations efforts are designed to support the work of the Department in promoting business expansion in the Commonwealth.

Department: Community and Economic Development
Location: Statewide
Duration: The contract will be entered into as soon after the final selection as feasible and will operate for 5 years from that date.
Contact: Janice Collier, (717) 787-5453

Barber/Cosmetology—05

SP # 00782003 The contractor shall perform beautician services for the female individuals residing at the Hamburg Center, Hamburg, PA 19526. The services shall include shampooing, conditioning, cutting, styling, curling, color and chemical treatments. To receive specifications, submit fax to Beverly O. Epting, PA, Hamburg Center, Hamburg, PA 19526. (Fax: (610) 562-6025).

Department: Public Welfare
Location: Hamburg Center, Old Route 22, Hamburg, PA 19526
Duration: Anticipated Dates: July 1, 2000—June 30, 2005
Contact: Beverly O. Epting, PA, (610) 562-6031

Computer Services—08

1000-11529 New Licenses, INFOConnect PEP/OTS, Upgrade: add-on EOAM (extra office accessory manager) for INFOConnect, annual software upgrade maintenance for PEP/EOAM/OTS for INFOConnect, Unisys Support Ware-Enhanced Plan for one named caller—up to 25 calls for 12 months.

Department: Corrections
Location: Department of Corrections, MIS/Systems Administration Division, 55 Utley Drive, Camp Hill, PA 17011
Duration: one year
Contact: Linda Malinak, (717) 975-4931

E4383 Provide software—Jade+5 to use with a Philips PW 3710 X-ray diffractometer to collect and interpret data generated by the diffractometer.

Department: Conservation and Natural Resources
Location: Bureau of Topographic and Geologic Survey, Harrisburg, PA
Duration: Indeterminate 1999-2000
Contact: Ruth Dewaelsche, (717) 783-0760

Construction Maintenance—09

015DGS409-56REVISED REBID Project title: Construction of Clearfield Center. Brief Description: Clearfield Center facility containing class rooms, laboratories and administration offices. Work consists of site improvements, concrete foundations, masonry, steel framing, metal roofing, windows and curtain walls, interior partitioning and finishes to include HVAC, plumbing and electrical systems. Estimated Range: \$5 million to \$10 million. General, HVAC, Plumbing and Electrical Construction. Plans deposit: \$200 per set. Payable to: IKM Incorporated. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: IKM Incorporated, One PPG Place, Pittsburgh, PA 15222. Tel: (412) 281-1337. Bid date: Wednesday, January 19, 2000 at 2 p.m. A Prebid Conference has been scheduled for Friday, January 7, 2000 at 10:30 a.m. at Lock Haven University, Clearfield Campus Building, Classroom No. 3, 119 Beyers St., Clearfield, PA. Contact: Mike McDonnell, Tel: (412) 281-1337. All Contractors who have secured Contract Documents are invited and urged to attend the Prebid Conference.

Department: General Services
Location: Lock Haven University, Clearfield, Clearfield County, PA
Duration: 400-calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

KUCC-0005 Kutztown University is seeking qualified contractors for the general, mechanical, electrical and plumbing work associated with the renovations to Dining Rooms 3 and 4 in the South Dining Hall at Kutztown University. Bid packages are available for a nonrefundable fee of \$100 from: Virginia Stoudt, STV Architects, 205 West Welsh Drive, Douglassville, PA 19508, phone (610) 385-8325. Bid packages are available December 27, 1999 through prebid. A prebid meeting has been scheduled for January 6, 2000 at 10 a.m. in Room OM-26, Old Main Building. Bids are to be received no later than 3 p.m. on January 20, 2000 in Room 236, Office of Planning and Construction. Bids will be opened on January 21, 2000 at 3 p.m. in OM-26, Old Main Building. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: 86 days after Notice to Proceed (work to start on May 22, 2000 and completed on or before August 15, 2000)
Contact: Barbara Barish, (610) 683-4602

FDC-226-768 Construct a Stone Breakwater (Provide and Place 3,200 Tons R7 Riprap; 6,000 Tons R4 Riprap, 175 Tons # 57 Stone; 300 Tons 2A Stone; and 2,800 S. Y. of Geotextile). Work is at Espyville Boat Livory in Pymatuning State Park. Bid Documents will be available on or after December 28, 1999.

Department: Conservation and Natural Resources
Location: North Shenango Township
Duration: 60 days
Contact: Construction Management Section, (717) 787-5055

015DGS800-213(4 ONLY) REBID Project title: Construction of a Science and Technology Center. Brief description: Work consists of site preparation, steel framing, masonry walls, exterior insulation and finish system, roofing, interior partitioning, doors, windows and interior finishes to include an elevator, HVAC, plumbing and electrical systems. Estimated range: \$100,000 to \$500,000. Electrical Construction only. Plans deposit: \$150 per set payable to: Canzian/Johnson & Associates. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: Canzian/Johnson & Associates, 361 Main Street, Parnassus Bank Building, New Kensington, PA 15068. Tel: (724) 339-0511. Bid Date: Wednesday, January 5, 2000 at 11 a.m.

Department: General Services
Location: Pennsylvania State University, New Kensington Campus, New Kensington, Westmoreland County, PA
Duration: 270-calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

SU-906 Description: SU-906 Grove Stadium Renovate Track. Shippensburg University of the State System of Higher Education invites contractors specializing in athletic track repair and installation to request the documents for this project prescribing the requirements for the Request for Proposal (RFP). Work includes complete replacement of the surface and other incidental work for the existing eight-lane four hundred meter (400 m) athletic track which includes a steeplechase water jump on the north end and the runways for high jump, pole vault, long jump, triple jump and javelin. Prospective offerors may obtain the RFP at no cost by contacting the Contract Administrator listed below on or after December 23, 1999. Preproposal meeting with site visit immediately to follow will be held on Thursday, January 6, 2000 at 10 a.m. at the Heiges Field House Room 230. Proposals due January 20, 2000 at 4 p.m. at Old Main Room 300. Public proposal opening: January 21, 2000 at 2 p.m., Old Main Room 203A. The System encourages responses from small firms, minority firms, and firms which may have not previously performed work for the System. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the PA State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg University
Duration: 150 days after Notice to Proceed
Contact: Deborah K. Martin, Contract Administrator, (717) 477-1121

015DGS570-27ST1 Project title: Precast Concrete Cells. Brief description: All work necessary to complete fabricating, furnishing, delivering and installing all precast concrete cells, accessories and embedded items and includes installation of embedded items furnished by others. Estimated range: over \$10 million. Precast Concrete Cells. Plans deposit: \$250 per set payable to: P. J. Dick Incorporated. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Plans and specifications may be obtained by prospective bidders at the office of P. J. Dick Incorporated, 1020 Lebanon Road, West Mifflin, PA 15122-1036, Tel: (412) 462-9300. Attn: Marlene Martak upon receipt of deposit. Bidder is responsible for the cost of delivery of plans and specifications. Mail a separate check for \$40 or provide your express mail account number to the office mentioned above. Prebid Conference: A Prebid Conference has been scheduled for Wednesday, December 22, 1999 at 10 a.m. at the 2nd floor meeting room at the office of P. J. Dick Incorporated, 1020 Lebanon Road, West Mifflin, PA 15122. Bid Date: Friday, January 7, 2000 at 11 a.m.

Department: General Services
Location: State Route 4020, Luzerne Township, Fayette County, PA
Duration: 300-calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS502-26 Project title: Replacement of Water Distribution System. Brief description: Replace water lines, tank covers and miscellaneous system repairs. Estimated range: \$1 million to \$2 million. General Construction. Plans deposit: \$50 per set payable to Peters Design Group, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: Peters Design Group, Inc., 301 North Main Avenue, Scranton, PA 18504. Tel: (570) 346-8446. Bid Date: Wednesday, January 12, 2000 at 1 p.m. A Prebid Conference has been scheduled for Tuesday, January 4, 2000 at 10 a.m. at Clark Summit State Hospital, Clarks Summit, PA. Report to Reception Area. Contact: Robert Nitch, Tel: (570) 346-8446. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference.

Department: General Services
Location: Clarks Summit State Hospital, Clarks Summit, Lackawanna County, PA
Duration: 270-calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

015DGS948-41F12 Project title: Finish Flooring. Brief description: The Package consists of, but is not limited to, the following work: All tile, resilient flooring and bases and wood flooring indicated in the contract documents. Estimated range: \$600,000 to \$800,000. General Construction. Plans deposit: \$250 for one set. Checks must be made payable to CRSS Constructors. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 Calendar Days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check in the amount of \$15 made payable to Reliance Reprographics, Inc. must be submitted to cover the cost of delivery. Additional sets may be purchased from Reliance Reprographics, Inc., Governor's Plaza South, Building No. 3, Suite 325, 2001 N. Front Street, 17102. Bid Date: Thursday, January 27, 2000 at 2 p.m. A Prebid Conference has been scheduled for Tuesday, January 11, 2000 at 2 p.m. Meeting to be held in the Corporate Board Room, Arsenal Building, 18th and Herr Streets, Harrisburg, PA. Contact: Justin Koenes, Tel: (717) 233-7507. All Bidders who have secured plans and specifications are invited and urged to attend this Prebid Conference. All questions must be submitted in writing to CRSS Constructors, Inc. in Association with the Quandel Group, Inc., P. O. Box 60827, Harrisburg, PA 17106-0827, Attn: Justin Koenes, Tel: (717) 233-7507, Fax 233-7528 by Thursday, January 13, 2000.

Department: General Services
Location: Keystone Building, Capital Complex, Harrisburg, Dauphin County, PA
Duration: 275-calendar days from preconstruction conference date
Contact: Contract and Bidding Unit, (717) 787-6556

002 Construct 300 square feet reinforced masonry military arms vault to include vault door installation and minimal electric.

Department: Military Affairs
Location: State Armory Board, 2280 Eden Road, York, PA 17402
Duration: 90 days
Contact: Emma Schroff, (717) 861-8518

FDC-208-450 Rehabilitate an Existing Bridge (Maintenance & Protection of Traffic, Demolition; Excavation; Backfill and Compaction; Bituminous Paving; Concrete; Structural Steel; and Wood Deck, Posts and Guide Rail). Project is in Linn Run State Park. Bid documents will be available on or after December 28, 1999.

Department: Conservation and Natural Resources
Location: Cook Township
Duration: Complete all work by June 30, 2000
Contact: Construction Management Section, (717) 787-5055

FDC-311-663 Excavating, Backfilling and Compacting; Placing Aggregates (AASHTO # 1, PennDot 2A, and 2RC); R-3 Rock Inlets; 18" and 24" Plastic Pipe and End Sections; Bituminous Paving; and Line Painted. Project is at Prince Gallitzin State Park. Bid documents will be available on or after December 28, 1999.

Department: Conservation and Natural Resources
Location: White Township
Duration: Complete all work by May 15, 2000
Contact: Construction Management Section, (717) 787-5055

Elevator Maintenance—13

99102 Contractor will provide for the maintenance and repair of 5 hydraulic elevators at SCI-Chester. The contractor would inspect, lubricate, adjust and clean and repair/replace components on the elevator whenever needed. More detailed information can be obtained from the institution.

Department: Corrections
Location: SCI-Chester, 500 E. 4th Street, Chester, PA 19013
Duration: April 1, 2000—March 31, 2002
Contact: Jacqueline Newson, Purchasing, (610) 490-4370

Engineering Services—14

08430AG2468 To provide supplementary construction inspection staff of approximately eight (8) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on S. R. 0987, Section AIR (Airport Area Project) in Lehigh County, Engineering District 5-0.

Department: Transportation
Location: Engineering District 5-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2467 A multibase, specific project Agreement, to provide environmental studies, preliminary engineering, final design and services during construction for the replacement of the existing bridge carrying S. R. 0088 over the Monongahela River at Point Marion, Fayette and Greene Counties.

Department: Transportation
Location: Engineering District 12-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2469 Statewide Open-End Contract for Planning and Project Needs Studies.

Department: Transportation
Location: Bureau of Environmental Quality
Duration: Sixty Months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2466 To provide construction inspection services on S. R. 0065, Section L15, T. R. 65 from the 5th Street Bridge to Hogue Road, and S. R. 0018, Section L16, T. R. 18 from Mitchell Road to the County Line, both in Lawrence County.

Department: Transportation
Location: Engineering District 11-0
Duration: Thirty days after construction completion
Contact: Consultant Agreement Division, (717) 783-9309

Extermination Services—16

SP # 00782002 The contractor shall conduct a comprehensive and effective pest control program at the Hamburg Center in the areas identified in this specification. The program shall include the extermination or control of all pests, insects (excluding termites) and rodent, located within or infesting buildings or other structures located in the identified areas. To receive specifications, Fax request to Beverly O. Epting, PA, Hamburg Center, Hamburg, PA 19526, Fax: (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Old Route 22, Hamburg, PA 19526
Duration: Anticipated dates: September 1, 2000—August 31, 2005
Contact: Beverly O. Epting, PA, (610) 562-6031

99-810 The contractor shall provide exterminating services to the State Correctional Institution at Camp Hill.

Department: Corrections
Location: State Correctional Institution at Camp Hill, P. O. Box 8837, 2500 Lisburn Rd., Camp Hill, PA 17001-8837
Duration: July 1, 2000 to June 30, 2003
Contact: Delores Stephens, (717) 975-5200

Food—19

6037 Bread and Bread Products, Fresh for March through June 2000. Specifications and delivery dates available upon request from Agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: March to June 2000
Contact: Jack W. Heinze, (717) 772-7435

6036 & 6041 Miscellaneous Foods for February through June 2000. Specifications and delivery dates available upon request from Agency. Items are to be bid out on two separate bid packages. The first for the time period of February and March 2000, and the second for the time period of April, May and June 2000.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: February through June 2000
Contact: Jack W. Heinze, (717) 772-7435

6038 & 6042 Meat and meat products for February through June 2000. Specifications and delivery dates available upon request from Agency. Items are to be bid out on two separate bid packages. The first for the time period of February and March 2000, and the second for the time period of April, May and June 2000.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: February through June 2000
Contact: Jack W. Heinze, (717) 772-7435

6040 & 6044 Prepared salads, fresh for February through June 2000. Specifications and delivery dates available upon request from Agency. Items are to be bid out on two separate bid packages. The first for the time period of February and March 2000, and the second for the time period of April, May and June 2000.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: February through June 2000
Contact: Jack W. Heinze, (717) 772-7435

6039 & 6043 Poultry and poultry products for February through June 2000. Specifications and delivery dates available upon request from Agency. Items are to be bid out on two separate bid packages. The first for the time period of February and March 2000, and the second for the time period of April, May and June 2000.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: February through June 2000
Contact: Jack W. Heinze, (717) 772-7435

858-99 Dairy products, to include margarine, cheese, cream cheese, yogurt, etc., for delivery April—June, 2000. For quantities and specifications, request bid proposal # 858-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

851-99 Meat and meat products: various items for delivery April—June, 2000. For quantities and specifications, request bid proposal # 851-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

850-99 Poultry and poultry products: various items for delivery April through June, 2000. For quantities and specifications, request bid proposal # 850-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

852-99 Frozen miscellaneous foods, various items for delivery April—June, 2000. For quantities and specifications, request bid # 852-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

853-99 Fresh baked goods: various items for delivery April—June, 2000. For quantities and specifications, request bid proposal # 853-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

854-99 Bread, rolls, etc.: various items for delivery April—June, 2000. For quantities and specifications, request bid proposal # 854-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

855-99 Vegetables and fruits, frozen: various items for delivery April—June, 2000. For quantities and specifications, request bid proposal # 855-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

856-99 Vegetables and fruits, fresh: various items for delivery April—June, 2000. For quantities and specifications, request bid proposal # 856-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

857-99 Beverages: juices, fruit drinks, ice tea, etc., various items, size containers, for delivery April—June, 2000. For quantities and specifications, request bid proposal # 857-99.

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere St., Norristown, PA 19401
Duration: April—June, 2000
Contact: Sue Brown, Purchasing Agent, (610) 313-1026

HVAC—22

00972016 Refrigerator/air conditioning maintenance for routine and emergency service. Work to be performed by a qualified refrigeration mechanic.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017
Duration: July 1, 2000 through June 30, 2005
Contact: F. Molisee, Purchasing Agent 2, (412) 257-6215

Janitorial Services—23

90062005 To provide janitorial services for the Warren County Assistance Office. The area to be cleaned consists of approximately 15,000 square feet. Services are to be performed 5 days a week, Monday through Friday, after 5 p.m. Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Department of Public Welfare, Warren County Assistance Office, Stone Building, Building # 29 State Hospital Grounds, Warren, PA 16365
Duration: April 1, 2000 to December 31, 2002 with two additional 1 year renewals
Contact: Rose Wadlinger, (717) 783-3767

Bid # 8016 Furnish all equipment, materials and labor to perform janitorial services three visits per week at the PA State Police, Clearfield Station, R. D. 2, Box 314, Woodland, PA 16881-9781. Detailed Work Schedule & Bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Clearfield Station, R. D. 2, Box 314, Woodland, PA 16881-9781
Duration: March 1, 2000 to June 30, 2002
Contact: Donna Enders, (717) 783-5484

Lodging/Meeting Facilities—27

469006 Obtain a hotel within a 2-mile radius of State College. Hotel must provide overnight accommodations, a meeting room, meeting equipment and food items for breakfast, lunch and breaks for approximately 30 individuals who will be attending five (three 3-week and two 2-week) training sessions being held throughout the year 2000. Fax requests for bid packets to (717) 787-7839.

Department: Transportation
Location: Two-mile radius within State College
Duration: This is a 1-year contract with an option to renew
Contact: Mark Grabusnik, 787-6987

Medical Services—29

00873018 Nonemergency/basic scheduled ambulance service: ambulance service contractor to provide nonemergency/basic scheduled ambulance service to transport patients unable to utilize a hospital automobile or van, to a local provider hospital for nonemergency/basic scheduled out-patient treatment and/or clinical services, and/or destination for discharge.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: The approximate period of contract is from July 1, 2000, through June 30, 2003, a period of 3 years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

00873009 Provide consultative speech/language and dysphagia evaluations, assessments and standard of care treatment. To serve as consultant to medical staff and hospital staff providing in-service teaching as requested.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: The estimated period of this contract is from July 1, 2000, through June 30, 2003, a period of 3 years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

90977013 Nursing services—To provide services of registered nurses (RN's) and licensed practical nurses (LPN's) to the individuals of Western Center; to include rotating shifts, 3 shifts per day, 7 days per week.

Department: Public Welfare
Location: Western Center, 333 Curry Hill Road, Canonsburg, PA 15317
Duration: March 1, 2000 to February 28, 2002
Contact: Thomas Williams, (724) 873-3255

Property Maintenance—33

0140-042 Mowing of various State routes throughout Mercer County to include sickle bar, rotary or flail type mowing of grass, in islands, roadside areas within the highway right-of-way for four mowing cycles (two per year). Department reserves the right to increase or decrease the route mileage mowed within this contract.

Department: Transportation
Location: Various routes within Mercer County
Duration: May 1, 2000 to April 30, 2002
Contact: Cynthia L. Supel, (724) 662-5350

SP 1345991013 Vendor to stucco the exterior walls of modular home on the grounds of the Southeastern Veterans Center, Spring City, PA 19475.

Department: Military Affairs
Location: Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475
Duration: March 1, 2000 through June 30, 2000
Contact: Theresa Barthel, P.A., (610) 948-2493

Bid # 8018 Furnish all labor, materials and equipment for removal of snow, salting and cinderling from sidewalks, driveway and parking areas at the Aviation Patrol Unit III—Harrisburg, Capital City Airport, New Cumberland, PA 17070.

Department: State Police
Location: Harrisburg Aviation Patrol Unit III, Capital City Airport, 575 Airport Drive, New Cumberland, PA 17070
Duration: January 1, 2000 to June 30, 2001
Contact: Donna Enders, (717) 783-5484

Real Estate—35

373883 Lease office space to the Commonwealth of Pennsylvania PA State Police, 8,368 useable square feet of new or existing office/barracks space, with parking for 74 vehicles, in Bedford County, PA within a 2 mile radius of the Intersection of SR 30 and SR 1003 or with a 2 mile radius of the Intersection of I-99 and SR 56 Interchange. The PA State Police will occupy the space. Proposals due: February 22, 2000. Solicitation No.: 92938

Department: State Police
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: John Hocker, (717) 787-4396

Security Seniors—37

1193500018 Vendor to provide to the State Correctional Institution Graterford preventive maintenance, testing and repairs to the Thorn Automatic Fire Alarm System located throughout the Institution.

Department: Corrections
Location: State Correctional Institution Graterford, Box 246, Rt. 29, Graterford, PA
Duration: 1 year
Contact: Kelly Richardson, (610) 489-4151

M-500 Control module to keep perimeter on line.

Department: Corrections
Location: State Correctional Institution at Mahanoy, 301 Morea Road, Frackville, PA 17932
Duration: Institution purchase
Contact: Robert Kuchta, Purchasing, (570) 773-2158

12-A-99 Security guard services: Uniformed and unarmed Security Guard Services at 12 offices in and around the Philadelphia area Monday through Friday, except Commonwealth Holidays. Hours are from 8 a.m. to 5 p.m. with 1/2 hour lunch.

Department: Labor and Industry
Location: Various locations in the Philadelphia Area
Duration: May 1, 2000 through September 30, 2001 with three 1 year renewal options
Contact: Cheri Thomas—Beverly Fenton, (717) 787-2877

Miscellaneous—39

Tutor-001 The Hiram G. Andrews Center is seeking comprehensive support services on an as-needed basis for deaf and hard of hearing students. The services include the categories of coordinator of services, certified interpreter, communication assistant, educational coach and functional competency tutor in accordance with an established work scope contained in the bid documents. To obtain a bid package, submit your written request to the attention of R. D. Robinson, Hiram G. Andrews Center, 727 Goucher Street, Johnstown, PA 15905 or fax your request to (814) 255-8370. This will not result in a contract for employment.

Department: Labor and Industry
Location: Office of Vocational Rehabilitation, Hiram G. Andrews Center, 727 Goucher Street, Johnstown, PA 15905
Duration: For the 3 year term of July 1, 2000 to June 30, 2003
Contact: Robert D. Robinson, Purchasing Agent II, (814) 255-8210

Bid # 7950 Trash and rubbish removal services for the PA State Police, Ephrata Station, for the period April 1, 2000 to June 30, 2002. Service to be rendered once a week at the Ephrata Station. Recycling, if applicable.

Department: State Police
Location: Ephrata Station, 21 Springhouse Road, Ephrata, PA 17522
Duration: April 1, 2000 to June 30, 2002
Contact: Donna Enders, (717) 783-5484

010349 This work shall consist of furnishing all specified material, equipment, personnel, pesticide certifications, liability insurance, safety equipment and practices necessary for the professional application of pesticides to roadside vegetation or other areas as directed by the engineer. This work will be conducted along various state routes in PennDOT Engineering District 1-0. Detailed requirements and an SPC are available upon request by contacting Carol Shoup at (814) 678-7145.

Department: Transportation
Location: Crawford, Erie, Forest, Mercer, Venango and Warren Counties
Duration: 12 months
Contact: Carol Shoup, (814) 678-7145

Inquiry No. 129901 Wheelchairs with custom adaptive seating as per specifications which will be provided. Vendor will be required to make a site-visit to verify seating requirements.

Department: Public Welfare
Location: Ebensburg Center, Rt. 22 West, P. O. Box 600, Ebensburg, PA 15931
Duration: Wheelchairs and adaptive seating are to be completed and billed prior to June 30, 2000
Contact: Cora Davis, P.A., (814) 472-0288

487 Medical carts with accessories.

Department: Public Welfare
Location: White Haven Center, White Haven, PA 18661
Duration: n/a
Contact: Sandra A. Repak, PA, (570) 443-4232

SP 3881129004 Services required for planting approximately 96,000 seedlings for forest district no. 12, Lycoming County.

Department: Conservation and Natural Resources
Location: DCNR—Bureau of Forestry, Forest District # 12, 423 East Central Avenue, South Williamsport, PA 17702
Duration: The contract shall commence upon execution and terminate May 31, 2000
Contact: Gary Frank, (570) 327-3450

X7893 Provide 3000 vapor-control spill-preventive gasoline can nozzles.

Department: Environmental Protection
Location: Harrisburg, PA
Duration: Would like to receive gasoline can nozzles by January 15, 2000
Contact: Dawn M. Levarto, (717) 787-9645

3610-05 Rebid in Part # 2 Provide Copier maintenance and repairs for Lanier copier products. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Throughout the Commonwealth of Pennsylvania
Duration: Indeterminate 1999-2000
Contact: Vendor Services, (717) 787-2199

[Pa.B. Doc. No. 99-2194. Filed for public inspection December 23, 1999, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

STATE CONTRACTS INFORMATION

6557

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
2550-02	12/09/99	Plasterer Equipment Co. Inc.	211,140.00	7105-05 RIP # 1/SUP # 1	12/15/99	Corry Contract Inc.	50,000.00
2550-02	12/09/99	Cleveland Brothers Equipment Co. Inc.	26,748.00	7105-05 RIP # 1/SUP # 1	12/15/99	ERG International	50,000.00
2550-02	12/09/99	Industrial Motor Supply Inc.	288,200.00	7105-05 RIP # 1/SUP # 1	12/15/99	Supplysource Inc.	250,000.00
2550-02	12/09/99	Groff Tractor & Equipment Inc.	30,276.00	7105-05 RIP # 1/SUP # 1	12/15/99	FE Hale Manufacturing Co.	50,000.00
2550-02	12/09/99	Lowe & Moyer Garage Inc.	115,190.00	7105-05 RIP # 1/SUP # 1	12/15/99	KLN Steel Products	50,000.00
2550-02	12/09/99	Sunbury Motor Co.	106,590.00	7105-05 RIP # 1/SUP # 1	12/15/99	Kwalu Inc.	50,000.00
6505-06 SUP # 4	12/09/99	Bio-Rad Laboratories Diagnostics Group	41,905.00	7105-05 RIP # 1/SUP # 1	12/15/99	Nightingale Inc.	50,000.00
6810-07	12/21/99	Cargill In-Salt Div.	166,041.85	7105-05 RIP # 1/SUP # 1	12/15/99	Palmer Snyder Furniture Co. Inc.	50,000.00
6810-07	12/21/99	Harvey Salt Co.	29,286.78	7105-05 RIP # 1/SUP # 1	12/15/99	Peter Pepper Products Inc.	50,000.00
6810-07	12/21/99	Rochez Brothers Inc.	194,183.50	7105-05 RIP # 1/SUP # 1	12/15/99	Preform Manufacturing Inc.	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Nemschoff Chairs Inc.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Quaker Furniture Inc.	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Sunrise Medical CCG Inc.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Saturn Furniture Inc.	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Environmental Interiors	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Midwest Hollowell d/b/a Keystone Concepts	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	BK Distribution t/a BK Barrit	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Sheldon Laboratory	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Officenter Inc.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Sit On It Office Furniture	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Irwin Seating Co.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Spec Furniture Inc.	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Agati Inc.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	JSJ Seating Corp. d/b/a Superior Furniture	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Roberts & Meck Inc.	200,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Penna Office Service Group Inc.	50,000.00
7105-05 RIP # 1/SUP # 1	12/15/99	Carboni Taylor Inc.	50,000.00	7105-05 RIP # 1/SUP # 1	12/15/99	Ulysses Woodcraft International	50,000.00
				7105-05 RIP # 1/SUP # 1	12/15/99	Wenger Corp.	50,000.00

STATE CONTRACTS INFORMATION

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
7105-05 RIP # 1/SUP # 1	12/15/99	Advanced Business Products Inc.	50,000.00	1197049-01	12/14/99	Mid America Analytical	21,500.00
9120-02 RIP # 1/SUP # 1	12/14/99	Agway En- ergy Prod- ucts LLC	8,117.55	1222389-01	12/14/99	Fayetteville Contractors Inc.	40,440.00
9120-02 RIP # 1/SUP # 1	12/14/99	Columbia Propane	2,693.95	7314330-01	12/14/99	Clark Ameri- can Checks Inc.	41,340.00
9905-11	12/01/99	Swarco In- dustries Inc.	19,950.00	8128540-01	12/14/99	Park Plastic Products	37,944.00
9905-11	12/01/99	Work Area Protection Corp.	100,000.00	8248110-01	12/14/99	Uni-Patch Company	46,250.00
9905-11	12/01/99	Flex-O-Lite Inc.	39,160.00	8250310-01	12/14/99	Groff Tractor & Equip- ment Inc.	47,397.00
9905-11	12/01/99	Trafix De- vices Inc.	2,100.00	8250650-01	12/14/99	Tenco USA Inc.	29,378.00
1115139-01	12/14/99	Haz-Stor	22,179.00				
1115139-02	12/14/99	Indoff	49,265.06				

GARY E. CROWELL,
Secretary

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