

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, January 24, 1996. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 11 a.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

An informal conference among the Commissioners and staff will be held at 9:45 a.m. at the same location and will include a summary of the Commission's recent retreat strategy, discussion of procedures relating to the Blue Mountain Power project and public dialogue.

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact:

1. *Holdover Project: Lehigh County Authority—Western Lehigh Service Area D-92-13 CP.* An application for approval of a groundwater withdrawal project to supply up to 86.4 million gallons (mg)/30 days of water to the applicant's Central Division distribution system from new well nos. 17 and 18, and to increase the existing withdrawal limit of all wells from 188 mg/30 days to 214 mg/30 days. The project is located in Upper Macungie Township, Lehigh County, PA. This hearing continues that of December 6, 1995.

2. *Shieldalloy Metallurgical Corporation D-88-53 RE-NEWAL.* An application for approval of groundwater withdrawal and decontamination project to supply up to 17.86 mg/30 days of water from existing well nos. Layne, W-9, RW6S, RW6D and RIW2. Commission approval on June 29, 1989 was limited to 5 years. The applicant requests that the total withdrawal limit from all wells be limited to 17.86 mg/30 days. The project is located in Newfield Borough, Gloucester County, and Vineland City, Cumberland County, NJ.

3. *Washington Township Municipal Utilities Authority D-94-26 CP.* An application for approval of a groundwater withdrawal project to supply up to 26 mg/30 days of water to the applicant's distribution system from new well no. 18, and to increase the existing withdrawal limit of 203 mg/30 days from all wells to 248.2 mg/30 days. The project is located in Washington Township, Gloucester County, NJ.

4. *Lehigh Township Municipal Authority D-94-53 CP.* A project to construct a 0.3 million gallons per day (mgd) sewage treatment plant (Danielsville STP) to serve residential and commercial development in a portion of Lehigh Township. The STP will provide secondary biological treatment and discharge to Bertsch Creek, a tributary of the Lehigh River. The STP will be located approximately 700 feet south of State Route 946 and just to the west of Bertsch Creek near the community of Edgemont in Lehigh Township, Northampton County, PA.

5. *Lehigh Township Municipal Authority D-94-54 CP.* A project to construct a 60,000 gallons per day (gpd) sewage treatment plant (Pennsville STP) to treat residential and

commercial development in a portion of Lehigh Township. The proposed STP will provide secondary biological treatment and discharge to Indian Creek, a tributary of Hokendauqua Creek in the Lehigh River Watershed. The STP will be located approximately 500 feet south of State Route 248 adjacent to Indian Creek near the community of Pennsville, Lehigh Township, Northampton County, PA.

6. *Crompton & Knowles Colors, Inc. D-95-8 (Revision 1).* A request to revise the applicant's recently approved 0.22 mgd industrial wastewater treatment plant (IWTP) expansion docket to increase the average monthly allowable copper concentration limits from 0.50 milligrams per liter (mg/l) to 1.0 mg/l. The applicant requests the limit on the basis of demonstration of best practicable treatment provided by its IWTP that serves the applicant's dyestuff and special chemical manufacturing operation. The plant is located in Robeson Township, Berks County, PA and will continue to discharge to the Schuylkill River.

7. *Timber Lake Camp West Corporation D-95-15.* A project to construct a new 30,000 gpd STP to replace an existing 30,000 gpd subsurface sewage disposal system. The STP will continue to serve the applicant's summer camp occupied from July through August, and will discharge to a man-made lake on the camp property which is at the headwaters of Bascom Brook, a tributary of Willoemoc Creek, in the Town of Rockland, Sullivan County, NY.

8. *Upper Makefield Township D-95-23 CP.* An application for inclusion of an existing 0.1 mgd capacity STP in the DRBC Comprehensive Plan. The STP was approved by Docket No. D-84-40 on May 1, 1985, under section 3.8 of the DRBC Compact and has been acquired by Upper Makefield Township from the previous private owner, Heritage Investment, Inc. The STP will continue to serve residential development in Upper Makefield Township, Bucks County, PA. The applicant requests a transfer of Docket No. D-84-40 and proposes no changes from the existing docket other than ownership and inclusion in the Comprehensive Plan. The STP is located west of Taylorsville Road approximately 1/2 mile northwest of its intersection with Route 532 in Upper Makefield Township. The STP will continue to discharge to the Delaware River in Water Quality Zone 1E.

9. *City of Milford D-95-44 CP.* An application for approval of a groundwater withdrawal project to supply up to 8.64 mg/30 days of water to the applicant's distribution system from new well no. 3, and to retain the existing withdrawal limit from all wells of 64 mg/30 days. The project is located in the City of Milford, Kent and Sussex Counties, DE.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

Delaware River Basin Commission Strategy

On October 25, 1995, the Delaware River Basin Commission authorized its Executive Director to enter into an agreement with H. W. Hill & Associates to facilitate a retreat for the purpose of developing a policy level strategy to improve the performance of the Commission in meeting its goals and objectives. The retreat, conducted

December 12-14, 1995, sought to promote dialogue and achieve consensus among the Commissioners and Commission executive staff.

Based on clear statements of purpose, scope and assumptions, the retreat process first identified specific problems. Next, objective and action items are considered and prioritized to address each problem. Issues addressed included a review of Delaware River Basin Compact authorities and priorities, the need to assure consistent funding and reassessment of the Commission's drought operating plan. The Commissioners also focused on the need to define roles and responsibilities among the Commission, the parties to the 1954 U. S. Supreme Court Decree, the River Master, New York City, and the Delaware Estuary Program. Among other new initiatives, management principles and opportunities will be explored to improve communication among Commissioners and staff to enhance staff involvement. In addition, a communication strategy will be developed to broaden public involvement in Commission activities. Other priority objectives include policy development on the water quality issues at Blue Marsh Reservoir and assessment of the use of Commission water charging funds and interest. Plans will be developed to address water supply and quality problems in high growth areas in the Basin and reservoir

releases to sustain and improve fisheries. A strategic action plan will also be developed and will include an update of the Comprehensive Plan for the Basin. Other issues identified include assessing and eliminating unnecessary duplication between the Commission and the states, providing better opportunities for Governors and the Secretary of the Interior to participate in formulating policy and resolving major problems, reassessing relationships between the Commission and the Federal agencies, and evaluating how to implement a Geographic Information System at the Commission.

A copy of the strategy is being prepared; it includes the list of problems, the objectives to address the problems, and a prioritized listing of objectives and the problems they address—together with the action items believed necessary to meet each objective. That document will be available sometime after the Commission's January 24, 1996 meeting. To obtain a copy, contact Susan M. Weisman at (609) 883-9500 ext. 203.

SUSAN M. WEISMAN,
Secretary

[Pa.B. Doc. No. 96-75. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 9, 1996.

BANKING INSTITUTIONS

Holding Company Acquisitions

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 1-1-96 | First Union Corporation, Charlotte, NC, to acquire 24.4% of the voting shares of ExecuFirst Bancorp, Inc., Philadelphia, PA | Charlotte, NC | Effective |
| 1-5-96 | National City Corporation, Cleveland, OH, to acquire 100% of the voting shares of Integra Financial Corporation, Pittsburgh, PA | Cleveland, Ohio | Approved |
| 1-5-96 | Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Farmers & Merchants Bank (Honesdale, PA), Honesdale | Harleysville | Approved |
| 1-5-96 | CoreStates Financial Corp., Philadelphia, to acquire 100% of the voting shares of Meridian Bancorp, Inc., Reading | Philadelphia | Filed |

New Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 1-5-96 | Wayne Interim Bank Honesdale Wayne County | Honesdale | Approved |

Subject institution will be utilized to merge with Wayne Bank, Honesdale, and the surviving institution will be acquired by Norwood Financial Corp., Honesdale, a bank holding company in organization.

NOTICES

Branch Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 1-3-96 | Founders' Bank Bryn Mawr Montgomery County | 15 East Gay Street West Chester Chester County | Filed |

Branch Discontinuances

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 12-29-95 | Meridian Bank Reading Berks County | 14 S. Front St. Milton Northumberland Co. | Effective |
| 12-29-95 | Integra Bank Pittsburgh Allegheny County | Penn Hills Shopping Center 212 Rodi Road Pittsburgh Allegheny County | Effective |
| 1-5-96 | Heritage Trust Company Erie Erie County | 381 Mansfield Ave. Suite 205 Pittsburgh Allegheny County | Approved |

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 1-1-96 | Butler Armco Employees Credit Union, Butler, and Butler Memorial Hospital Credit Union, Butler surviving institution—Butler Armco Employees Credit Union, Butler | Butler | Effective |

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 96-76. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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 proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day 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 official 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 proceedings should contact the Community Relations Coordinator at (717) 657-4585. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (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, telephone (717) 826-2511.

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

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

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

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.400 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 | 25.0 | 40.0 | 50.0 |
| Total Suspended Solids | 30.0 | 45.0 | 60.0 |
| Fecal Coliforms (5-1 to 9-30) | 200/100 ml as a geometric mean | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | |
| pH | 6.0 to 9.0 standard units at all times | | |
| Total Residual Chlorine | 1.0 | | 2.0 |

The EPA waiver is in effect.

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.

PA 0046221. Sewage, SIC: 4952, **Newville Borough Water & Sewer Authority**, 99 Cove Alley, Newville, PA 17201.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Big Spring Creek, in Newville Borough, **Cumberland County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.350 mgd are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|--------------------------------------|--------------------------------------|----------------------------------|---------------------------------|---|
| CBOD ₅ | 25 | 40 | — | 50 |
| Suspended Solids | 30 | 45 | — | 60 |
| NH ₃ -N (5-1 to 10-31) | 14 | — | — | 28 |
| Total Phosphorus | 1 | — | — | 2 |
| Total Residual Chlorine | 0.5 | — | — | 1.63 |
| Dissolved Oxygen | minimum of 5.0 at all times | | | |
| pH | 6.0—9.0 | | | |
| Fecal Coliforms (5-1 to 9-30) | 200/100 ml as a geometric average | | | |
| (10-1 to 4-30) | 50,000/100 ml as a geometric average | | | |

The EPA waiver is in effect.

PA 0081591. Sewage, SIC: 4962, **Eastern York County Sewer Authority**, 44 Walnut Springs Road, York, PA 17406.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Kreutz Creek, in Hallam Borough, **York County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. The discharge is not expected to impact any potable water supply.

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

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|----------------------------------|---------------------------------|---|
| CBOD ₅ | | | | |
| (5-1 to 10-31) | 15 | 22.5 | | 30 |
| (11-1 to 4-30) | 25 | 40 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| NH ₃ -N | | | | |
| (5-1 to 10-31) | 5 | | | 10 |
| (11-1 to 4-30) | 15 | | | 30 |
| Total Phosphorus | 2 | | | 4 |
| Total Residual Chlorine | .5 | | | 1.6 |
| Dissolved Oxygen | minimum of 5.0 at all times | | | |
| pH | 6.0—9.0 | | | |
| Fecal Coliforms | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric average | | | |
| (10-1 to 4-30) | 6,500/100 ml as a geometric average | | | |

The proposed interim effluent limits for Outfall 001 for a design flow of .2 mgd are:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|--------------------------------------|----------------------------------|---------------------------------|---|
| CBOD ₅ | 25 | 40 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| NH ₃ -N | | | | |
| (5-1 to 10-31) | 11 | | | 22 |
| (11-1 to 4-30) | monitor and report | | | |
| Total Phosphorus | 2 | | | 4 |
| Total Residual Chlorine | monitor and report | | | |
| Dissolved Oxygen | minimum of 5.0 at all times | | | |
| pH | 6.0—9.0 | | | |
| Fecal Coliforms | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric average | | | |
| (10-1 to 4-30) | 12,000/100 ml as a geometric average | | | |

The EPA waiver is in effect.

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

PA 0056758. Sewage, **The Cutler Group**, 5 Sentry Parkway West, Suite 100, Walton Road, Blue Bell, PA 19422.

This application is for issuance of an NPDES permit to discharge treated sewage from the Tradesville wastewater treatment plant in Warrington Township, **Bucks County**. This is a new discharge to Mill Creek.

The receiving stream is classified for warm water fish, trout stocking, migratory fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 0.26 mgd are as follows:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------------|--|---|
| CBOD ₅ | 25 | 50 |
| Suspended Solids | 30 | 60 |
| Ammonia (as N) | | |
| (5-1 to 10-31) | 1.5 | 3.0 |
| (11-1 to 4-30) | 4.5 | 9.0 |
| Nitrate and Nitrate (as N) | | |
| (4-1 to 10-31) | 9.5 | 19.0 |
| Phosphorus (as P) | | |
| (7-1 to 10-31) | 2 | 4 |
| Fecal Coliforms | 200 colonies/100 ml as a geometric average | |
| Dissolved Oxygen | minimum of 5 mg/l at all times | |
| pH | within limits of 6.0—9.0 standard units at all times | |

The EPA waiver is in effect.

PA 0053635. Industrial waste, **Mobil Oil Corporation**, 8 Malin Road, Frazer, PA 19406.

This application is for renewal of an NPDES permit to discharge treated storm water runoff from Petroleum Marketing Terminal in East Whiteland Township, **Chester County**. This is an existing discharge to unnamed tributary to Little Valley Creek.

The receiving stream is classified for cold water fish, warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

| <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 | | | monitor only |
| Gasoline Range Organics | | | monitor only |
| Diesel Range Organics | | | monitor only |
| <i>Other Requirements:</i> | | | |
| Product contaminated stormwater runoff | | | |
| Monitoring and reporting | | | |
| PPC plan | | | |
| Other wastewaters | | | |
| Definition | | | |

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

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

| <i>NPDES No.</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Tributary Stream</i> | <i>New Permit Requirements</i> |
|------------------|---|----------------------------------|-------------------------|--------------------------------|
| PA 0033863 | Camp-A-While, Inc. John Clair Zimmerman, Manager R. R. 1, Box 334 Hegins, PA 17938 | Schuylkill County Hegins Twp. | Pine Creek | TRC |

Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

| <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 0080608 | Fellow. of Bible Church Camp Tohiglo P. O. Box 120 Mercersburg, PA 17201 | Franklin County Montgomery Township | Licking Creek | TRC |
| PA 0083917 | Baker Rubber Inc. 811 Progress Rd. Chambersburg, PA 17201 | Franklin County | Conocoheague Creek | TRC |

Public Hearing Notices

The Department of Environmental Protection (DEP), Water Management Program is issuing a cancellation notice for the fact finding public hearing notice published at 25 Pa.B. 5529 for John M. Poole. This hearing was canceled due to weather conditions. The hearing date of January 11, 1996, therefore, is canceled and replaced with the following notice.

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit application:

John M. Poole, "Station House Farm"—NPDES Permit #PAS10-D068

The hearing is scheduled for February 15, 1996, at 7 p.m. at Springfield Township, 2320 Township Road,

Quakertown, PA 18951, Bucks County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Cooks Creek. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, telephone number (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is John M. Poole, 3117 Bursonville Road, Riegelsville, PA 18077.

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the applications. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program, at the above address.

The notice should include the presenter's name, address and phone number, whether they are opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit application.

Bentley Developers, Inc., "University of Pennsylvania Site," PAS10-G186.

The hearing is scheduled for March 7, 1996, at 7 p.m. at East Whiteland Township Building, 209 Conestoga Road, Frazer, PA 19355, Chester County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Valley Creek Watershed. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, telephone number (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is Bentley Developers, Inc., 1595 Paoli Pike, West Chester, PA 19380.

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the applications. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program, at the above address. The notice should include the presenter's name, address and phone number, whether they are opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

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

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated 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 1 (800) 654-5984.

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

Blair County Conservation District, District Manager, 1407 Blair Street, Hollidaysburg, PA 16648, telephone (814) 696-0877.

NPDES Permit PA S100607. Stormwater. **Frances Hirschag**, 2900 Primrose Avenue, Brea, CA 92621, has applied to discharge stormwater from a construction activity located in Antis Township, **Blair County**, to Tipton Run.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790, telephone (717) 825-2511.

Chester County Conservation District, District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

NPDES Permit PAS10G187. Stormwater. **Toll Brothers Inc.**, 3103 Philmont Avenue, Huntington Valley, PA 19006 has applied to discharge stormwater from a construction activity located in East Bradford Township, **Chester County**, to west Brandywine Creek.

NPDES Permit PAS10G188. Stormwater. **Morgan Brothers Builders**, Four White Horse Lane, Spring City, PA 19475 has applied to discharge stormwater from a construction activity located in East Vincent Township, **Chester County**, to UNT to the Schuylkill River.

Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064, telephone (610) 746-1971.

NPDES Permit PAS10U008-1. Stormwater. **Upstream Farm Corporation Inc.**, 2610 Bushkill Drive, R. D. 2, Easton, PA 18042 has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

NPDES Permit PAS10U046. Stormwater. **Ashley Development Corporation**, 961 Marcon Boulevard, Suite 300, Allentown, PA 18103 has applied to discharge stormwater from a construction activity located in Williams Township, **Northampton County**, to Frya Run.

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Stream</i> |
|-------------------------|--|---|-------------------------|
| PAS10-G155 | John Reid Box 318 Newtown Crossing, PA 19073 | Wallace Township and Upper Uwchlan Township Chester County | Marsh Creek Lake |

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection.

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

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

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

A. 1395401. Sewerage. **Borough of Bowmanstown**, P. O. Box 127, Bowmanstown, PA 18030. Application for construction and operation of a sewage treatment plant, sewers and appurtenances, and pump stations to serve the Borough of Bowmanstown, **Carbon County**. Application received in the Regional Office—December 15, 1995.

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

Permit No. 4695431. Sewerage. **Ernest and Donna Gehman** (720 Morwood Road, Morwood, PA 18969). Construction of a single residential sewage treatment plant to serve Lot No. 1, Gehman residence located in Franconia Township, **Montgomery County**.

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

Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.

A. 0195504. Public water supply. **Timeless Towns of the Americas, Inc.**, Cumberland Twp., **Adams County**, (Richard L. Michael, Sr., President, 2636 Emmitsburg Road, Gettysburg, PA 17325), permitting of an existing community supply consisting of eight wells, hypochlorite disinfection storage and a distribution system (Kent P. Bachmann, P.E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011).

A. 2895504. Public water supply. **Dry Run Water Association**, Fannett Twp., **Franklin County** (George W. Guyer, P. O. Box 115, Spring Run, PA 17262), new well A as an additional source of supply (Angelo A. Tesoriero, P.E., GeoSource Engineers, 7 S. Seasons Drive, Dillsburg, PA 17019).

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 residual waste management regulations for a general permit to process or beneficially use residual waste.

Central Office: Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit No. WMGR038. Waste tire processing and/or beneficial use. The Department of Environmental Protection, Bureau of Land and Recycling and Waste Management, proposes to authorize, under General Permit No. WMGR038, processing and/or beneficial use of waste tires and/or tire-derived material. This is a State-wide general permit.

Under the terms and conditions of the general permit, persons who are approved to process and/or beneficially use waste tires and/or tire derived material will be required to meet, at a minimum, the following: compliance with The Clean Streams Law, compliance with the Solid Waste Management Act, conform with local safety and nuisance control requirements, conformance with isolation distances, maintain records and submit routine operation reports.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), and section 287.611 of the residual waste management regulations to issue general permits for any category of beneficial use or processing that results in beneficial use of residual waste on a regional or Statewide basis when the Department determines that such use does not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard conditions.

The Department has determined the following: waste whole tires and/or tire derived material (TDM); (1) can be used as fuel for cement production, steel production, waste-to-energy incinerators, paper production, electrical power generation and other industrial operations; and (2) as feedstock for the production of crumb rubber which, in turn, may be used in such products as new tires, molded rubber products, carpets, flooring, "astroturf" underlay, extruded products, automotive brakes, asphalt modifier for roads and athletic surfaces, moisture retainer for turf development, railroad grade crossings and footwear; and the processing and beneficial use can be adequately regulated using general conditions.

Tire retreading operations will, in effect, be exempt as a "grandfathering" exclusion, provided the storage provisions outlined in these general permit conditions are not violated.

Persons requesting approval to operate under the terms of this general permit will be required to obtain a "Determination of Applicability" from the appropriate Regional Office for each site where tires and/or tire derived materials will be processed or beneficially used. The following minimum information will be required in order to obtain a Determination of Applicability.

- a. Name and address of the applicant.
- b. Name and location of the generator of the tires and/or tire derived material being processed or beneficially used.
- c. Number and title of the general permit.
- d. Proof that the proposed processing and/or beneficial use is consistent with the general permit.
- e. A signed statement accepting all conditions of the general permit.
- f. Proof of municipal notification.
- g. Proof of identification of interests.
- h. Compliance history information.
- i. An application fee in the amount of \$200.

Comments concerning the proposed general permit should be directed to Jay E. Ort, Scrap Tire Program Coordinator, 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 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.

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

Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.

A. 300742. Quaker Alloy, Inc. (200 Richland Avenue, Myerstown, PA 17067). Application for repermitting of a residual waste landfill for a site in Jackson Township, **Lebanon County**. Application determined to be administratively complete in the Regional Office December 20, 1995.

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

A. 100585. Northwest Sanitary Landfill, Inc., R. D. 2, Route 308, West Sunbury, PA 16061. Major permit modification affect changes to the landfill's water quality monitoring plan. The landfill is located in Clay Township, **Butler County**. Permit modification application received in the Regional Office on December 14, 1995.

Applications received for operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

22-323-017. The Department intends to issue an air quality operating permit to **The Goodyear Tire & Rubber Company** (P. O. Box 6153, Harrisburg, PA 17112) for an automotive wheel and rim refinishing system in West Hanover Township, **Dauphin County**.

Applications received for operating permits issued under the Air Pollution Control Act, (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.

Regional Office: Devendra Verma, Engineering Services Chief, Northwest Regional Office, Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335-3481.

10-309-060. The Department intends to issue an air quality operating permit to **Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) for the operation of a cartridge dust collector on stone conveyor belt nos. 4 and 5 at Winfield Township, **Butler County**.

43-318-029. The Department intends to issue an air quality operating permit to **GE Transportation Systems** (2901 East Lake Road, Building 13-2, Erie, PA 16137) for the operation of a spray paint booth at Grove City, **Mercer County**.

24-327-003. The Department intends to issue an air quality operating permit to **U. S. Resistor, Inc.** (P. O. Box 1059, St. Marys, PA 15857) for the operation of an open-top vapor degreaser/cleaner and still at St. Marys, **Elk County**.

37-399-010. The Department intends to issue an air quality operating permit to **LaFarge Corporation** (6715 Tippecanoe Road, Canfield, OH 44406) for the operation of a slag processing plant in Pulaski, **Lawrence County**.

42-399-025. The Department intends to issue an air quality operating permit to **Saratton Corporation** (R. D. 1, P. O. Box 266, Kane, PA 16735) for the operation of the press line system for medium density fiberboard at Sergeant Township, **McKean County**.

Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify and reactivate air contamination sources.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

07-310-202C. Modification of an existing limestone crushing and screening plant by **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Taylor Township, **Blair County**.

36-2012A. Modification of an existing cabinet finishing department by **Quality Custom Cabinetry, Inc.** (125 Peters Road, P. O. Box 189, New Holland, PA 17557-0189) in Earl Township, **Lancaster County**.

67-310-035A. Modification of an existing limestone crushing and screening plant by **Global Stone Penroc, Inc.** (P. O. 1967, York, PA 17405-1967) in West Manchester Township, **York County**.

67-318-113A. Modification of an existing surface coating operation by **Root Corporation—New York Wire Division** (152 North Main Street, Mt. Wolf, PA 17347) in Mt. Wolf, **York County**.

Northwest Regional Office: Devendra Verma, Engineering Services Chief, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.

37-345-009. The Department received a plan approval application from **The International Metals Reclamation Company, Inc.** (INMETCO), (P. O. Box 720, 245 Portersville Road, Ellwood City, PA 16117-0720) for the construction of a thermal oxidizing furnace (4,500 lbs cadmium containing materials/batch) in Ellwood City, **Lawrence County**.

Plan approval applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources and associated air cleaning devices.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

An application for plan approval has been received by this office for the construction, modification or reactivation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **40-313-014A**
Source: 4 Storage Silos With Baghouses
Received: December 16, 1995
Company: **Genova-Pennsylvania Incorporated**
Location: Hazle Township
County: **Luzerne**

Permit: **48-309-082A**
Source: Clinker Convey System/8 Baghouses
Received: December 18, 1995
Company: **Keystone Portland Cement Company**
Location: East Allen Township
County: **Northampton**

Permit: **54-302-058**
Source: 2 Burnham Boilers (LN3P-GO) Gas/Oil
Received: December 16, 1995
Company: **Pottsville Hospital/Wayne Clinic**
Location: Pottsville
County: **Schuylkill**

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.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

A plan approval has been issued by this office for the construction, modification, reactivation or operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-310-024D**
Source: Crushing Operation w/Watersprays
Issued: December 28, 1995
Company: **Keystone Quarry, Inc.**
Location: Dunmore Borough
County: **Lackawanna**

Permit: **39-312-043**
Source: Above Ground Storage Tanks
Issued: December 18, 1995
Company: **Buckeye Pipeline Company**
Location: Lower Macungie Township
County: **Lehigh**

Permit: **39-313-039**
Source: TME Porcupine Dryer w/Condenser
Issued: December 28, 1995
Company: **Mallinckrodt Chemical Inc.**
Location: South Whitehall Township
County: **Lehigh**

Permit: **54-322-001**
Source: Landfill Gas Ground Flare
Issued: December 29, 1995
Company: **Pine Grove Landfill, Inc.**
Location: Pine Grove Township
County: **Schuylkill**

Notice of Plan Approval Application Minor Source

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (Department), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to the Regional Office at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications, contact Devendra Verma, Engineering Services Chief, Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

37-304-008. The Department received a plan approval application from **Castle Iron & Metal, Inc.** (P. O. Box 1423, New Castle, PA 16103) for the construction of an aluminum sweating furnace (800 lbs aluminum/hr) with afterburner at New Castle, **Lawrence County**.

The following Dam Safety and Encroachment Permit Applications, requests for Environmental Assessment approval, and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, 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 1 (800) 654-5984.

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

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

E40-435. Encroachment. **Clarence R. Yeagley**, 447 South Mountain Boulevard, Mountaintop, PA 18707-2210. To place fill in 0.04 acre of PEM wetlands for the purpose of constructing a home on lot no. 15 on Spring Mill Road, and to construct and maintain a perforated drain system and regrade within 0.04 acre of PEM wetlands on lot no. 41 on Brookfield Way, in the Maplewood Development. The project is located approximately 0.3 mile southwest of the intersection of S. R. 0309 and Church Road (Freeland, PA Quadrangle N: 21.3 inches; W: 5.4 inches) in Wright Township, **Luzerne County** (Baltimore District, Army Corps of Engineers).

E35-213A. Encroachment. **Department of General Services**, Bureau of Engineering and Architecture, Tent Building, 18th and Herr Streets, Harrisburg, PA 17120. To amend Permit No. E35-213 to include various structural and grade changes to the Lindy/Keyser Creek and Meadow Brook Flood Protection Projects (DGS Project No. 184-22). The Lindy/Keyser Creek project is located northeast of S. R. 3011 and S. R. 3014 (Scranton, PA Quadrangle N: 7.8 inches; W: 9.8 inches) and the Meadow Brook project is located at a beginning point north of the intersection of S. R. 0011 and S. R. 3025 (Scranton, PA Quadrangle N: 9.5 inches; W: 3.25 inches) extending to the Lackawanna River in the City of Scranton, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

Southcentral Region: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.

E36-602. Encroachment. **Earl Realty, Inc.**, 2249 Route 30 East, Lancaster, PA 17602. To construct and maintain an open sided pavilion with a 4-inch concrete slab and roof supported by 6' inch x 6' inch timber columns, to be located within the 100-year floodway of Mill Creek, on the north side of Lincoln Highway East (U. S. Route 30) (Leola, PA Quadrangle N: 5.15 inches; W: 13.4 inches) in East Lampeter Township, **Lancaster County**.

E36-603. Encroachment. **M.B.S., Inc.**, 898 N. State St., Ephrata, PA 17522. To construct and maintain an 8-inch P.V.C. sanitary sewer across 60-feet of wetlands between M. H. 2 and M. H. 3, and across 50-feet of wetlands between M. H. 10 to M. H. 11, with an 8-inch water line on the west side of Little Muddy Creek, for utility service to the Rose Hill Farm development located along the north side of S. R. 897 (Terre Hill, PA Quadrangle N: 19.5 inches; W: 9.5 inches) in E. Cocalico Township, **Lancaster County**.

E36-604. Encroachment. **Department of Transportation**, 2140 Herr St., Harrisburg, PA 17103-1699. To remove the existing structure, construct and maintain a adjacent prestressed box beam bridge having a clear span of 45 feet with an average underclearance of 4.4 feet across Bachman Run on S. R. 0722, Section 002, Segment 0100, Offset 2008 (Lancaster, PA Quadrangle N: 19.25 inches; W: 12.75 inches) in Manheim Township, **Lancaster County**.

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

E23-336. Encroachment. **Upper Darby Township**, 100 Garrett Road, Upper Darby, PA 19082-3135. To remove accumulated sediment along the banks of Naylor's Run Creek (WWF-MF) and to restore the cross-section of a flood control facility located approximately 800 feet southeast of Garrett Road (SR 2019) (Lansdowne, PA Quadrangle N: 13.9 inches; W: 3.5 inches) in Upper Darby Township, **Delaware County**.

E46-730. Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To widen, construct and maintain 1.5 miles of the Pennsylvania Turnpike from four to six lanes. Work consists of: 1) widening the south bound of existing Schuylkill River Bridge (DB-113) by construction of an independent bridge structure of 51-foot and 9-inches width; 2) constructing a temporary causeway consisting of twelve 81-inch by 59-inch arch pipe culverts across the Schuylkill River; 3) relocating approximately 600 L. F. of Diamond Run through a 385 foot long, 15-foot and 4-inch by 10-foot and 4-inch multi plate pipe arch stream enclosure which will be extended downstream of the existing culvert under Conshohocken Road and 250 L. F. of gabion lines trapezoidal channel which will be extended downstream of the proposed stream enclosure; 4) constructing a two span bridge over the Conrail tracks and realigned Diamond Run Channel. This project is located on the (Norristown, PA Quadrangle and will begin at N: 17.7 inches; W: 12.5 inches and will end at N: 19.1 inches; W: 9-inches) in Plymouth and Upper Merion Townships in **Montgomery County**.

ACTIONS

The Department of Environmental Protection 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 710—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

Permits Issued

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

NPDES Permit No. PAG043529. Sewerage. **Carl Michael**, R. D. 2, Box 628, Everett, PA 15537 is authorized to discharge to UNT of the **Raystown Branch** of the Juniata River.

NPDES Permit No. PA0023442. Sewerage. **Wrightsville Borough Municipal Authority**, 129 South Second Street, P. O. Box 187, Wrightsville, PA 17368 is authorized to discharge from a facility located in Wrightsville Borough, **York County** to the receiving waters named Susquehanna River.

NPDES Permit No. PA0027014. Sewerage. **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16602 is authorized to discharge from a facility located in Logan Township, **Blair County** to the receiving waters named Little Juniata River.

NPDES Permit No. PA0081434. Sewerage. **Countryside Mobile Homes**, 84 Dew Drop Road, York, PA 17403 is authorized to discharge from a facility located in North Codorus Township, **York County** to the receiving waters named South Branch Codorus Creek.

NPDES Permit No. PA0007897. Industrial waste and Groundwater Clean-up. **BP Oil Company**, 200 Public Square, Cleveland, OH 44114-2375 is authorized to discharge from a facility located in Monroe Township, **Cumberland County** to the receiving waters named Trindle Spring Run.

NPDES Permit No. PA0087084. Industrial waste. **Kuhn Transportation Co., Inc.**, 1670 York Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Straban Township, **Adams County** to the receiving waters of an unnamed tributary of Rock Creek.

NPDES Permit No. PA0086487. Industrial waste. **PPG Industries, Inc.**, 400 Park Drive, Carlisle, PA 17013 is authorized to discharge from a facility located in South Middleton Township, **Cumberland County** to receiving waters named drainage ditch to Yellow Breeches Creek.

NPDES Permit No. PAG043525. Sewerage. **Clair Bennett Glass**, R. D. 1, Box 646A, Claysburg, PA 16625

is authorized to discharge from a facility located in Kimmell Township, **Bedford County** to receiving waters named Beaverdam Creek.

NPDES Permit No. PA0027596. Industrial waste. **New Enterprise Stone and Lime Co., Inc.**, P. O. Box 77, New Enterprise, PA 16664 is authorized to discharge from a facility located in Taylor Township, **Blair County** to the receiving waters named Halter Creek.

NPDES Permit No. PA0026484. Sewerage. **Derry Township Municipal Authority**, P. O. Box 447, Hershey, PA 17033-0447 is authorized to discharge from a facility located in Derry Township, **Dauphin County** to the receiving waters named Swatara Creek.

NPDES Permit No. PA0087092. Groundwater Clean-up. **Martin Limestone, Inc.**, P. O. Box 155, Blue Ball, PA 17506 is authorized to discharge from a facility located in Salisbury Township, **Lancaster County** to the receiving waters of an unnamed tributary to the Pequea Creek.

NPDES Permit No. PA0081272. Industrial waste. **Redco Corporation**, P. O. Box 110, Red Lion, PA 17356 is authorized to discharge from a facility located in Red Lion Borough, **York County** to the receiving waters named Fishing Creek via swale.

NPDES Permit No. PA0087114. Sewerage. **Glen Campbell**, 103 Warrington Road, Dillsburg, PA 17019 is authorized to discharge from a facility located in Carroll Township, **York County** to the receiving waters of an unnamed tributary of Stoney Run.

NPDES Permit No. PA0085316. Sewerage. **Fort Heritage, LTD**, 1960 Emmitsburg Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in Cumberland Township, **Adams County** to the receiving water named Marsh Creek.

Notices of Intent for Coverage Under General Permits Received

The following parties have submitted Notices of Intent for coverage under General NPDES Permits to discharge treated wastewater into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review, or application of lawful standards and regulations, the Department of Environmental Protection proposes to issue coverage under the General Permit subject to effluent limitations, monitoring and reporting requirements and other conditions set forth in the General Permits.

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

The Notice of Intent, related documents, proposed effluent limitations, special conditions, comments received and other information are on file and may be inspected and copied at the Regional Office indicated as receiving the Notice of Intent.

List of NPDES General Permits Issued by DEP's Water Management Deputate

| <i>General Permit No.</i> | <i>Short Title of General Permit</i> | <i>Responsible Bureau</i> |
|---------------------------|---|---------------------------|
| 1 | Stormwater—Construction Activities | BLWC |
| 2 | Stormwater—Industrial Activities | BWQM |
| 3 | Single Residence Sewage Treatment Plant | BWQM |
| 4 | Combined Sewer Overflows | BWQM |

Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued for National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

| <i>NPDES No.</i> | <i>Applicable GP No.</i> | <i>Facility Name and Address</i> | <i>Facility Location</i> | <i>Stream Name</i> | <i>SIC</i> |
|------------------|--------------------------|---|----------------------------------|-----------------------|------------|
| PAR803597 | 2 | Scherman Trucking York Terminal P. O. Box 7191 York, PA 17404 | York Co. | Trib to Codorus Creek | 4231 |
| PAR223518 | 2 | Skyline Corp. Buddy Mobile Homes P. O. Box 220 Leola, PA 17540-0220 | Lancaster Co. U. Leacock Twp. | Mill Creek | 2451 |
| PAR223517 | 2 | Skyline Corp. Skyline Homes 465 N. Reading Road Ephrata, PA 17522 | Lancaster Co. Ephrata Boro. | Cocalico Creek | 2451 |
| PAR803596 | 2 | Aero Oil Company Highspire Terminal 911 Eisenhower Blvd. Highspire, PA 17034 | Dauphin Co. L. Swatara Twp. | Laurel Run | 5171 |

Notices of Intent for Coverage Under NPDES General Permit For Construction Activities and Department Final Actions

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

Allegheny County Conservation District, District Manager, 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.

Berks County Conservation District, District Manager, P. O. Box 520 Ag. Ctr., Leesport, PA 19533, telephone (610) 372-4657.

Blair County Conservation District, District Manager, 1407 Blair Street, Hollidaysburg, PA 16648, telephone (814) 696-0877.

Cambria County Conservation District, District Manager, P. O. Box 187, Ebensburg, PA 15931, telephone (814) 472-2120.

Centre County Conservation District, District Manager, 414 Holmes Ave. Ste. 4, Bellefonte, PA 16823, telephone (814) 355-6817.

Chester County Conservation District, District Manager, Gov. Serv. Ctr. Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

Crawford County Conservation District, District Manager, 154 Park Ave. Plaza, Meadville, PA 16335, telephone (814) 724-1793.

Erie County Conservation District, District Manager, 12723 Rte. 19, P. O. Box 801, Waterford, PA 16441, telephone (814) 796-4203.

Franklin County Conservation District, District Manager, 550 Cleveland Ave., Chambersburg, PA 17201, telephone (717) 264-8074.

Lancaster County Conservation District, District Manager, 1383 Arcadia Rd., Rm. 6 Farm & Home Ctr., Lancaster, PA 17601, telephone (717) 299-5361.

Lebanon County Conservation District, District Manager, 2120 Cornwall Rd., Ste. 5 Lebanon, PA 17042, telephone (717) 272-3377.

Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.

Montgomery County Conservation District, District Manager, 1015 Bridge Rd., Ste. B Collegetown, PA 19426, telephone (610) 489-4506.

Schuylkill County Conservation District, District Manager, Schuylkill Mall, Frackville, PA 17931, telephone (717) 874-3130.

Somerset County Conservation District, District Manager, N. Ridge Bldg., 1590 N. Ctr. Ave. Ste. 103, Somerset, PA 15501, telephone (814) 445-4652.

Tioga County Conservation District, District Manager, 5 East Avenue, Wellsboro, PA 16901, telephone (717) 724-4812.

York County Conservation District, District Manager, 118 Pleasant Acres Road, York, PA 17402, telephone (717) 840-7430.

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, General Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

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.

| <i>NPDES Permit</i> | <i>Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Stream</i> |
|---------------------|---|--|-------------------------|
| PAR10A159 | Chambers Devel. Co. 310 Leger Rd., North Huntingdon, PA 15642 | Allegheny Co. N. Versailles Twp. | UNT to Turtle Crk. |
| PAR10A148 | Douglas Borst, 12 Manorfield Dr. Delmont, PA 15626 | Allegheny Co. Plum Boro. | Thompson Run |
| PAR10C131 | Harvey Bitler Sr. P. O. Box 311, Temple, PA 19560 | Berks Co. Brecknock Twp. | Allegheny Crk. |
| PAR10C130 | W R Grace & Co. P. O. Box 295, Reading, PA 19603 | Berks Co. Muhlenberg Twp. | Schuylkill Rvr. |
| PAR10C134 | Specht Realty Inc. 649 N. Lewis Rd. Royersford, PA 19468 | Berks Co. Colebrkdale Twp. | UNT To Swamp Crk. |
| PAR100637 | Jeffrey Long, 1618 E. Pleasant Vly. Blvd. Altoona, PA 16602 | Blair Co. City of Altoona | Spring Run |
| PAR101023 | Loew's Companies Inc. 1203 School St. Wilkesboro, NC 28697 | Cambria Co. Richland Twp. | UNT to Solomon Run |
| PAR101024 | Portage Area Sewer Authority, 606 Cambria St., Portage, PA 15946 | Cambria Co. Portage Twp. and Portage Boro. | Spring Run |
| PAR10F045 | Pheasant Run Apts. 4121 Okemos Rd. Okemos, MI 48864 | Centre Co. Ferguson Twp. | UNT to Big Hollow Run |
| PAR10G143 | Daylesford Assocs. 1301 Lancaster Ave. Berwyn, PA 19312 | Chester Co. E. Bradford Twp. | UNT to Taylor Run |
| PAR10G151 | Bruce Vanderhoef 341 Freemont Rd. Nottingham, PA 19352 | Chester Co. Upper Oxford Twp. | Rattlesnake Run |
| PAR10G162 | C M H S Properties 354 Darlington Rd. Media, PA 19063 | Chester Co. Schuylkill Twp. | French Crk. |
| PAR102307 | Crawford Central School District, R. R. 9, Box 462, Meadville, PA 16335 | Crawford Co. City of Meadville | UNT to Mill Run |
| PAR10K055 | Penn State Univ. Physical Plant Bldg. University Park, PA 16802 | Erie Co. Harborcreek Twp. | Four Mile Crk. |
| PAR10L021 | NWL Company, P. O. Box 188, Farmington, PA 15437 | Fayette Co. Wharton Twp. | Meadow Run |
| PAR10M106 | John and Debbie Hoffman 14544 Greencastle Pke. Hagerstown, MD 21740 | Franklin Co, Antrim Twp. | Conococheague Crk. |
| PAR10-O-178 | David Sweigart III 189 Ridge View Rd. Elizabethtown, PA 17022 | Lancaster Co. Mount Joy Twp. | UNT to Conoy Crk. |
| PAR10-O-147 | Vasland Inc., 336 W. King St., Lancaster, PA 17603 | Lancaster Co. E. Cocalico Twp. | Ltl. Cocalico Crk. |
| PAR10-O-176 | L & B Land Co., P. O. Box 721, Brownstown, PA 17508 | Lancaster Co. E. Cocalico Twp. | Little Muddy Crk. |
| PAR10-O-179 | Edmund Heltshe 942 Stone Hill Rd. Conestoga, PA 17516 | Lancaster Co. Conestoga Twp. | Stone Hill Run |

| <i>NPDES Permit</i> | <i>Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Stream</i> |
|---------------------|---|-----------------------------------|-------------------------|
| PAR10-O-180 | Joseph Nadu, 1730 Columbia Ave., Lancaster, PA 17603 | Lancaster Co. Conestoga Twp. | Conestoga Rvr. |
| PAR10P040 | Ralph Trego R. D. 1, Hickory Rd., Richland, PA 17087 | Lebanon Co. Jackson Twp. | Tulpehocken Crk. |
| PAR10P041 | Palmyra Homes Inc. 1341 E. Main St. Palmyra, PA 17038 | Lebanon Co. Bethel Twp. | Beech Run |
| PAR10R073 | Robert Fraley 1450 Highway 315 Wilkes Barre, PA 18702 | Luzerne Co. Duryea Boro. | Lackawanna Rvr. |
| PAR10T231 | Cutler Group 5 Sentry Pkwy. West Blue Bell, PA 19422 | Montgomery Co. Worcester Twp. | UNT to Stony Crk. |
| PAR105729 | DEP-BAMR, 93 N. State St., Wilkes Barre, PA 18701 | Schuylkill Co. Mahanoy Twp. | UNT to N. Mahanoy Crk. |
| PAR106112 | Delta Mining Inc. 13031 Farthinggale Dr., Reston, VA 22071 | Somerset Co. Brothersvly. Twp. | Blue Lick Crk. |
| PAR 106615 | DEP-BAMR, P. O. Box 149 Ebensburg, PA 15931 | Tioga Co. Hamilton Twp. | Tioga River |
| PAR10Y194 | Central Penn Auto Sales, P. O. Box 395 York Haven, PA 17370 | York Co. Newberry Twp. | Conewago Crk. |

Notices of Intent for Coverages Under NPDES General Permits and Department Final Actions

The Department of Environmental Protection has received Notices of intent (NOI) for approval of coverage under General NPDES Permits and has taken the following final actions by approving the requested general permit coverages.

These actions of the Department may be appealed 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, by any aggrieved person under the Environmental Hearing Board (35 P. S. § 7514); 2 Pa.C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of procedure before the Board may be obtained from the Board.

List of NPDES General Permits issued by DEP's Water Management Deputate

| <i>General Permit No.</i> | <i>Short Title of General Permit</i> | <i>Response Bureau</i> |
|---------------------------|--------------------------------------|------------------------|
| 1 | SW-Construction | SERO |

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued under the National Pollutant Discharge Eliminate system (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

| <i>NPDES No.</i> | <i>Applicable GP No.</i> | <i>Facility Name and Address</i> | <i>Facility Location</i> | <i>Stream name</i> | <i>SIC</i> |
|------------------|--------------------------|---|---|---|------------|
| PAR10-5307 | 1 | Colonial Pipeline 945 East Paces Ferry Rd. P. O. Box 18855 Atlanta, GA 31126-0855 and Sun Pipe Line Company Ten Penn Center. 26th Fl. 1801 Market Street Philadelphia, PA 19103 | City of Philadelphia Philadelphia County | Freshwater Wetlands within Delaware River Watershed | 4600 |

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

Northeast Regional Office: Regional Water Management Program Manager, Two Public Square, Wilkes Barre, PA 18701-3296, telephone (717) 826-2553.

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4028.

| <i>NPDES Permit No.</i> | <i>Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Stream</i> |
|-------------------------|--|---|----------------------------|
| PAS10Q091 | James Heeps, 711 W. 17th St., Allentown, PA 18104 | Lehigh Co. S. Whitehall and U. Macungie Twps. | Little Lehigh |
| PAS10Q094 | Nuss Enterprises 2632 Old Post Rd. Coplay, PA 18037 | Lehigh Co. N. Whitehall Twp. | Coplay Crk. |
| PAS10Q095 | City of Allentown 2700 Parkway Blvd. Allentown, PA 18104 | Lehigh Co. City of Allentown | Little Lehigh |
| PAS10W037 | Metz Development and Waterdam Farms Res. Associates, 524 Washington Rd., McMurray, PA 15317 | Washington Co. N. Strabane Twp. | UNT to Ltl. Chartiers Crk. |
| PAS10W044 | Mary Lee and Steven Fusco, 405 McCombs Rd., Venetia, PA 15367 | Washington Co. Peters Twp. | Peters Crk. |
| PAS10X054 | Amore Companies Inc. 4130 Monroeville Blvd. Monroeville, PA 15146 | Westmoreland Co. Allegheny Twp. | Kiskiminetas Rvr. |
| PAS10X055 | Sony Electronics Inc. P. O. Box Sony, Old Rte. 119, Mt. Pleasant, PA 15666 | Westmoreland Co. E. Huntingdon Twp. | Sewickley Crk. |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Stream</i> |
|-------------------------|---|--|--|
| PAS10-T049 | Anderson Farm, Inc. 950 W. Valley Forge Rd. King of Prussia, PA 19406 | Upper Providence Twp. Montgomery County | Norma Run, Tributary to Perkiomen Creek |
| PAS10-G160 | Country Estates Developers, Inc. P. O. Box 559 Kimberton, PA 19442 | Charlestown Township Chester County | Pickering Creek |
| PAS10-D041 | Department of Transportation District 6-0 200 Radnor-Chester Road St. Davids, PA 19087 | Bristol Township Bucks County | Neshaminy Creek |

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

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

Permit No. 0195404. Sewerage. **Fort Heritage, Ltd.**, 1960 Emmitsburg Road, Gettysburg, PA 17325. Construction of a small flow sewage treatment facility located in Cumberland Township, **Adams County**.

Permit No. 6795409. Sewerage. **Glenn Campbell**, 103 Warrington Road, Dillsburg PA 17019. Construction of a septic tank and sand filter treatment system located in Carroll Township, **York County**.

Permit No 0795404. Sewerage. **Logan Township Board of Supervisors**, 800 39th Street, Altoona, PA 16602. Extension of interceptor to serve North Lakemont area and the proposed Altoona Galleria in Logan Township, **Blair County**.

Permit No. 6771405. Sewerage. Amendment No. 1. **James R. Holley and Associates, Inc.**, 18 South George Street, York, PA 17401, located in Hopewell Township, **York County**.

Permit No 3695408. Sewerage. **East Cocalico Township Authority**, P. O. Box 402, Reamstown, PA 17567. Construction of interceptor to connect to Adamstown borough STP in East Cocalico Township, **Lancaster County**.

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

Permit No. 0995423. Sewerage. **Alvin Buben**, 123 Harvest Road, Levittown, PA 19056. Construction of the single residence sewage treatment plant with spray irrigation system located in Plumstead Township, **Bucks County** to serve the Buben residence.

Permit No. 1595410. Sewerage. **Chesterdale Waste Treatment Company**, 803 West Market Street, West Chester PA 19382. Modification and operation of the Willistown Woods sewage treatment plant located in

Willistown Township, **Chester County** to serve Chesterdale Waste Treatment Company.

Plan revision approval granted December 6, 1995 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Regional Office: Water Management Program Manager, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110.

Location: Warwick Township, Lancaster County, P. O. Box 308, Lititz, PA 17543.

The approved plan revision provided for 60 single family lots on 36.49 acres generating 21,000 gallons per day (gpd) in sewage flows tributary to the Warwick Township Municipal Authority Sewage Collection System and the Lititz Borough Wastewater Treatment Plant. The development is located on the east side of North Broad Street opposite of Wynfield Drive in Warwick Township, Lancaster County.

The project is known as Brookfield Run (Crown II Properties) and the Department of Environmental Protection Code Number is A3-36955-166-3.

Plan revision approval granted November 16, 1995 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Regional Office: Water Management Program Manager, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110.

Location: Susquehanna Township, Dauphin County, 1900 Linglestown Road, Harrisburg, PA 17110.

The approved plan revision provides for a 12 lot commercial subdivision with an anticipated total sewage flow of 11,250 gallons per day of wastewater to be treated by Harrisburg Advanced Wastewater Treatment facility. The development is located on the south side of Linglestown Road (S.R. 0039), 2,100 feet east of North Progress Avenue (S.R. 0315), Susquehanna Township, Dauphin County.

Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority.

Plan revision approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Regional Office: Water Management Program Manager, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110.

Location: Union Township, Lebanon County, R. D. 1, Box 1940, Jonestown, PA 17038.

The approved plan revision provides for municipal treatment plant expansion and a four lot industrial subdivision on both sides of S.R. 0072, north of Fisher Avenue (S. R. 4020), Union Township, Lebanon County. The Northern Lebanon County Authority Lickdale Treatment Plant will be expanded to 100,000 gallons per day and ultimately serve the surrounding industrial, institutional, and residential lots and future residential and commercial projects. A general permit will address wetlands encroachment.

Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority.

Location: Union Township, Lebanon County, R. D. 1, Box 1940, Jonestown, PA 17038.

The approved plan revision provides for extension of sewer service from the Northern Lebanon County Authority Lickdale Treatment Plant, 4,000 feet west along the south side of Fisher Avenue (S.R. 4020) in Union Township, Lebanon County. The combination low pressure/gravity sewer is intended to serve a proposed warehouse/distribution facility, school, and residences along this portion of Fisher Avenue, and a future commercial project. The proposed sewer extension will result in encroachment of wetlands for which a general permit will be utilized.

Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority.

Location: East side of Stonewood Road (SR-2017) approximately 1/2 mile south of the intersection with SR-462 in Springettsbury Township, York County.

Project Description: Approval of a revision to the Official Sewage Plan of Springettsbury Township, York County, 1501 Mt. Zion Road, York, PA 17402. Plan approval is given for the construction of a pump station, force mains and gravity sewers to replace the existing Motters Pump Station. The average projected sewage flows served by this proposed pump station are 2.94 mgd.

The project name is East York Pumping Station and its DEP code number is A3-67957-244-3.

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2553.

Borough of Penn Lake Park, **Luzerne County.**

The Department has completed its review of the Official Act 537 Sewage Facilities Plan (Plan) for Penn Lake Park Borough, dated June 29, 1994, and revised on March 24, 1995 and on August 8, 1995. The revised Plan was sent to us via Borton-Lawson Engineering's September 6, 1995 transmittal letter. The March 24, 1995 and the August 8, 1995 Plan revisions were prompted by the Department's December 8, 1994 and May 23, 1995 comment letters. The Plan was prepared by Borton-Lawson Engineering. The Department has found that the Plan is now acceptable and hereby grants planning approval.

The Planning Area included under the Plan is the area within the corporate limits of the Borough. The Plan was written to address environmental problems, caused by failing onlot sewage systems. The Plan concluded that unsuitable soils and small lot sizes preclude the replacement and upgrade of the onlot sewage systems in accordance with the Department's regulations.

The current status of sewage disposal systems was evaluated and alternatives for improved sewerage facilities were proposed to meet the identified sewage disposal needs for the foreseeable future. The chosen alternative consists of the installation of a centralized sewerage collection system, primarily a low-pressure system, and construction of a 50,000 gallons per day wastewater treatment facility (WWTF). The plant is sized to treat a projected summer population of 675 people in the year 2015. The proposed WWTF is a Sequential Batch Reactors System.

The Plan also approves a Sewage Management Program to regulate the performance of existing onlot systems and to regulate construction of any new systems. The Sewage Management Program will become effective when the Plan is approved by the Department, and will continue until a centralized sewerage collection system and WWTF is built.

The Department's review of the Plan has not identified any significant environmental impacts resulting from the proposals.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1—750.2(a)) (Act 537) and Chapter 71 of the Department's Regulations, 25 Pa. Code Chapter 71, the Department will hold the Borough responsible for the complete and timely implementation of the chosen alternative, as stated in Section I—Plan Summary (Page 1 of the Plan) and in Section IX—Implementation Schedule (Page 58 of the Plan).

Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, and Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.

General Permit No. WMGR023. Oil Service, Inc., 2899 Grant Avenue, Pittsburgh, PA 15225. A permit for processing of waste oil (excluding used oil) and unused oil contaminated with water in mobile units or at a stationary facility through filtration, centrifugation, ultrafiltration and vacuum distillation for the purpose of reconditioning the oil which shall be reused by the generator of the waste oil or unused, contaminated oil.

Persons interested in viewing the permit may contact the General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

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 Manager; One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4588.

Permit No. 602633. H. Pfautz Property, Dr. Harry Pfautz, (315 High Street, Duncannon, PA 17020). Renewal application for the operation of an agricultural utilization of sewage sludge site in Wheatfield Township, **Perry County**. Permit issued in the Regional Office January 2, 1996.

Regional Office: Regional Solid Waste Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Solid Waste Permit No. 101623. WSPA, Inc., P. O. Box 58, Spraggs, PA 15362. A municipal waste processing permit for the operation of WSPA, a transfer/processing facility located on Lee Avenue Extended in Wayne Township, **Greene County**, was issued in the Regional Office on December 27, 1995.

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

Regional Office: Regional Solid Waste Manager; One Ararat Boulevard, Harrisburg, PA 17110.

A. 603433. E. C. Lemmon Inc., Farm, BFI Organics, (P. O. Box 128, Mineview Drive, Morgantown, PA 19543). Application for operation of an agricultural utilization of sewage sludge site in Reading Township, **Adams County**. Application withdrawn from the Southcentral Regional Office November 17, 1995.

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.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-301-032**
Source: Incinerator w/secondary burner
Company: **Pharmakon Research Institute**
Location: Scott Township
County: **Lackawanna**

RACT Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate and operate air contaminant sources or air cleaning devices.

Regional Office: Northeast Regional Office, Bureau of Air Quality Control, 2 Public Square, Wilkes-Barre, PA 18711-0790.

39-0012. On October 17, 1995, a RACT Air Quality Operating permit was issued to **Department of Public Welfare**, White Haven Centre, White Haven, PA 18661 for the operation of boiler plant at the facility located in Foster Township, **Luzerne County**.

Plan approvals permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations for a plan approval permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality plan approval permit for the construction of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **PA-09-0001**
Source: Mixing Churns No 1, 2 and 3
Issued: December 7, 1995
Company: **Avery Dennison Corporation**
Location: Richland
County: **Bucks**

Plan approvals issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify or reactivate and operate air contaminant sources or air cleaning devices.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has extended the following air quality plan approvals permits for the specified companies described below:

Permit: **15-317-019**
 Source: Line 6 Oven Alteration
 Issued: December 15, 1995
 Extended: April 15, 1996
 Company: **Pepperidge Farm, Inc.**
 Location: East Caln
 County: **Chester**

Permit: **46-301-268**
 Source: Hospital Waste Incinerator
 Issued: December 22, 1995
 Extended: April 22, 1996
 Company: **North Penn Hospital**
 Location: Hatfield
 County: **Montgomery**

Permit: **46-313-093A**
 Source: Chemical Development
 Issued: December 29, 1995
 Extended: April 30, 1996
 Company: **SmithKline Beecham Research Company**
 Location: Upper Providence
 County: **Montgomery**

Permit: **46-313-094A**
 Source: Pharmaceutical Sciences
 Issued: December 29, 1995
 Extended: April 30, 1996
 Company: **SmithKline Beecham Research Company**
 Location: Upper Providence
 County: **Montgomery**

Operating permit issued under the Air Pollution Control Act (35 P. S. 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology and when required 25 Pa. Code § 127.445.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality compliance permit for the operation of the Major NOx and Major VOC emitting facilities described below:

Permit: **CP-15-0024**
 Source: Facility NOx
 Issued: December 27, 1995
 Company: **Sonoco Products Company**
 Location: Downingtown
 County: **Chester**

Permit: **CP-09-0001**
 Source: Facility Nox and VOC
 Issued: December 7, 1995
 Company: **Avery Dennison Corp./Fasson Roll Div.**
 Location: Richland
 County: **Bucks**

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4005) and regulations to construct, modify, reactivate and operate air contamination sources or air cleaning devices.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

06-318-070A. On December 22, 1995, the Department issued a plan approval to **Berks Can, Inc.** (P. O. Box 170, Blandon, PA 19510) for construction of a three-piece can line controlled by filter pads and fabric collector in Muhlenberg Township, **Berks County**.

Northwest Regional Office: Devendra Verma, Engineering Services Chief, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.

62-399-012. On December 29, 1995, a plan approval was issued to **Torpedo Wire & Strip, Inc.** (R. D. 2, Rt. 27, Pittsfield, PA 16340) for construction of a nickel plating operation at their facility in Pittsfield Township, **Warren County**.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302), sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (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 Certification

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

E13-091. Encroachment. **Robert R. Snyder**, 103 East Penn Street, Lehigh, PA 18235. To place fill in an unnamed body of water, having a surface area of approximately 0.04 acre for the construction of a driveway. The project is located on the north side of S. R. 0443, approximately 0.1 mile east of the intersection of S. R. 0443 and S. R. 3002 (Lehigh, PA Quadrangle N: 13.2 inches; W: 12.2 inches) in Lehigh Borough, **Carbon County**.

E35-258. Encroachment. **South Abington Township**, 104 Shady Lane Road, Chinchilla, PA 18410. To construct and maintain two pedestrian bridges across Leggetts Creek as follows: Bridge No. 1, having a span of 45.9 feet and an approximate underclearance of 5.2 feet (Scranton, PA Quadrangle N: 18.85 inches; W: 8.00 inches); Bridge No. 2, having a span of 39.7 feet and an approximate underclearance of 4.7 feet (Scranton, PA Quadrangle N: 18.95 inches; W: 7.90 inches). The project is part of the South Abington Township Recreation Area and is located approximately 0.2 mile south of the intersection of the Pennsylvania Turnpike Northeast Extension Scranton Interchange (No. 30) and S. R. 0081 in South Abington Township, **Lackawanna County**.

E40-421. Encroachment. **Daniel Roman and Rochelle Nesgoda**, 431 State Highway 315, Pittston, PA 18640. To construct and maintain a road crossing of wetlands, 270 feet in length, consisting of two pairs of 12-inch HDPE pipes and the placement of rock fill in 0.19 acre of wetlands, located within the basin of Big Wapwallopen Creek, for the purpose of constructing a driveway for a single-family dwelling. The project is located on a 25.4 acre parcel, on the north side of Liberty Street, approximately 0.4 mile west of the intersection of S. R. 0309 and S. R. 437 (Wilkes-Barre West, PA Quadrangle N: 8.3 inches; W: 1.6 inches), in Fairview Township, **Luzerne County**. The permittee is required to provide 0.19 acre of replacement wetlands.

E45-282. Encroachment. **Outletter Associates**, 285 Crossings Outlet Square, Tannersville, PA 18372. To place fill in 0.09 acre of wetlands for the purpose of expanding a parking lot associated with Phase IV of the Crossings Outlet Square. This project is located on the west side of Pocono Creek approximately 500 feet upstream of the confluence with Scot Run and is situated 0.25 mile southeast of Exit 44 off Interstate Route 80 (Mount Pocono, PA Quadrangle N: 9.1 inches; W: 8.9 inches) in Pocono Township, **Monroe County**. The permittee is required to provide 0.14 acre of replacement wetlands.

E54-212. Encroachment. **Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing two-span bridge, to construct and maintain a concrete box beam bridge having a span of 50.2 feet and an underclearance of 6.0 feet on a 75 degree skew across Wiconisco Creek and to fill a de minimus area of wetlands less than or equal to 0.05 acre for the proposed bridge construction. This project is located along S. R. 0325, Section 01B, Segment 0030, Offset 1800, approximately 3,300 feet south of S. R. 0209 (Tower City, PA Quadrangle N: 14.65 inches; W: 5.9 inches) in Porter Township, **Schuylkill County**.

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

E09-236. Encroachment. **Jack Lyons**, Jack's Neshaminy Marina, Inc., 100 River Road, Croydon, PA 19020. To re-issue Permit No. E09-236, which authorized the following: To construct and maintain a floating pier, enlarge and maintain an existing Marina Lagoon and Travel Lift Slip and to perform maintenance dredging along the north bank of the Neshaminy Creek at points 1,250 feet to 3,000 feet upstream from the confluence of Neshaminy Creek and the Delaware River (Beverly NJ-PA Quadrangle, N: 15.0 inches, N: 4.7 inches) in Bristol Township, **Bucks County**.

E09-660. Encroachment. **Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087. To place fill material in 3.11 acres of wetlands that is associated with construction to complete the I-95 southbound exit ramp used to connect S. R. 413 with I-95 at a point just south from Old Rodgers Road. Old Rodgers Road's terminus will also be relocated. This project includes the realignment of an unnamed tributary to Croydon Run and the associated installation of a 120-foot long, 19-inch X 30-inch elliptical R.C.P. stream enclosure which will provide drainage from Delhaas Woods across and under S. R. 413. Also included in this project is the construction of a concrete outlet structure with gabion basket stream bank protection to be installed at the northwesterly wingwall of the U. S. 13 bridge that spans Otter Creek. This structure will discharge additional stormwater runoff by a proposed stormwater pumping station, associated with the proposed S. R. 413, widening between Bath Road and U. S. Route 13. Numerous stormwater culverts will be installed and/or replaced along the reconstructed S. R. 413 and the proposed I-95 exit ramp. This site is situated in the vicinity of the I-95/413 interchange (Beverly/Bristol, PA-NJ Quadrangles, N: 20.9 inches; W: 0.8 inch) in Bristol Township, **Bucks County**. The permittee shall provide 5.76 acres of wetland replacement as part of this project.

E09-692. Encroachment. **The Cutler Group, Inc.**, 5 Sentry Parkway West, Suite 100, Blue Bell, PA 19422. To construct and maintain a culvert structure located in and along an unnamed tributary to the Neshaminy Creek

(TSF-MF) for the purpose of conveying stream flow beneath Windsor Way. This road will provide a secondary access to the proposed Doylestown Lea residential subdivision. The proposed culvert structure will consist of quadruple (4) 48-inches x 76 inch E.R.C.P.'s, each measure 64 feet in length. In addition a 24-foot wide by 10-foot long riprap energy dissipator will be installed at the outlet end of this structure. This project also will include the placement of fill material in 0.26 acre of adjacent wetlands (PF01A). The project site is located approximately 3/4 miles southwest of S. R. 611 and S. R. 202 interchange and is situated along the south side of Wells Road (T-344) across from the Doylestown Township municipal park (Doylestown, PA Quadrangle N: 6.25 inches; W: 2.5 inches) in Doylestown Township, **Bucks County**. The permittee is providing 0.28 acre of replacement wetlands on-site.

E46-432. Encroachment. **The Cutler Group**, 5 Sentry Parkway West, Suite 100, 325 Walton Road, Blue Bell, PA 19422. To reissue and amend permit no. E46-432 to maintain three storm sewer lines and outfall structures, to maintain fill and to maintain a 22-foot x 5.5-foot precast box culvert under the proposed Lexington Drive in wetlands located in and along Rapp Run and to maintain an 8-inch sanitary sewer crossing of wetlands located at a point approximately 1,700 feet north of Jarretstown Road in the Dublyn Lea Residential Subdivision (Ambler, PA Quadrangle N: 6.2 inches; W: 6.8 inches) in Upper Dublin Township, Montgomery County. This permit requires the replacement of 0.50 acre of wetlands. The replacement wetlands will be constructed at the Montgomery Crossing Subdivision located (Ambler, PA Quadrangle N: 18.0 inches; W: 13.2 inches) in Montgomery Township, **Montgomery County**.

E46-622. Encroachment. **Montgomery County Commissioners**, Montgomery County Court House, Swede and Airy Streets, Norristown, PA 19404. To reissue permit no. E46-622 which authorized the removal of an existing single span truss bridge, and to construct and maintain a roadway crossing consisting of two 25.33-foot x 11-foot and one 12.4-foot x 8.3-foot aluminum box culverts in Swamp Creek located on Ludwick Road approximately 2,300 feet northwest of its intersection with PA Route 663 (Sassamansville, PA Quadrangle N: 13.0 inches; W: 10.3 inches) in New Hanover Township, **Montgomery County**.

E46-709. Encroachment. **Edward Florig**, Florig Equipment Company, Inc., 906 Ridge Pike, Conshohocken, PA 19428. To construct and maintain an extension to an existing stream enclosure located along an unnamed tributary to Plymouth Creek which crosses Florig Equipment Company property. The existing stream enclosure was authorized by DEP permit no. E46-162, issued in 1984. The scope of the proposed project is to enclose an additional portion of this tributary to provide a parking storage area for the owner. This project scope will include the following:

1. To extend by 110 feet an existing, twin 90-inch diameter, stream enclosure at the downstream end, and placement of associated backfill to provide a parking storage area.
2. The installation of an 8-inch high, rolled macadam curb to be located along the downstream edge of the proposed parking area pavement.
3. The installation of a two type "M" inlet boxes which will discharge stormwater runoff into the proposed stream enclosure.

4. The construction of an end wall at the downstream end of the stream enclosure and the installation of a riprap energy dissipator at the outlet structure.

5. The modification of existing gabion endwalls, and construction of an earthen berm along the downstream end of the proposed stream enclosure outlet structure to protect an existing sanitary sewer pump station.

6. The construction of a rock lined swale to be located along the toe of the proposed embankment fill.

The site is located approximately 2 miles upstream from the confluence of Plymouth Creek and the Schuylkill River, and 4,500 feet southeast from the Pennsylvania Turnpike crossing of Ridge Pike (Norristown, PA Quadrangle N: 18.2 inches; W: 7.1 inches) in Plymouth Township, **Montgomery County**.

E09-700. Encroachment. Department of Transportation. Engineering District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087. To remove an existing one span masonry arch culvert, to construct and maintain approximately 51 linear feet of a precast reinforced concrete 10-foot by 6-foot twin cell box culvert with adjacent cast-in-place endwalls for the purpose of widening the existing roadway, and to construct and maintain a reinforced concrete retaining wall of approximately 58 feet on the right upstream face of the roadway embankment. The site is situated (Lambertsville USGS Quadrangle N: 0.4 inch; W: 16.6 inches) at the intersection of Swamp Road (S. R. 2036) and an unnamed tributary to the Neshaminy Creek approximately 750 feet north and 1,300 feet west of the intersection of Swamp Road and Worthington Mill Road in Wrightstown Township, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

E23-334. Encroachment. Department of Transportation. 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To remove an existing deteriorated bridge and to construct and maintain a 42-foot long x 20-foot wide reinforced concrete bridge with 5.5-foot underclearance, which carries S. R. 2003 (North Lynn Boulevard) across an unnamed tributary to Cobbs Creek. The site is located approximately 200 feet southeast of the intersection of Township Line Road (U. S. Route 1) and S. R. 2003 (North Lynn Boulevard), Lansdowne, PA Quadrangle N: 17.5 inches; W: 5.0 inches) In Upper Darby Township, **Delaware County**.

E46-713. Encroachment. Abington Glenn, Inc., 101 Washington Lane, Suite G4, Jenkintown, PA 19046. To operate and maintain the relocation and modification of an unnamed tributary to Sandy Run, associated with the proposed Abington Glenn, Inc. subdivision. This work will include the following:

1. Removal of the existing recently constructed unpermitted stream enclosure and replace the enclosure with a 180-foot long, 24-inch diameter R.C.P., with concrete end walls upstream and downstream, and riprap lined energy dissipator at the outlet.

2. Reconstruction and maintenance of bank stabilization for the channel remaining downstream of the enclosure using stone gabion reno mattresses or stone gabion walls.

3. Reconstruction and maintenance of a modified storm drainage swale located across Mr. Acker's property, which will be a 6-foot wide, 250-foot long and will provide a 1-foot minimum depth.

4. Reconstruction and maintenance of low earthen berm at a minimum elevation of 218.5 located along Mr. Acker's northern property line and the western bank of the relocated stream channel.

5. Reconstruction and maintenance of a detention area at the upstream end of the proposed stream enclosure to provide a minimum headwater depth of 4 feet.

The project site is located at 2967 Madison Avenue at a point approximately 1,000 feet southeast from the intersection of Fitzwatertown Road and Susquehanna Road (Ambler, PA Quadrangle N: 0.92 inch; W: 3.6 inches) in Abington Township, **Montgomery County**.

SPECIAL NOTICES

Proposed Land Exchange Between DCNR, Bureau of Forestry, and Pennsylvania State University

The Department of Conservation and Natural Resources, acting through the Bureau of Forestry, and Pennsylvania State University are proposing to negotiate an exchange of lands in Centre and Franklin Counties, PA.

The Bureau of Forestry is proposing to acquire from Penn State approximately 192 acres of woodland on Tussey Mountain in Ferguson Township, Centre County, bounded on the southeast by the Rothrock State Forest.

In return, the Bureau of Forestry proposes to convey to Penn State approximately 32 acres of the Michaux State Forest in the Borough of Mont Alto and Quincy Township, Franklin County. This property is bounded on the north and west by Penn State's Mont Alto Campus.

As is the policy of the Department of Conservation and Natural Resources, the public is hereby notified of this proposed exchange. A 30-day period for public inquiry and/or comment will be in effect commencing January 22, 1996, and ending February 21, 1996. Oral or written comments or questions concerning this proposed exchange may be addressed to State Forester's Office, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, telephone (717) 787-2703. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department of Conservation and Natural Resources may schedule a public informational meeting.

[Pa.B. Doc. No. 96-77. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Beginning of Review; Certificate of Need

The Department has completed its preliminary assessment of the following applications for the offering, development, construction, renovation, expansion or establishment of reviewable clinically related health services or health care facilities. This notice is published in accordance with sections 702(c), 704(a) and 704(b) of the Health Care Facilities Act (35 P. S. §§ 448.702(c), 704(a) and 704(b)).

CON-95-H-2494-B: Mt. Macrina Manor, 520 West Main Street, Uniontown, PA 15401. The project includes the

development of a state-of-the-art Alzheimer's Unit; addition of 24 licensed beds and renovations at an estimated cost of \$3,230,384.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning January 20, 1996. Interested persons, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing, within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)), regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, the meeting will be held in Room 812

of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, Pennsylvania. The public meeting for Mt. Macrina Manor will begin at 1 p.m. on Thursday, February 8, 1996. Persons who need an accommodation due to a disability and want to attend a meeting, please contact Jack W. Means, Jr., Director Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

For additional information, contact the Division of Need Review at (717) 787-5601.

PETER J. JANNETTA, M.D.,
Secretary

[Pa.B. Doc. No. 96-78. Filed for public inspection January 19, 1996. 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The contracts referenced below have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-11—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these persons and firms, or any firm, corporation or partnership in which such persons and firms have an interest, shall be awarded no contract for 3 years after the date listed.

JOHNNY J. BUTLER,
Secretary

| <i>Contractor</i> | <i>Address</i> | <i>Date of Debarment</i> |
|---|--|--------------------------|
| 1. Gary Cararini, Sr. (Fed. ER Tax ID No. 25-1369838), George Vince and Frank Maruca, t/a Westmoreland Roofing & Siding Co. (Fed. ER Tax ID No. 25-1427388) | R. D. 8, Box 192 Greensburg, PA 15601 | 2/9/93 |
| 2. York Excavating Co., Inc. (Fed. ER Tax ID No. 23-2346289), and Les Stewart | R. D. 3, Box 77B York, PA 17402 | 4/26/93 |
| 3. Beigh Construction Co. and H. Daniel Beigh, Jr. (Fed. ER Tax ID No. 23-173014) | 304 East Main Street Shiremanstown, PA 17011-6362 and/or P. O. Box 420 Camp Hill, PA 17011 | 5/14/93 |
| 4. Dowell Corporation, a/k/a Dowell, Inc. (Fed. ER Tax ID No. 23-1887852), and John J. O'Donnell, Jr. | 820 Welsh Road Huntingdon Valley, PA 19006 3150 Comport Road New Hope, PA 18938 | 7/21/93 |
| 5. Bramarq Construction Co., Inc. (Fed. ER Tax ID No. 23-2161038) | 261 Lower Morrisville Rd. Fallsington, PA 19054 | 7/28/93 |
| 6. Stephen S. Fisher, Jr. (Fed. ER Tax ID No. 23-1731460) | 625 Baumgardner Road Lancaster, PA 17603 | 8/3/93 |
| 7. Genro, II, Inc. (Fed. ER ID Tax ID No. 25-1267158), t/a General Roofing Co., Inc. —and— D. Dale Hamilton, III | Box 418, Washington Pike Bridgeville, PA 15017 | 9/3/93 |
| 8. Ray Maggi Construction, Inc. (Fed. ER Tax ID No. 25-1544078) and Ray Maggi (Fed. ER Tax ID No. 25-1414979) | R. D. 1, Box 477 Cecil, PA 15321 | 10/8/93 |
| 9. John Novack, t/a Novack Salvage | P. O. Box 239 Lititz, PA 17543 | 12/3/93 |

| | <i>Contractor</i> | <i>Address</i> | <i>Date of Debarment</i> |
|-----|--|---|--------------------------|
| 10. | Reese's Excavating and Paving, Inc. (Fed. ER Tax ID No. 23-2330470) —and— Charles S. Reese (Fed. ER Tax ID No. 23-1903560) | 350 East Butler Avenue (Route 202) New Britain, PA 18901 —and— P. O. Box 5182 New Britain, PA 18901 | 2/3/94 |
| 11. | James B. Martin, d/b/a Roof Consultant Service | 1429 Worth Street York, PA 17404 | 2/4/94 |
| 12. | Calah Construction Corp. (Fed. ER Tax ID No. 25-1574962) —and— Charles Sarver —and— Michael Kusenko, Sr. | 806 Fifth Avenue Brackenridge, PA 15014 107 Second Street Freeport, PA 16229 148 Claremont Drive Lower Burrell, PA 15068 | 2/22/94 |
| 13. | Kline Mechanical Contracting, Inc., and Ernest A. Kline (Fed. ER ID No. 24-1403962) | One Landmark North Suite 202 20399 Route 19 Evans City, PA 16033 | 4/6/94 |
| 14. | J. Turner Construction Co., Inc. (Fed. ER Tax ID No. 52-1017383) | 1261 Ward Street Baltimore, MD 21230 | 4/7/94 |
| 15. | Supermason Enterprises, Inc. (Fed. ER Tax ID No. 23-2200622), and Toni E. Lynch | P. O. Box 533 Main Street Portland, PA 18351 | 6/20/94 |
| 16. | Tom Lawver, d/b/a Lawver Masonry (Fed. ER Tax ID No. 23-1902917) | P. O. Box 325 Hanover, PA 17331 | 7/21/94 |
| 17. | Dowell Corporation, a/k/a Dowell, Inc. (Fed. ER Tax ID No. 23-1887852), and John J. O'Donnell, Jr. | 8080 Welsh Road Huntingdon Valley, PA 19006 3150 Comport Road New Hope, PA 18938 | 8/4/94 |
| 18. | H. M. Troutman & Sons (Fed. ER Tax ID No. 23-2582920), and Dennis Troutman | P. O. Box 2097 Sinking Spring, PA 19608 | 9/28/94 |
| 19. | Allied Mechanical, Inc. —and— Allied Sprinkler and Mechanical Systems, Inc., a/k/a Allied Sprinkler and Mechanical Systems —and— James D. Williams 87 County Line Road Harwinton, CT 06791 | 87 County Line Road Harwinton, CT 06791 —and/or— Allied Sprinkler P. O. Box 1489 Burlington, CT 06791 | 9/28/94 |
| 20. | John C. Fekos, d/b/a John C. Fekos Painting Co., a/k/a John C. Fekos, Painting Contractor (Fed. ER Tax ID No. 25-1344589) | 3057 Texas Avenue P. O. Box 7953 Pittsburgh, PA 15216 | 12/7/94 |
| 21. | Yorktowne Sound & Communications, Inc. (Fed. ER Tax ID No. 23-2210787) —and— Robert A. Carrigan Ann K. Carrigan | 620 Owen Road York, PA 17403 1154 Harbour Drive Apartment 201 Wilmington, NC 28401 | 1/13/95 |
| 22. | Greene Mechanical Corporation (Fed. ER Tax ID No. 25-1348869) —and— Michael Mesich | 253 East First Street P. O. Box 266 Waynesburg, PA 15370 | 6/29/95 |
| 23. | General Mechanical Contractors, Inc. (Fed. ER Tax ID No. 25-1243634), d/b/a General Industries | 15 Arentzen Boulevard Charleroi Industrial Park Charleroi, PA 15022 | 8/16/95 |

| | <i>Contractor</i> | <i>Address</i> | <i>Date of Debarment</i> |
|-----|---|---|--------------------------|
| 24. | George W. Sirakos, George Sirakos and Scott Sirakos, d/b/a George Sirakos, Contractor (Fed. ER Tax ID No. 25-1329207) —and/or— George W. Sirakos —and/or— George Sirakos —and/or— Scott Sirakos | 2207 West Pike Street Houston, PA 15342 2207 West Pike Street Houston, PA 15342 200 Ross Street Houston, PA 15342 200 Ross Street Houston, PA 15342 | 8/16/95 |
| 25. | Parmenter Excavating (Fed. ER Tax ID No. 25-1698794) and Timothy Parmenter —and— P. C. Partnership and Bruce Eaton | 6280 Sterretania Road Fairview, PA 16415 —and/or— 10889 Smith Road Northeast, PA 16428 P. O. Box 368 Fairview, PA 16415 —and/or— 12251 Lay Road Edinboro, PA 16412 | 8/18/95 |
| 26. | William Bradney —and— Thomas Andress —and— Robert Kerns | 95 Louise Drive Ivylnd, PA 18974 43 Upper Stump Road Chalfont, PA 18914 1203 Olms House Road Jamison, PA 18929 | 8/21/95 |
| 27. | The Garnes Group —and— Park Garnes, Sr. | P. O. Box 15135 Harrisburg, PA 17105 | 11/20/95 |
| 28. | Facility Automation Services, Inc. (Fed. ER Tax ID No. 25-1618301) —and— James A. Gabrielse | 231 West Pittsburgh St. Greensburg, PA 15601 10816 Highpoint Drive Pittsburgh, PA 15235 | 11/20/95 |
| 29. | Industrial Building Refinishers, Inc. —and— William A. Tyrka | 6845 Linden Circle Macungie, PA 18062 | 11/20/95 |

[Pa.B. Doc. No. 96-79. Filed for public inspection January 19, 1996, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Ceilings on Net Operating Cost Reimbursement for General and County Nursing Facilities

The Department of Public Welfare announces its ceilings on net operating reimbursement for general and county nursing facilities, the Metropolitan Statistical Area (MSA) or non-MSA classification levels and related information. The reimbursement ceilings and classification levels shall be effective for services rendered from July 1, 1995, through December 31, 1995.

The ceilings on allowable net operating costs established under this notice have been calculated as provided by 55 Pa. Code Chapter 1181 (16 Pa.B. 3294 (September 5, 1986)). Section 1181.66(a)(6) authorizes the Depart-

ment of Public Welfare to announce these ceilings and classification levels by notice submitted for recommended publication in the *Pennsylvania Bulletin* and suggested codification in the *Pennsylvania Code* as an Annex to section 1181.66. Section 1181.66(a)(6) also requires that this notice be accompanied by a fiscal note prepared under section 612 of The Administrative Code of 1929 (71 P. S. § 232).

The reimbursement ceilings establish an upper limit of payment of the actual, allowable net operating costs of general and county nursing facilities. Each facility's most recent acceptable cost report that was on file with the Department by April 3, 1995, was incorporated into the data base that was used to establish the group ceilings.

Following is a listing by group of the number of facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of June 30, 1995.

GENERAL NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

| Facility Year End | Number of Facilities | Inflation Factor |
|-------------------|----------------------|------------------|
| December 31, 1991 | 2 | 1.10 |
| June 30, 1992 | 5 | 1.09 |
| December 31, 1992 | 11 | 1.07 |
| June 30, 1993 | 14 | 1.06 |
| December 31, 1993 | 125 | 1.05 |
| June 30, 1994 | 253 | 1.03 |
| December 31, 1994 | 137 | 1.02 |

HOSPITAL-BASED NURSING FACILITIES

| Facility Year End | Number of Facilities | Inflation Factor |
|-------------------|----------------------|------------------|
| June 30, 1992 | 1 | 1.09 |
| June 30, 1993 | 3 | 1.06 |
| June 30, 1994 | 23 | 1.03 |

SPECIAL REHABILITATION FACILITIES

| Facility Year End | Number of Facilities | Inflation Factor |
|-------------------|----------------------|------------------|
| June 30, 1994 | 3 | 1.03 |

COUNTY NURSING FACILITIES

| Facility Year End | Number of Facilities | Inflation Factor |
|-------------------|----------------------|------------------|
| December 31, 1993 | 16 | 1.05 |
| December 31, 1994 | 28 | 1.02 |

After the net operating per diem costs of each facility were rolled forward to the common date of June 30, 1995, the Department used a 1.6% inflation factor to roll these costs forward to December 31, 1995. This percentile, per the DRI Health Care Costs—National Forecasts Individual Price and Wages Indexes, is the end point of the 6 months, from July 1, 1995, to December 31, 1995, at which time a new reimbursement system is scheduled to be in place.

After the data base is inflated using the above inflation values, the Department grouped the facilities in the correct geographic groupings. To determine 115% of the median net operating per diem cost, the Department first determined the median. The median net operating per diem cost is that net operating per diem cost at which an equal number of costs fall below and above that cost. To determine the median net operating per diem cost of a group with an odd number of arrayed costs, the Department chose the net operating per diem cost that had an equal number of costs both above and below that cost. For groups with an even number of arrayed net operating per diem costs, the Department took the two net operating per diem costs that were closest to the middle, then divided the total of these two costs by two to calculate the median net operating per diem cost of the group. Then the Department multiplied the median per diem cost of each group by 1.15.

The classification levels and ceilings on the net operating per diem costs of general and county nursing facilities effective July 1, 1995, are listed in Annex A.

The net operating cost reimbursement ceilings and classification levels for the general and county nursing facilities are hereby adopted as set forth in Annex A of this notice.

The Department estimates that the aggregate costs of these ceilings for July 1, 1995, through December 31,

1995 will be \$15.269 million, of which \$6.977 million is in State funds and \$8.292 million in Federal funds.

Public comment on these changes may be sent to Connie L. Pretz, Medical Assistance Program Specialist, Department of Public Welfare, Division of Provider Services, Post Office Box 8025, Harrisburg, PA 17105.

FEATHER O. HOUSTOUN,
Secretary

ANNEX A

Annex to 55 Pa. Code § 1181.66

GENERAL NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

| | *Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995 | *Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995 |
|--------------------------------|---|--|
| 1. LEVEL A | | |
| Philadelphia | | |
| Bucks | \$133.39 | \$110.54 |
| Chester | \$133.39 | \$110.54 |
| Delaware | \$133.39 | \$110.54 |
| Montgomery | \$133.39 | \$110.54 |
| Philadelphia | \$133.39 | \$110.54 |
| Pittsburgh | | |
| Allegheny | \$133.39 | \$110.54 |
| Beaver | \$133.39 | \$110.54 |
| Butler | \$133.39 | \$110.54 |
| Fayette | \$133.39 | \$110.54 |
| Washington | \$133.39 | \$110.54 |
| Westmoreland | \$133.39 | \$110.54 |
| 2. LEVEL B | | |
| Allentown—Bethlehem—Easton | | |
| Carbon | \$117.20 | \$ 98.00 |
| Lehigh | \$117.20 | \$ 98.00 |
| Northampton | \$117.20 | \$ 98.00 |
| Erie | | |
| Erie | \$117.20 | \$ 98.00 |
| Harrisburg—Lebanon—Carlisle | | |
| Cumberland | \$117.20 | \$ 98.00 |
| Dauphin | \$117.20 | \$ 98.00 |
| Lebanon | \$117.20 | \$ 98.00 |
| Perry | \$117.20 | \$ 98.00 |
| Lancaster | | |
| Lancaster | \$117.20 | \$ 98.00 |
| Newburgh | | |
| Pike | \$117.20 | \$ 98.00 |
| Reading | | |
| Berks | \$117.20 | \$ 98.00 |
| Scranton—Wilkes-Barre—Hazleton | | |
| Columbia | \$117.20 | \$ 98.00 |
| Lackawanna | \$117.20 | \$ 98.00 |
| Luzerne | \$117.20 | \$ 98.00 |
| Wyoming | \$117.20 | \$ 98.00 |
| York | | |
| York | \$117.20 | \$ 98.00 |
| 3. LEVEL C | | |
| Altoona | | |
| Blair | \$115.67 | \$ 91.37 |

SPECIAL REHABILITATION FACILITIES

| | <i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> |
|--------------------------|---|--|---|--|
| Johnstown | | | | |
| Cambria | \$115.67 | \$ 91.37 | | |
| Somerset | \$115.67 | \$ 91.37 | Statewide per diem ceilings | \$310.29 \$231.97 |
| Sharon | | | | |
| Mercer | \$115.67 | \$ 91.37 | | |
| State College Centre | \$115.67 | \$ 91.37 | | |
| Williamsport Lycoming | \$115.67 | \$ 91.37 | | |

*Does not include depreciation and interest.

COUNTY NURSING FACILITIES

4. Non-MSA

| | <i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> |
|----------------|---|--|
| Adams | \$105.51 | \$ 86.15 |
| Armstrong | \$105.51 | \$ 86.15 |
| Bedford | \$105.51 | \$ 86.15 |
| Bradford | \$105.51 | \$ 86.15 |
| Cameron | \$105.51 | \$ 86.15 |
| Clarion | \$105.51 | \$ 86.15 |
| Clearfield | \$105.51 | \$ 86.15 |
| Clinton | \$105.51 | \$ 86.15 |
| Crawford | \$105.51 | \$ 86.15 |
| Elk | \$105.51 | \$ 86.15 |
| Forest | \$105.51 | \$ 86.15 |
| Franklin | \$105.51 | \$ 86.15 |
| Fulton | \$105.51 | \$ 86.15 |
| Greene | \$105.51 | \$ 86.15 |
| Huntingdon | \$105.51 | \$ 86.15 |
| Indiana | \$105.51 | \$ 86.15 |
| Jefferson | \$105.51 | \$ 86.15 |
| Juniata | \$105.51 | \$ 86.15 |
| Lawrence | \$105.51 | \$ 86.15 |
| McKean | \$105.51 | \$ 86.15 |
| Mifflin | \$105.51 | \$ 86.15 |
| Monroe | \$105.51 | \$ 86.15 |
| Montour | \$105.51 | \$ 86.15 |
| Northumberland | \$105.51 | \$ 86.15 |
| Potter | \$105.51 | \$ 86.15 |
| Schuylkill | \$105.51 | \$ 86.15 |
| Snyder | \$105.51 | \$ 86.15 |
| Sullivan | \$105.51 | \$ 86.15 |
| Susquehanna | \$105.51 | \$ 86.15 |
| Tioga | \$105.51 | \$ 86.15 |
| Union | \$105.51 | \$ 86.15 |
| Venango | \$105.51 | \$ 86.15 |
| Warren | \$105.51 | \$ 86.15 |
| Wayne | \$105.51 | \$ 86.15 |

*Does not include depreciation and interest.

HOSPITAL-BASED NURSING FACILITIES

| | <i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> |
|--------------------------------|---|--|
| Statewide per diem ceilings | \$202.80 | \$135.08 |

*Does not include depreciation and interest.

| | <i>*Skilled Nursing Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> | <i>*Intermediate Care Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995</i> |
|--|---|--|
|--|---|--|

1. LEVEL A and B

| | | |
|--------------------------------|----------|----------|
| Philadelphia | | |
| Bucks | \$145.04 | \$125.96 |
| Chester | \$145.04 | \$125.96 |
| Delaware | \$145.04 | \$125.96 |
| Montgomery | \$145.04 | \$125.96 |
| Philadelphia | \$145.04 | \$125.96 |
| Pittsburgh | | |
| Allegheny | \$145.04 | \$125.96 |
| Beaver | \$145.04 | \$125.96 |
| Butler | \$145.04 | \$125.96 |
| Fayette | — | — |
| Washington | \$145.04 | \$125.96 |
| Westmoreland | \$145.04 | \$125.96 |
| Allentown—Bethlehem—Easton | | |
| Carbon | \$145.04 | \$125.96 |
| Lehigh | \$145.04 | \$125.96 |
| Northampton | \$145.04 | \$125.96 |
| Erie | | |
| Erie | \$145.04 | \$125.96 |
| Harrisburg—Lebanon—Carlisle | | |
| Cumberland | \$145.04 | \$125.96 |
| Dauphin | \$145.04 | \$125.96 |
| Perry | — | — |
| Lebanon | \$145.04 | \$125.96 |
| Lancaster | | |
| Lancaster | \$145.04 | \$125.96 |
| Newburgh Pike | — | — |
| Reading | | |
| Berks | \$145.04 | \$125.96 |
| Scranton—Wilkes-Barre—Hazleton | | |
| Columbia | — | — |
| Lackawanna | \$145.04 | \$125.96 |
| Luzerne | \$145.04 | \$125.96 |
| Wyoming | — | — |
| York | | |
| York | \$145.04 | \$125.96 |

**Skilled Nursing Care
Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995*

**Intermediate Care
Net Operating Ceilings Effective July 1, 1995 thru December 31, 1995*

2. LEVEL C and Non-MSA

| | | |
|-----------------------|----------|----------|
| Altoona Blair | \$125.90 | \$103.12 |
| Johnstown Cambria | \$125.90 | \$103.12 |
| Somerset | \$125.90 | \$103.12 |
| Sharon Mercer | \$125.90 | \$103.12 |
| State College Centre | \$125.90 | \$103.12 |
| Williamsport Lycoming | — | — |
| All Non-MSA Adams | \$125.90 | \$103.12 |
| Armstrong | \$125.90 | \$103.12 |
| Bedford | — | — |
| Bradford | \$125.90 | \$103.12 |
| Cameron | — | — |
| Clarion | — | — |
| Clearfield | — | — |
| Clinton | \$125.90 | \$103.12 |
| Crawford | \$125.90 | \$103.12 |
| Elk | — | — |
| Forest | — | — |
| Franklin | \$125.90 | \$103.12 |
| Fulton | — | — |
| Greene | \$125.90 | \$103.12 |
| Huntingdon | — | — |
| Indiana | \$125.90 | \$103.12 |
| Jefferson | — | — |
| Juniata | — | — |
| Lawrence | \$125.90 | \$103.12 |
| McKean | \$125.90 | \$103.12 |
| Mifflin | — | — |
| Monroe | \$125.90 | \$103.12 |
| Montour | — | — |
| Northumberland | \$125.90 | \$103.12 |
| Potter | — | — |
| Schuylkill | \$125.90 | \$103.12 |
| Snyder | — | — |
| Sullivan | — | — |
| Susquehanna | — | — |
| Tioga | — | — |
| Union | — | — |
| Venango | \$125.90 | \$103.12 |
| Warren | \$125.90 | \$103.12 |
| Wayne | — | — |

*Does not include depreciation and interest.

Fiscal Note: 14-NOT-103. (1) General Fund; (2) Implementing year 1995-96 is \$6,977,000; (3) 1st succeeding year 1996-97 is \$-0-; 2nd succeeding year 1997-98 is \$-0-; 3rd succeeding year 1998-99 is \$-0-; 4th succeeding year 1999-00 is \$-0-; 5th succeeding year 2000-01 is \$-0-; (4) FY 1994-95 is \$593,822,000; FY 1993-94 is \$493,275,000;

FY 1992-93 is \$463,007,000; (7) Medical Assistance-Long Term Care; (8) recommends adoption.

[Pa.B. Doc. No. 96-80. Filed for public inspection January 19, 1996, 9:00 a.m.]

Office of Medical Assistance Programs; Fee Increase for Selected Family Planning Services

By this notice, the Department of Public Welfare announces fee increases for the following selected family planning services, effective November 1, 1995:

- Medication for Vaginal Infection ParaGuard I.U.D.
- Removal, Implantable Contraceptive Capsules (that is, Norplant)

The fiscal note was prepared under section 612 of The Administrative Code of 1929 (71 P. S. § 232).

The Department estimates the cost of the fee increases to be \$24,931 for 8 months (\$6,177 in State funds; \$18,754 in Federal funds).

Contact Person

A copy of this notice is available for review at local county assistance offices throughout the Commonwealth.

Interested persons are invited to submit written comments to this notice within 30 days of this publication. Comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (Voice users), or may use the Department of Public Welfare TDD by calling (717) 787-3616. Persons who require another alternative should contact India Wood at (717) 783-2212.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-105. (1) General Fund; (2) Implementing year 1995-96 is \$6,000; (3) 1st succeeding year 1996-97 is \$12,000; 2nd succeeding year 1997-98 is \$12,000; 3rd succeeding year 1998-99 is \$12,000; 4th succeeding year 1999-00 is \$12,000; 5th succeeding year 2000-01 is \$12,000; (4) FY 1994-95 is \$722,422,000; FY 1993-94 is \$623,050,000; FY 1992-93 is \$594,642,000; (7) Medical Assistance-Outpatient; (8) recommends adoption. The additional costs will be absorbed within the existing appropriation for 1995-96.

[Pa.B. Doc. No. 96-81. Filed for public inspection January 19, 1996, 9:00 a.m.]

Peer Groups and Peer Group Medians for General and County Nursing Facilities

In accordance with 55 Pa. Code § 1187.95(a)(4), the Department of Public Welfare announces its peer groups, peer group medians and peer group prices for general and county nursing facilities. The peer groups, peer group medians and peer group prices established under this notice have been calculated as provided by 55 Pa. Code

Chapter 1187 (25 Pa.B. 4477 (October 14, 1995)), and shall be effective for services rendered from January 1, 1996 through June 30, 1996.

To establish the data base for the calculation of peer group median and prices, the Department used each facility's most recent audited cost report that was on file with the Department by March 31, 1995, and indexed the costs for each report forward to the common date of December 31, 1995, using the HCFA Nursing Home Without Capital Market Basket Index.

Following is a listing by group of the number of facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 1995.

GENERAL and COUNTY NURSING FACILITIES
(Excluding Hospital-Based and Special Rehabilitation Facilities)

| <i>Facility Year End</i> | <i>Number of Facilities</i> | <i>Inflation Factor</i> |
|--------------------------|-----------------------------|-------------------------|
| June 30, 1982 | 1 | 1.7312 |
| December 31, 1982 | 1 | 1.7107 |
| June 30, 1987 | 3 | 1.4592 |
| December 31, 1987 | 13 | 1.4262 |
| June 30, 1988 | 2 | 1.3946 |
| June 30, 1989 | 13 | 1.3054 |
| December 31, 1989 | 4 | 1.2655 |
| June 30, 1990 | 11 | 1.2269 |
| December 31, 1990 | 13 | 1.1906 |
| June 30, 1991 | 31 | 1.1723 |
| December 31, 1991 | 75 | 1.1500 |
| June 30, 1992 | 81 | 1.1276 |
| December 31, 1992 | 77 | 1.1078 |
| June 30, 1993 | 104 | 1.0878 |
| December 31, 1993 | 126 | 1.0662 |
| June 30, 1994 | 9 | 1.0515 |
| June 30, 1991 | 4 | 1.1723 |
| June 30, 1992 | 13 | 1.1276 |
| June 30, 1993 | 5 | 1.0878 |
| June 30, 1994 | 1 | 1.0515 |

SPECIAL REHABILITATION FACILITIES

| <i>Facility Year End</i> | <i>Number of Facilities</i> | <i>Inflation Factor</i> |
|--------------------------|-----------------------------|-------------------------|
| June 30, 1990 | 1 | 1.2269 |
| June 30, 1992 | 1 | 1.1276 |
| June 30, 1994 | 1 | 1.0515 |

After the data base was inflated using the above inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. To establish peer groups, the Department used the most recent MSA group classification, as published by the Federal Office of Management and Budget on or before April 1, 1995, to classify each nursing facility into one of three MSA groups or one non-MSA group. Then the Department used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the NIS database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds; 120—269; and 270 and over. Peer groups 7 and 10 have been collapsed in accordance with § 1187.94(1)(iv).

Once the data base was established and the peer groups determined, the Department then calculated the medians and prices for each peer group. To calculate the resident care cost medians, the Department divided the audited allowable resident care costs for each cost report by the total facility CMI from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department arrayed the resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the resident related cost medians, the Department first divided the audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department arrayed the other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with § 1187.23. The Department then divided the audited allowable administrative cost for each cost report the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and, multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices of general and county nursing facilities, hospital-based and special rehabilitation nursing facilities effective January 1, 1996, are listed in Annex A. The Department will use the peer groups, peer group medians and peer group prices to determine case-mix rates for nursing facilities for the period January 1 through June 30, 1996.

The costs associated with this notice are included in the cost estimates published in connection with the Case-Mix Public Notice published on December 23, 1995. See 25 Pa.B. 6039.

Public comment on these changes may be sent to Connie L. Pretz, Medical Assistance Program Specialist, Department of Public Welfare, Division of Provider Services, Post Office Box 8025, Harrisburg, PA 17105.

FEATHER O. HOUSTOUN,
Secretary

20 PAGES OF ARTWORK HERE

Fiscal Note: 14-NOT-104. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-82. Filed for public inspection January 19, 1996, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Wednesday, January 3, 1996, and took the following actions:

Regulation Approved:

Insurance Department #11-126: Medical Malpractice Insurance (deletes 31 Pa. Code §§ 113.41 through 113.43)

(*Editor's Note:* For the text of the regulations pertaining to this order, see 26 Pa.B. 230 (January 20, 1996).)

State Board of Cosmetology #16A-452: Examination Fees (amends 49 Pa. Code §§ 7.2(a) and (b))

State Board of Landscape Architects #16A-611: Examination Fees (amends 49 Pa. Code § 15.12)

State Board of Auctioneer Examiners #16A-643: Examination Fees (amends 49 Pa. Code § 1.23)

State Board of Medicine #16A-491: Examination Fees (amends 49 Pa. Code § 16.13)

State Board of Osteopathic Medicine #16A-534: Examination Fees (amends 49 Pa. Code Chapter 25)

State Board of Podiatry #16A-441: Examination Fees (amends 49 Pa. Code §§ 29.13 and 29.83)

State Board of Examiners of Nursing Home Administrators #16A-621: Examination Fees (amends 49 Pa. Code § 39.72)

State Board of Chiropractic #16A-435: Examination Fees (amends 49 Pa. Code Chapter 5)

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

*Insurance Department—Medical Malpractice Insurance;
Doc. No. 11-126*

Order

On December 4, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department (Department). This rulemaking will delete 31 Pa. Code §§ 113.41—113.43. The authority for this regulation is in the Health Care Services Malpractice Act (Act 111) (40 P. S. § 1301.101—1301.1006) and section 3402 of the act of July 3, 1986 (P. L. 396, No. 86) (Act 86) (40 P. S. § 3402). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation proposes to eliminate 31 Pa. Code §§ 113.41—113.43. These sections require an insurance company which intends to cancel or not renew a policy covering medical malpractice to give advance notice to the Department 30 days prior to giving formal notice to the insured. The regulation also requires the insurance company to state the reason for cancellation or refusal to renew. The regulation also specifies where the notice is to be sent.

The repeal of these requirements does not affect the normal notices an insurance company is required to give the insured party and the Department. The repeal simply eliminates an advance notice between the insurance company and the Department in which the insured party was never required to be involved.

The repeal of these sections eliminates the requirement that notices of cancellations and nonrenewals of medical malpractice insurance policies be filed with the Department 30 days in advance of notice to the insured. The regulations were initially adopted in 1969 and were needed to keep the Department abreast of market trends in what was then a noncompetitive medical malpractice insurance market. However, Act 111 modified the notice requirements. The Department says it did not modify the advance notice regulations in response to changes to the statute due to an availability crisis in the medical malpractice insurance market at that time. The Department states that the medical malpractice market is now a voluntary, competitive marketplace and the Department has concluded that it is not necessary to continue to monitor cancellations prior to the notification of the insured.

The Department stated it has notified all medical malpractice insurers in the Commonwealth of the proposed repeal of the regulation and, therefore, omitted proposed rulemaking under 45 P. S. § 1204(2). The Department also found it to be unnecessary to take public comment because the proposed repeal of regulations will remove a regulatory burden on the affected parties without adversely affecting the insured parties or diminishing the Department's authority to challenge illegal policy terminations.

The Department and the insured will continue to be notified of cancellations and nonrenewals of medical malpractice insurance policies under 40 P. S. §§ 1301.1002 and 3403. Department policy will require review if the reasons for cancellation exceed those listed in 40 P. S. § 3402. In addition, the Department states that investigations will be undertaken upon receipt of a complaint by a health care provider.

There will be a positive fiscal impact on both the Department and insurers by repeal of these regulations. The Department will no longer have to receive, review or store nonrenewal notices. The insurers will no longer have to prepare and mail nonrenewal notices to the Department. We further see no harm to the insured parties because the repeal will not affect their notification requirements.

We have reviewed this regulation and find it to be in the public interest because it eliminates an obsolete regulatory burden on both the insurance companies and the Department without affecting the notice requirements to insured parties.

Therefore, It Is Ordered That:

1. Regulation No. 11-126 from the Insurance Department, as submitted to the Commission on December 4, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Cosmetology—Examination Fees; Doc. No. 16A-452

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Cosmetology (Board). This rulemaking would amend 49 Pa. Code §§ 7.2(a) and (b). The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 16 of the Cosmetology Law (63 P. S. § 522). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking amends sections 7.2(a) and (b) to accomplish two objectives. First, the amendments to section 7.2(a) delete outdated fees and categories of examinations and replace them with current fees and categories of examinations. Second, the amendments to section 7.2(b) replace fees that became effective in April 1993 with new fees effective July 1996. The amended regulation will show the current examinations and fees in section 7.2(a) and the new fees to become effective in July 1996 in section 7.2(b). Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. In September, the Board entered into a new testing contract which resulted in the costs being adjusted for examination services. Consequently, the Board promulgated this final-omitted regulation so that the examination fees portion of their regulations will clearly reflect both the current contract and the new contract. The new examination fees will be applicable to the five different categories of licensure applicants for examinations given effective July 1996.

Candidates seeking to become licensed cosmetologists, manicurists, cosmeticians, cosmetology teachers or cosmetology shop managers must pass three examinations for registration or one complete examination. Each profession must take a practical exam, a written licensing exam and an exam on the applicable State laws, rules and regulations. The examinations may be taken at one sitting or separately.

The fees will be adjusted effective July 1996. The fees will be adjusted by \$2.50 in order to make the administration fee charged by Local Government Research Corporation (LGR) consistent between the five professions (\$10). In July, there will be four examinations with fees increasing by \$2.50 and there will be six examinations with fees decreasing by \$2.50. Between the five professions there are a total of 19 examinations which range in cost from \$18.50 to \$55.

The Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concern with the lack of advanced notice to applicants about the change in the format of the basic cosmetology exam.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform the Board's regulation on examination fees to clearly reflect both the current examination contract and the fee changes mandated by the new contract between the Commonwealth and LGR, the private sector testing service. We note that in the Preamble, the Board misstates several times that fees will increase for January 1996 and subsequent examinations. These misstatements do not affect the amendments to the regulation, but they do give the false impression that fees will increase effective January 1996 rather than July 1996 as reflected in the regulation. Therefore, we recommend that the Board modify the Preamble to be consistent with the amendments to the regulation for final publication in the *Pennsylvania Bulletin*. We also share the concerns of the House Professional Licensure Committee relating to the change to the examination format and urge that they do not impose an undue burden on applicants of Pennsylvania Schools.

Therefore, It Is Ordered That:

1. Regulation No. 16A-452 from the State Board of Cosmetology, as submitted to the Commission on December 6, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Landscape Architects—Examination Fees; Doc. No. 16A-611

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Landscape Architects (Board). This rulemaking would amend 49 Pa. Code § 15.12. The authority for this regulation is found in section 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 4(3) of the Landscape Architects Registration Law (63 P. S. § 940(3)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases the testing fees for applicants taking the landscape architect registration examination beginning in December 1995. Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. The Board entered into a new testing contract which will result in higher costs for examination services beginning in December 1995. Consequently, the Board promulgated this final-omitted regulation to increase the fees in the existing regulation to be commensurate with those in the new contract.

Candidates seeking to become licensed landscape architects must pass the landscape architect registration examination which consists of seven sections. The sections of the examination may be taken at one sitting or separately. The regulation increases the fee for taking the complete examination (all seven sections at one sitting) from \$410 to \$440 in 1995 and to \$500 in 1996. The fees

for the individual sections of the examination currently range from \$22 to \$93 and will increase to a range of \$30 to \$108 under this regulation.

The Senate Consumer Protection and Professional Licensure committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concerns with the timeliness of the submittal of the fee changes.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amounts may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering some individual sections of the examination exceeds the cost charged by the Board for developing, preparing and grading these sections of the examination. Furthermore, the \$45 administration fee also applies if an applicant takes the complete exam. It is unlikely, however, that the true cost of administering a single section of the exam is the same as the cost of administering all seven sections at one sitting. The Department of State has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. We also encourage the Board to consider the reasonableness of charging the same administration fee for candidates taking an individual section of the exam as that charged to candidates taking the complete exam. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-611 from the State Board of Landscape Architects, as submitted to the Commission on December 6, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Auctioneer Examiners—Examination Fees;
Doc. No. 16A-643

Order

On December 6, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Auctioneer Examiners (Board). This rulemaking will amend 49 Pa. Code § 1.23 related to auctioneer licensure examination fees. The authority for this regulation is found in section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 6 of the Auctioneer and Auction Licensing Act (63 P. S. § 734.6). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The regulation establishes a new fee for the applicants for the auctioneer licensure examination in accordance with a new contract for examinations effective September 1, 1995. This regulation raises the fee from \$66.25 to \$87.

The regulation will have no fiscal impact on the Commonwealth or its political subdivisions. Candidates for licensure are required to pay an increased fee to cover contract costs for the examination. The Bureau of Professional and Occupational Affairs (BPOA) estimated the total number of candidates taking these examinations in a year at 130. The examination is offered at two different times during the year: March and September.

The Senate Consumer Protection and Professional Licensure Committee (Senate Committee) voted to approve this regulation on December 13, 1995. However, Senator Clarence D. Bell, Chairperson of the Senate Committee, added the following comment:

Even with this vote of approval, several of my members are troubled by the contract process for these examinations. We are presented with regular fee increases from these professional testing organizations, without being a part of the bid evaluation process. Perhaps we ought to consider legislation to give the oversight committees a greater role in the contract process.

The Commission received a letter dated December 21, 1995, from Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee (House Committee). Although the House Committee was unable to schedule a meeting for action on this regulation, Chairperson Civera expressed sentiments similar to those of Senator Bell and he encouraged the Department of State (Department) to work with this Commission and the General Assembly "to take steps to ensure that the appropriate review occurs at a meaningful point in the process." We also received a letter dated December 28, 1995, from Department Secretary Yvette Kane, in which she stated that all of the test development, administration and grading services for licensure examinations "are provided under contracts that are awarded on a competitive-bid basis."

We have reviewed this regulation and find it to be in the public interest. The amendment will conform the Board's regulation on examination fees to the fee change mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We have, however, received reports that the new fee amounts have

been collected from licensure candidates before final adoption of this amendment. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after final adoption of a fee amendment to the authorizing fee regulation, as required by section 812.1 of The Administrative Code of 1929. We believe that finalizing regulations for fee increases and providing ample notice to applicants before the effective date of the contract establishing the fee increases will resolve many of the concerns voiced by legislators and the affected public.

We also have a concern with the bidding process for the contract with the LGR. In this fee increase, the \$45 cost for administration of the examination exceeds the \$42 cost charged by LGR for the development, preparation and grading of the examination. The Department explained that the contract with LGR is for a group of 17 licensing boards and LGR's bid contained the same fee, \$45, to administer each of the different examinations. The actual cost of administering any examination is a function of a number of factors such as the length of time required for testing, the type of testing (written or performance), the number of times examinations are given within a contract period and the number of applicants anticipated to take the examinations.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-643 from the State Board of Auctioneer Examiners, as submitted to the Commission on December 6, 1995, approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Medicine—Examination Fees; Doc. No. 16A-491

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Medicine (Board). This rulemaking would amend 49 Pa. Code § 16.13. The authority for this regulation is section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a), and sections 6, 8 and 24 of the Medical Practice Act of 1985 (63 P. S. §§ 422.6, 422.6, 422.8 and 422.24). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board has proposed to change examination fees by increasing the United States Medical Licensing Examination

(USMLE) Step 3 examination fee, deleting the FLEX series fees, and adding a fee for the Special Purpose Examination (SPEX)

The current and proposed amounts are as follows:

| Category | Current Fee | Proposed Fee |
|---------------|----------------------|-----------------|
| Flex I | \$280 | No Longer Given |
| Flex II | \$335 | No Longer Given |
| Complete Flex | \$490 | No Longer Given |
| USMLE Step 3 | \$370 | \$375 |
| SPEX | Not Previously Given | \$550 |

The FLEX examination is no longer available. Therefore, the Board is deleting the outdated FLEX fee provisions from section 16.13. The increased USMLE Step 3 amount represents administration costs paid directly to a professional testing organization selected through a bidding process. The Board estimates the USMLE Step 3, which assesses whether an examinee possesses the medical knowledge and understanding of biomedical and clinical science essential for unsupervised practice of medicine, will be administered to approximately 1,800 examinees per year.

The SPEX, which focuses on core clinical knowledge, is administered to medical doctors required to pass the examination coincident to a disciplinary or corrective measure under 49 Pa. Code § 17.12d to assess current competence requisite for medical practice by physicians.

The Senate Consumer Protection and Professional Licensure Committee (Senate Committee) met on December 13, 1995, and approved the regulation. However, Senator Clarence D. Bell, Committee Chairperson, indicated in his December 13th letter that several Committee members have concerns with the contract process. Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee (House Committee) submitted a letter on December 21, 1995, offering general concerns with delays in conveying regulations to the House Committee.

We have reviewed this regulation and find it to be in the public interest. This proposal will conform the Board's regulation on examination fees to the fee changes mandated by new contracts. We note, however, the new fee amounts for the USMLE Step 3, resulting from the contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service, may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulations, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. The Fee Report Form for the USMLE Step 3 exam indicates a rate of \$45 to administer the examination. The Department of State (Department) has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of

examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-491 from the State Board of Medicine, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Osteopathic Medicine—Examination Fees; Doc. No. 16A-534

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Osteopathic Medicine (Board). This rulemaking would amend 49 Pa. Code Chapter 25. The authority for this regulation is contained in sections 13.1 and 16 of the Osteopathic Medical Practice Act (63 P. S. §§ 271.13a and 271.16) and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Administrative Code of 1929 provides that all examinations shall be prepared and administered by a qualified and approved professional testing organization under contract to the appropriate board or commission within the Bureau of Professional and Occupational Affairs and that each board or commission shall have the discretionary power to charge a fee for the administration and cost of each examination.

The Board is proposing to decrease the examination fee for the Osteopathic Manipulative Therapy (OMT) exam from \$103.75 to \$87. This fee was effective for the November 1995 exam. The Board is also deleting the fees for the National Board of Osteopathic Medical Examiners (NBOME) exam because the Board is no longer contracting directly with the National board to provide the NBOME exam. Instead, applicants will pay the required examination fee for the NBOME exam at the direction of the National Board.

The Senate Consumer Affairs and Professional Licensure Committee approved this rulemaking on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House of Professional Licensure Committee, expressed concern over the timeliness of the submittal of this and other fee changes.

We have reviewed this regulation and find it to be in the public interest. The amendments will conform the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and the Local Government Research Corporation (LGR) Examinations, the private sector testing service.

We note, however, that the new fee amounts have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement all future fee changes only after it has amended the authorizing fee regulations, as required by statute.

We also have a concern relating to the bidding process for the contract with LGR to administer the exam. In the proposal, the \$45 cost for administering the exam exceeds the \$42 fee charged by the Board for developing, preparing and grading the exam. The Department of State has explained that the contract with LGR is for a group of 17 licensing boards and LGR's bid contained the same \$45 fee to administer each of the different exams. The actual cost to administer any examination is a function of a number of factors such as the time required for testing, the number of times the examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-534 from the State Board of Osteopathic Medicine, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Podiatry—Examination Fees; Doc. No. 16A-441

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Podiatry (Board). This rulemaking would amend 49 Pa. Code §§ 29.13 and 29.83. The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and sections 4, 14 and 21.2 of the Podiatry Practice Act (63 P. S. §§ 42.4, 42.14 and 42.21(c)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases the testing fees for applicants taking the podiatry radiology examination and the podiatric medical licensing examination. Section 812.1 of The Administrative Code of 1929 requires that examinations for professional licensure be prepared and administered by a professional testing organization under contract to the appropriate professional board. In September, the Board entered into a new testing contract which will result in higher costs for both examinations. Conse-

quently, the Board promulgated this final-omitted regulation to increase the fees in the existing regulation to be commensurate with those in the new contract.

The regulation increases the podiatry radiology examination fee from \$73.45 to \$87, an increase of \$13.55 effective October 1995. The fee for the podiatric medical licensing examination is increased from \$328.75 to \$345, an increase of \$16.25 effective December 1995. The fee for this examination will increase again in June 1996 to \$395.

The Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation on December 13, 1995. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee, expressed concerns with the timeliness of the submittal of the fee changes.

We have reviewed this regulation and find it to be in the public interest. These amendments will conform to the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amounts may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedure to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering the podiatry radiology examination exceeds the \$42 cost charged by the Board for developing, preparing and grading the examination, and for examination-related services. The Department of State has explained that the contract with LGR applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-441 from the State Board of Podiatry, as submitted to the Commission on December 7, 1995, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Examiners of Nursing Home Administrators—Examination Fees; Doc. No. 16A-621

Order

On December 7, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking will amend 49 Pa. Code § 39.72 Fees to increase fees for various examinations. The authority for this regulation is found in sections 812.1(b) and (e) of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 7.1 of the Nursing Home Administrators License Act (63 P. S. § 1107.1). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

Through this rulemaking, the Board will increase the fees for applicants taking the N.A.B. examination from \$153.75 to \$170, the State rules and regulations examination from \$73.45 to \$87 and the complete nursing home administration examination from \$198.45 to \$212. The Board is also proposing the deletion of extraneous language relating to the last fee increases in 1993. Section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a.) requires that candidate fees cover the cost of the examination. The fees established by this regulation represent the contract cost negotiated by the Commonwealth for examination services. No costs other than the cost of the testing service are included in these fees. Consequently, the Board found no need for public comment.

On December 13, 1995, the Senate Consumer Protection and Professional Licensure Committee voted to approve this regulation. By letter dated December 21, 1995, Representative Mario J. Civera, Jr., Chairperson of the House Professional Licensure Committee expressed concern over the timeliness of the submission of these fee changes.

We have reviewed this regulation and find it to be in the public interest. The amendment will conform to the Board's regulation on examination fees to the fee changes mandated by the new contract between the Commonwealth and Local Government Research Corporation (LGR), the private sector testing service. We note, however, that the new fee amount may have been collected from licensure candidates prior to the amendment of this regulation. As the Commission has recommended in previous Orders in similar situations, we strongly urge the Board to implement administrative procedures to ensure that all future fee changes are implemented only after it has amended the authorizing fee regulation, as required by statute.

We also have a concern which relates to the bidding process for the contract with LGR to administer examinations. In the proposal, the \$45 cost for administering the State rules and regulations examination exceeds the \$42 component charged by the Board for developing, preparing and grading the examination, and for examination-related services. Furthermore, the \$45 administration charge is the same for all three examinations even though the complete nursing home administration examination consists of both the NAB examination and the State rules and regulations examination. The Department of State has explained that the contract with LGR Examinations

applies to a group of 17 State licensing boards and that LGR's bid contained the same fee to administer each of the different examinations. We note that the actual cost of administering any examination will be a function of a number of factors, such as the length of time required for testing, the number of times an examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe that grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department of State to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-621 from the State Board of Examiners of Nursing Home Administrators, as submitted to the Commission on December 7, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: Robert J. Harbison, III, Vice-Chairperson; John F. Mizner; Irvin G. Zimmerman

Public meeting held
January 3, 1996

State Board of Chiropractic—Examination Fees; Doc. No. 16A-435

Order

On December 8, 1995, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Chiropractic (Board). This rulemaking would amend 49 Pa. Code Chapter 5. The authority for this regulation is contained in section 502(d) of the Chiropractic Practice Act (63 P. S. § 625.502(d)) and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Administrative Code of 1929 provides that all examinations shall be prepared and administered by a qualified and approved professional testing organization under contract to the appropriate board or commission within the Bureau of Professional and Occupational Affairs and that each board or commission shall have the discretionary power to charge a fee for the administration and cost of each examination.

Currently a candidate for licensure must take the oral and practical examination in chiropractic technic, which, in part, tests for jurisprudence. In this rulemaking, the Board is proposing to create a separate examination to test jurisprudence, entitled the Pennsylvania Chiropractic Law Examination and establish a fee for the exam of \$87. The reason for the creation of a separate examination is that after the May 1996 oral and practical exam, the Board intends to use the National Board exam, which does not test for matters related to Pennsylvania law. The Board indicates it will be promulgating a regulation in the near future establishing the use of the National Exam, with the associated contracted examination fee.

The Senate Consumer Affairs and Professional Licensure Committee approved this rulemaking on December 13, 1995.

We have reviewed this regulation and find it to be in the public interest. The new fee for the Chiropractic Law Examination represents the actual contractual costs to provide this examination. However, we have one concern that we believe Board and the Department of State needs to consider in the development of future contracts for the administration of professional licensure examinations. In the proposal, the \$45 cost for administering the exam exceeds the \$42 fee charged by the Board for developing, preparing and grading the exam. The Department of State has explained that the contract with Local Government Research Corporation (LGR) is for a group of 17 licensing boards and LGR's bid contained the same \$45 fee to administer each of the different exams. The actual cost to administer any examination is a function of a number of factors such as the time required for testing, the number of times the examination is given within a contract period and the number of applicants anticipated to take the examination.

We believe grouping licensing boards with similar factors within a contract will prevent any one group of examination participants from unfairly subsidizing or benefiting from disproportional costs imposed on some other group of examination participants. Therefore, we urge the Department to look for common factors when grouping licensing boards for future examination contracts. Doing so will help to ensure that the administration fee paid by applicants is more directly proportional to the actual costs of administering each particular examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-435 from the State Board of Chiropractic, as submitted to the Commission on December 8, 1995, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-83. Filed for public inspection January 19, 1996, 9:00 a.m.]

INSURANCE DEPARTMENT

Limit on Cancellations, Refusals to Renew, Refusals to Write, Surcharges, Rate Penalties and Point Assignments; no. 1996-01

The following notice is to inform all insurers writing private passenger automobile insurance in Pennsylvania that section 1799.3(a) of Act 6 of 1990 states, "No insurer shall cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment where, during the preceding three-year period, the aggregate cost to the insurer for any person injured or property damaged is determined to be less than \$650 in excess of any self-insured retention or deductible applicable to the named insured."

Section 1799.3(e) further provides that the Insurance Department, at least once every 3 years, shall adjust the \$650 cap or limit relative to changes in the seasonally

adjusted medical care and automobile maintenance and repair costs components of the Consumer Price Index (Urban).

The Insurance Department has measured the changes and determined the cap shall be increased to \$850 effective July 1, 1996. The last adjustment to the cap was effective July 1, 1993, when the cap increased to \$750.

Each individual insurer, ISO and AIPSO should file the above change for prior approval by April 1, 1996, and specify an effective date of no later than July 1, 1996.

Questions regarding this notice may be directed to Randy Rohrbaugh, Director, Property & Casualty Bureau, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-4192.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-84. Filed for public inspection January 19, 1996, 9:00 a.m.]

PENNSYLVANIA COUNCIL ON AGING

Meeting Dates for 1996

In accordance with the Sunshine Act of 1986 (P. L. 388, No. 84), the Pennsylvania Council on Aging has established the following meeting dates for the calendar year 1996:

- Wednesday March 6, 1996
- Thursday May 2, 1996
- Wednesday July 3, 1996
- Thursday October 17, 1996
- Wednesday November 13, 1996

All meetings of the PA Council on Aging, except the October 17, 1996 meeting, will be held in the Sixth Floor Conference Room, 400 Market Street, Harrisburg, PA. Meetings are from 9 a.m. to 1 p.m. The October meeting will be in the Harrisburg area.

VELMA E. CARTER DRYER,
Executive Director

[Pa.B. Doc. No. 96-85. Filed for public inspection January 19, 1996, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Duquesne Light Company for a Declaratory Order and Application for Certificate of Public Convenience; Doc. No. P-00951001

Duquesne Light Company (Duquesne), by its counsel, filed on December 20, 1995, a petition for declaratory order under 66 Pa.C.S. § 331(f) and 52 Pa. Code § 5.42 to determine the accounting and ratemaking methodology associated with the transfer of Duquesne's 50% ownership

interest in Unit No. 1 of the Ft. Martin Power Station located on the Monongahela River between Morgantown, West Virginia, and Point Marion, PA. Duquesne and AYP Capital, Inc. have entered into an asset purchase agreement for the sale of Duquesne's 50% ownership interest in Unit No. 1 of the Ft. Martin Power Station, subject to all necessary and appropriate regulatory approvals. Duquesne concurrently filed an application for a certificate of public convenience authorizing transfer of the ownership interest in Unit No. 1 of the Ft. Martin Plant. Duquesne requests that the application and petition be consolidated. The petition is docketed at P-00951001. The application is docketed at A-110150F0011.

Persons desiring to comment regarding this petition should file a petition to intervene and answer with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 in accordance with 52 Pa. Code §§ 1.1 *et seq.* Also, anyone desiring to file a protest in regard to the application may do so under 52 Pa. Code §§ 5.51 *et seq.* All such pleadings are due within 20 days of the date of publication of this notice in the *Pennsylvania Bulletin*. Copies of the Duquesne petition and application are on file with the Commission and are available for public inspection. The contact person is Assistant Counsel Donna Stanek Zehner, (717) 783-2812.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-86. Filed for public inspection January 19, 1996, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

- | | | |
|-------------------|---|-----------|
| February 7, 1996 | Thomas E. Reese (Membership Eligibility) | 1 p.m. |
| | Allan S. Per (Membership Eligibility) | 2:30 p.m. |
| February 21, 1996 | Robin L. Senior (Pension Forfeiture) | 1 p.m. |
| | Betty M. Forney | 2:30 p.m. |
| | Joan L. Barker | 2:30 p.m. |
| | Phyllis Silldorf (Purchase of Maternity Leave) | 2:30 p.m. |

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JAMES A. PERRY,
Secretary

[Pa.B. Doc. No. 96-87. Filed for public inspection January 19, 1996, 9:00 a.m.]

STATE TRANSPORTATION ADVISORY COMMITTEE

Meeting Scheduled

The State Transportation Advisory Committee will hold its yearly mandated meeting on Monday, February 5, 1996. This meeting is open to the public and will begin at 10 a.m. at the following location:

Executive Conference Room 1201
Transportation and Safety Building
Harrisburg, PA 17120

The meeting location is accessible to persons having disabilities. Persons having special needs or requiring special aides are requested to contact the State Transpor-

tation Commission Office at (717) 787-2913 in order that special disability needs may be accommodated.

H. MICHAEL LIPTAK,
Chairperson

[Pa.B. Doc. No. 96-88. Filed for public inspection January 19, 1996, 9:00 a.m.]

STATE TRANSPORTATION COMMISSION

Meeting Scheduled

The State Transportation Commission will hold a regular scheduled business meeting on Thursday, January 25, 1996. This meeting is open to the public and will begin at 10 a.m. at the following location:

Executive Conference Room 1201
Transportation and Safety Building
Harrisburg, PA 17120

The meeting location is accessible to persons having disabilities. Persons having special needs or requiring special aides are requested to contact the State Transportation Commission Office at (717) 787-2913 in order that special disability needs may be accommodated.

BRADLEY L. MALLORY,
Chairperson

[Pa.B. Doc. No. 96-89. Filed for public inspection January 19, 1996, 9:00 a.m.]