

PENNSYLVANIA BULLETIN

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(Master Transmittal Sheet):**

No. 264, November 1996

PENNSYLVANIA

BULLETIN

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Pennsylvania Bulletin

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

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

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

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

There are no restrictions on the republication of official documents appearing in the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530

Printing Format

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

Fiscal Notes

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

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

List of Pa. Code Chapters Affected

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THE GENERAL ASSEMBLY

Recent Actions During the 1996 Regular and Special Sessions of the General Assembly

The following is a summary of recent actions of the General Assembly during the 1996 Regular and Special Sessions.

1996 ACTS—Acts 129 through 133 (numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
1996-129	Oct. 30	HB664	PN2987	Immediately	Donated Food Limited Liability Act—definitions, charitable or religious immunity and wildlife donated as food
1996-130	Oct. 30	HB1166	PN3783	Immediately	Optometric Practice and Licensure Act—omnibus amendments
1996-131	Oct. 30	HB2024	PN4030	60 days	Pennsylvania Innkeepers' Rights Act—enactment
1996-132	Oct. 30	HB2695	PN3903	Immediately	Project 70 lands—release and imposition of restrictions on City of Allentown lands
1996-133	Oct. 30	HB2388	PN4049	Immediately*	Unemployment Compensation Law—definition, ineligibility of incarcerated employees, use of Federal moneys and appropriation

*with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

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

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

Legislative Bills and Documents

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

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

CARL MEASE,
Acting Director

[Pa.B. Doc. No. 96-1924. Filed for public inspection November 15, 1996, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Amended Rule 93-5 Governing Requirements for Custody Stipulations

Amended Family Court Administrative Regulation 93-5: Requirements for Custody Stipulations

Effective December 1, 1996, no Stipulation relating to Child Custody, Partial Custody or Visitation will be accepted for filing unless the following are presented in connection therewith:

A. An original signed Stipulation and five (5) copies thereof. The signatures of all parties must be dated. The "Order" approving the Stipulation must contain language referencing the date the parties executed the agreement (see attached sample);

B. A self-addressed, stamped envelope bearing the name and address of each party and their respective attorney;

C. A Praeceptum to Transmit Custody Stipulation in the form set forth below;

D. On said Praeceptum, the name of the filing attorney and his/her address and Supreme Court identification number;

E. The language of the agreement should flow onto the signature page so as to prevent any possible fraud or dispute as to what a party actually signed;

F. The Domestic Relations Number of the case must be referenced on the Stipulation as well as on the Praeceptum to Transmit;

G. The pages of the Stipulation should be consecutively numbered with reference to the total pages in the document as, for example, "1 of 3, 2 of 3," etc;

H. An Acknowledgment of Paternity Affidavit must accompany the Stipulation on all non-married cases if paternity has not been previously acknowledged;

I. A complete Domestic Relations Information Sheet must be submitted in conformity with Administrative Regulation 93-4;

J. The Stipulation and accompanying documents must conform with all other requirements of the Domestic Relations Branch;

Those Stipulations not in compliance will be returned unapproved.

This Order is issued in accordance with Pa.R.C.P. No. 239 and as required by Pa.R.C.P. No. 239, the original Order shall be filed with the Prothonotary and copies shall be distributed as provided by said Rule and shall also be submitted to *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District of Pennsylvania.

PAUL P. PANEPINTO,
Administrative Judge, Family Court

[Pa.B. Doc. No. 96-1925. Filed for public inspection November 15, 1996, 9:00 a.m.]

PHILADELPHIA COUNTY

Procedure Implementing Pa.R.D.E. No. 217(g) Re: Attorney Disbarments and Suspensions; No. 96-3

The Court regularly receives from the Pennsylvania Supreme Court and the Disciplinary Board copies of Orders suspending, or disbaring attorneys from the practice of law in the Commonwealth of Pennsylvania or placing same on inactive status. Pa.R.D.E. No. 217(g) provides that upon receipt of such Order the President Judge of the Court of Common Pleas of the judicial district in which the formerly admitted attorney practiced shall make such further order as may be necessary to fully protect the rights of the clients of the formerly admitted attorney.

This General Court Regulation shall govern all attorneys who practice, and all cases filed, in the First Judicial District and is issued jointly with the President Judge of the Municipal Court of Philadelphia County.

The following procedure shall be followed whenever the Court is advised by the Pennsylvania Supreme Court or Disciplinary Board that a Pennsylvania licensed attorney has been suspended, disbarred or placed on inactive status.

1. *Issuance of Order by the President Judge.* Upon notice of the suspension, disbarment or placement on inactive status of any attorney, the President Judge of the Court of Common Pleas shall enter an Order designed to protect the rights of the clients of the formerly admitted attorney, effectuating the within General Court Regulation. In addition, the order shall strike the formerly admitted attorney's name from the Arbitration list and other Court appointment lists. The Order shall be substantially as attached hereto as Exhibit "A". A copy of the Order shall be provided to the formerly admitted attorney, all Judges of the First Judicial District, and other interested parties. Upon the entry of said Order, the Court will not accept any further pleadings from, or appearances by, the said attorney except as provided herein. The Disciplinary Board may at any time thereafter request from the Court an Attorney Activity Report.

2. *Creation of a Disciplinary Docket.* The Prothonotary shall maintain a list or docket of all attorneys who have been suspended, disbarred or placed on inactive status. The docket shall contain, *inter alia*, the name of the attorney, the Supreme Court identification number, and the effective date of the suspension, disbarment or placement on inactive status. The list shall be maintained in the office of the Prothonotary and shall be a public record.

3. *Civil Cases.* As of the effective date of the suspension, disbarment or placement on inactive status, all civil cases in which the suspended, disbarred or inactive attorney is the attorney of record shall be immediately deferred for a period of sixty (60) days. The formerly admitted attorney shall be removed as attorney of record for any party for whom his/her appearance is entered, and all notices entered thereafter shall be mailed to the party's last address of record until such time as a new attorney enters an appearance on behalf of that party.

4. *Criminal Cases.* The following action shall be taken in criminal cases (including juvenile and dependency

cases) upon notification of the suspension, disbarment or inactive status:

a. *Court Appointed Counsel.* The suspended, disbarred or inactive attorney shall be removed as the court-appointed attorney for the defendant and the appropriate criminal listings office shall forthwith appoint new counsel who will immediately undertake representation of the defendant.

b. *Privately Retained Counsel.* The disbarred, suspended or inactive attorney shall be removed as attorney of record for the defendant and the defendant shall be advised by letter from the appropriate criminal listings office to secure new counsel prior to the next scheduled listing so as to cause no delay in the trial of the case.

5. *Family Court Cases.* As of the effective date of the suspension, disbarment or placement on inactive status, the formerly admitted attorney shall be removed as attorney of record for any party for whom his/her appearance is entered, the parties shall be advised by the Clerk of Family Court to secure new counsel prior to the next scheduled listing so as to cause no delay in the trial of the case, and all notices issued thereafter shall be mailed to the party's last address of record until such time as a new attorney enters an appearance on behalf of that party.

6. *Reinstatement or Readmission.* In the event a suspended, disbarred or inactive attorney is readmitted or reinstated to the Bar of the Commonwealth of Pennsylvania, upon receipt of a certified copy of the Order reinstating the attorney, or upon receipt of a Certificate of Good Standing issued by the Supreme Court Prothonotary pursuant to Pa.B.A.R. No. 201(d), the attorney's name shall be removed from the Docket maintained as provided herein and the attorney may thereafter represent any

party in connection with any case; provided, however, that a new entry of appearance must be filed subsequent to the readmission or reinstatement for each case even if counsel had been counsel of record prior to the suspension, disbarment or placement on inactive status. It is further provided, however, that the readmission or reinstatement of an attorney to the bar of the Commonwealth of Pennsylvania shall not automatically reinstate the attorney to the various Court appointment lists. Rather, the attorney must reapply for each appointment list and shall set forth the relevant facts concerning the suspension, disbarment or inactivity as well as the reinstatement or readmission.

This General Court Regulation is issued in accordance with Pa.R.D.E. No. 217(g), Phila. Civ. R. No. ★51 and Pa.R.C.P. No. 239 and shall become effective January 1, 1997. As required by Pa.R.C.P. No. 239, the original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedure Rules Committee. Copies of the Order shall also be submitted to Legal Communications, Ltd., *The Legal Intelligencer*, Jenkins Memorial Law Library, and the law library for the First Judicial District.

ALAN K. SILBERSTEIN,
*President Judge
Municipal Court*
ALEX BONAVITACOLA,
*President Judge
Court of Common Pleas*

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

IN RE: _____ : DISCIPLINARY DOCKET
: :
I. D. NO. _____ : NO. 97-

ORDER

AND NOW, this _____ day of _____, 19____, the Court having been advised that _____, Esquire has been suspended, disbarred or placed on inactive status by the Supreme Court, IT IS HEREBY ORDERED and DECREED that the said formerly admitted attorney is removed as attorney for any party for whom his/her appearance is entered. In the event the said formerly admitted attorney is reinstated, a new entry of appearance shall be filed in every case in which he/she will be the attorney of record.

IT IS FURTHER ORDERED and DECREED that the said formerly admitted attorney is removed from the Arbitration list and other court appointment lists.

IT IS FURTHER ORDERED and DECREED that any civil cases in which the said formerly admitted attorney represented a party shall be deferred for a period of sixty (60) days to permit the said party to retain new counsel. Thereafter, the case shall proceed as heretofore. All further notices sent pursuant to Pa.R.C.P. No. 236 shall be forwarded to the party's last address of record until such time as a new attorney enters an appearance on behalf of that party.

IT IS FURTHER ORDERED and DECREED that the appropriate criminal listings office shall forthwith appoint new counsel if the formerly admitted attorney was Court appointed to represent any defendant, and new counsel shall immediately undertake representation of the defendant. In the event the criminal defendant had privately retained the formerly admitted attorney, the said defendant shall obtain substitute counsel prior to the next scheduled hearing.

IT IS FURTHER ORDERED and DECREED that unless otherwise ordered by the Court, all Family Court cases shall proceed as scheduled and the appropriate clients of the formerly admitted attorney are directed to secure new counsel prior to the next scheduled listing so as to cause no delay in the trial of the case.

The formerly admitted attorney shall serve a copy of this Order on all clients and shall file an Affidavit of Service (together with a copy of this Order) in connection with each case in which he/she is an attorney of record and he/she shall set forth in the Affidavit of Service the client's current address.

BY THE COURT:

ALEX BONAVIDACOLA,
President Judge
Court of Common Pleas
Philadelphia County

EXHIBIT "A"

[Pa.B. Doc. No. 96-1926. Filed for public inspection November 15, 1996, 9:00 a.m.]

**Title 255—LOCAL
 COURT RULES**

MONTGOMERY COUNTY

**Rescission of Local Rule of Civil Procedure
 1920.56; No. 96-00001-4**

Order

And Now, this 22nd day of October, 1996, the Court hereby rescinds Montgomery County Local Rule of Civil Procedure 1920.56—*Temporary Order*. This Rescission is effective immediately.

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

By the Court

WILLIAM T. NICHOLAS,
President Judge

[Pa.B. Doc. No. 96-1927. Filed for public inspection November 15, 1996, 9:00 a.m.]

WASHINGTON COUNTY

**Local Rule L-4007: Admission of Persons to Bail;
 No. 147 Misc. 1996**

[CORRECTION]

An error appeared in Washington County Local Rule L-4007: Admission of Persons to Bail; No. 147 Misc. 1996 as printed at 26 Pa.B. 5228 (November 2, 1996). The correct version of the rule appears as follows, with ellipses referring to the existing text of the rule:

L-4007-Bail. This Rule is intended to implement percentage cash bail as provided by Pa.R.Crim.P. 4007.

a. Bail by approved surety companies, cash, real estate, or bearer bonds, in accordance with Pa.R.Crim.P. 4007 shall remain as heretofore.

If the issuing authority who fixes the amount of bond, Judge or District Justice, as the case may be, desires to render paragraph 2 hereof inoperative, he may do so by any language that makes it clear that the full face amount of the bond is to be posted. This of course may be done in any permissible mode: cash, the bond of a good reputable surety company, justification of surety with two owners of, sufficient real estate, bearer bonds, or an acceptable commercial bail bondsman.

* * * * *

[Pa.B. Doc. No. 96-1832. Filed for public inspection November 1, 1996, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 138h]

Agricultural Land Conservation Assistance Grant Program

The Department of Agriculture (Department) adopts Chapter 138h (relating to agricultural land conservation assistance grant program).

Sections 7.1 and 7.3 of the act June 18, 1982 (P. L. 549, No. 159) (3 P. S. §§ 1207.1 and 1207.3) authorizes the Department to award grants to counties for designated purposes related to the conservation of agricultural land and empowers the Department to promulgate regulations necessary to support this grant program. It is under the this statutory authority that these regulations are adopted.

The act requires that the Department consult with the State Agricultural Land Preservation Board (State Board) in establishing eligibility criteria for grants and in promulgating regulations necessary to administer and enforce the act. The State Board approved the proposed version of these regulations at its July 13, 1995, meeting. In its review of the final version of these regulations, the State Board was provided a proposed response to comments, proposed revisions to Annex A and an explanation of substantive changes at its July 10, 1996, meeting. The State Board offered no changes to the draft documents, which form the core of this order.

Comments

Notice of proposed rulemaking was published at 26 Pa.B. 1555 (April 6, 1996), and provided for a 30-day public comment period.

Comments were received from the Pennsylvania Farmland Preservation Association (PFPA) and the Westmoreland County Farmland Preservation Program. The Independent Regulatory Review Commission (IRRC) also offered comments. These comments, and the Department's responses, follow.

IRRC commented that proposed § 138h.1(b) (relating to program objectives) was an unnecessary restatement of § 138h.8 (relating to review of application by State Board), and recommended § 138h.1(b) be deleted from the final regulations.

The Department accepts this comment, and has revised § 138h.1 accordingly.

The PFPA asked whether the definition of "applicant" in proposed § 138h.2 (relating to definitions) could be expanded to include organizations such as the PFPA. The PFPA made the observation that an organization such as the PFPA might be able to use grant funds to complete projects which might be of benefit to all county programs.

The Department believes it cannot expand the definition of "applicant" as the PFPA requests. Section 7.3(a) of the act (3 P. S. § 1207.3(a)) limits the State Board's authority by allowing it to award grants to counties only.

IRRC suggested several revisions to § 138h.4 (relating to uses of grant funds). In response, the Department has revised § 138h.4(c)(3) to more clearly state that the costs described in that paragraph must be directly linked to

achieving the objectives described in § 138h.4(c)(1) and (2). In addition, § 138h.4(d) has been added to clarify that grant funds may not be used for the purchase of general-use word processing and spreadsheet software.

IRRC, the Westmoreland County Farmland Preservation Program and the PFPA each expressed concern that proposed § 138h.5 (relating to eligibility criteria) might not allow the expenditure of grant funds for subsequent stages or upgrades of previously completed projects. For example, a county that had developed its own basic Geographical Information System (GIS) might not be able to obtain grant funds to add additional capabilities or layers of information necessary to its ranking of farmland being considered for agricultural conservation easement purchase.

In response, the Department has revised § 138h.5(a) to clarify that grant funds may be obtained to fund subsequent stages or upgrades of previously completed projects if the application documents that the stage or upgrade was not included in the funding plans for earlier stages of the project.

The PFPA expressed general concern that counties might compete against each other and not coordinate their efforts unless the regulations were more specific as to matters such as how much grant money would be awarded each year and how applications would be prioritized.

In response, the Department has added § 138h.5(b)(9), which requires the impact of the project on other county programs to be considered in the evaluation and ranking of grant applications.

IRRC suggested proposed § 138h.6 (relating to applications generally) be revised to establish a specific time period within which the Secretary will mail written notice to an applicant that additional documentation is necessary to complete the application.

The Department accepts this comment, and has added § 138h.6(d) to establish a 10-day period from receipt of an application within which the Secretary must mail the notice.

At IRRC's recommendation, the first sentence of § 138h.7(b) (relating to filing applications) has been reworded for greater clarity.

IRRC also suggested the term "will" replace the term "may" in § 138h.7(b) to clarify that the Department will request additional information necessary to process an application and will discontinue processing an incomplete or inaccurate application until the requested information is received.

The Department accepts this suggestion and has revised § 138h.7(b) accordingly.

The Department also implemented IRRC's recommendation that proposed §§ 138h.8 and 138h.9 (relating to review of application by State Board; and notice of disposition of application) be revised to consistently use the terms "approval" and "disapproval," rather than "acceptance" and "rejection," in describing actions to be taken with respect to an application.

After the close of the public comment period, the PFPA offered the suggestion that proposed § 138h.11(b) (relating to verification of use) be revised to clarify that unexpended grant funds are to be returned to the Department for deposit into the Agricultural Conservation Easement

ment Purchase Fund (Fund). The Department accepts this suggestion and has revised § 138h.11(a) accordingly.

IRRC commented that proposed § 138h.11(c) should specifically provide that repayment of grant funds and interest be credited to the Fund. This provision appears in section 7.3(d) of the act.

The Department accepts this comment and has revised § 138h.11(c) accordingly.

IRRC also recommended that proposed § 138h.11(c) be revised to reference the statute that establishes the legal interest rate referenced in that subsection.

The Department has implemented this recommendation in the final regulations.

IRRC suggested that proposed §§ 138h.12(b) and 138h.13 (relating to grant cancellation; and deficits) be revised to reference the requirement of section 7.3(d) of the act that a grant recipient implement an Agricultural Conservation Easement Purchase Program.

The Department accepts this suggestion and has revised §§ 138h.12 and 138h.13 accordingly.

After the close of the public comment period, the PFPA suggested that proposed § 138h.12(b) be revised to require the establishment of a county program by a grant recipient within 2 years of the grant agreement instead of 3 years.

The Department agrees that the PFPA's recommendation is an improvement, and has made the suggested revision.

At IRRC's recommendation, the Department revised § 138h.14 (relating to records) to shorten the required record retention period for grant recipients from 7 years to 3 years.

IRRC also suggested several nonsubstantive stylistic or grammatical revisions that the Department has implemented in the final regulations. These revisions do not change the substance of the regulations, but enhance its readability.

Fiscal Impact

Commonwealth

The regulations will impose no costs and have no fiscal impact upon the Commonwealth. Although the act allows for up to \$750,000 to be awarded in grants, this grant money will originate from the Fund on a funds-available basis.

Political Subdivisions

These regulations will impose no costs and have no fiscal impact upon political subdivisions. If a county seeks grant funds for a project permitted under the act, though, it must pay at least 50% of the project's costs.

Private Sector

These regulations will impose no costs and have no fiscal impact on the private sector.

General Public

These regulations will impose no costs and have no fiscal impact upon the general public.

Paperwork Requirements

These regulations are not expected to result in an appreciable increase in paperwork. The Department will issue grant application forms to interested persons and review completed applications in consultation with the State Board. Paperwork will be minimal.

Contact Person

Further information is available by contacting the Department of Agriculture, Attention: Raymond Pickering, Bureau of Farmland Protection, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 27, 1996, the Department submitted a copy of the notice of proposed rulemaking published at 26 Pa.B. 1555 to IRRC and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received as well as other documentation.

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

These final-form regulations were deemed approved by the House Committee on October 7, 1996, were deemed approved by the Senate Committee on October 7, 1996, and were approved by IRRC on October 17, 1996, in accordance with section 5(c) of the Regulatory Review Act.

Findings

The Department finds that:

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

(2) A public comment period was provided as required by law and that all comments received were considered.

(3) The modifications that were made to these regulations in response to comments received do not enlarge the purpose of the proposed rulemaking published at 26 Pa.B. 1555.

(4) The regulations meet the requirements of Executive Order 1996-1, "Regulatory Review and Promulgation."

(5) The adoption of the regulations in the manner provided by this order is necessary and appropriate for the administration of the authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 7 Pa. Code, are amended by adding §§ 138h.1—138h.15 to read as set forth in Annex A.

(b) The Secretary of Agriculture shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General for approval as required by law.

(c) The Secretary of Agriculture shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

CHARLES C. BROSIUS,
Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 5289 (November 2, 1996).)

Fiscal Note: Fiscal Note 2-100 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 7. AGRICULTURE

PART V-C. FARMLAND AND FOREST LAND

CHAPTER 138h. AGRICULTURAL LAND CONSERVATION ASSISTANCE GRANT PROGRAM

Sec.

138h.1.	Grant Program objectives.
138h.2.	Definitions.
138h.3.	Limitations on grants.
138h.4.	Uses of grant funds.
138h.5.	Eligibility criteria.
138h.6.	Applications generally.
138h.7.	Filing applications.
138h.8.	Review of application by State Board.
138h.9.	Notice of disposition of application.
138h.10.	Grant agreement.
138h.11.	Verification of use.
138h.12.	Grant cancellation.
138h.13.	Deficits.
138h.14.	Records.
138h.15.	Final report.

§ 138h.1. Grant Program objectives.

Through the awarding of grants and the placing of conditions upon how grant funds are to be spent, the Grant Program will fund projects which will increase the protection and preservation of agricultural land within this Commonwealth by encouraging the implementation and effectiveness of county programs in each eligible county. A grant will only be awarded to a county whose governing body has appointed an agricultural land preservation board, even though the county may not have a county program.

§ 138h.2. Definitions.

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

Act—The Agricultural Area Security Law (3 P. S. §§ 901—915).

Applicant—An eligible county acting through and with the approval of its agricultural land preservation board.

County program—A county agricultural land preservation program for the purchase of agricultural conservation easements approved by the State Board under the act.

Department—The Department of Agriculture of the Commonwealth.

Eligible county—A county, not of the first class, whose governing body has passed a resolution forming a county agricultural land preservation board under the law and appointed members to the board by the date of application.

Grant Program—The Agricultural Land Conservation Assistance Grant Program.

Secretary—The Secretary of the Department.

State Board—The State Agricultural Land Preservation Board.

§ 138h.3. Limitations on grants.

- (a) The maximum amount of a grant is \$10,000.
- (b) For projects costing less than \$20,000, the maximum grant will be 50% of the project cost.

(c) A county is not eligible for more than a cumulative total of \$25,000 in grants under the Grant Program.

(d) The total amount of grant funds which may be awarded will not exceed \$750,000 of the funds deposited into the Agricultural Conservation Easement Purchase Fund under section 7.1(a) of the act of June 18, 1982 (P. L. 549, No. 159) (3 P. S. § 1207.1(a)). The amount of grant funds awarded in any particular year will be determined by the State Board, depending on the availability of the funds.

§ 138h.4. Uses of grant funds.

(a) *Conformity to application.* Grant funds awarded to an applicant shall be expended solely for specific projects described in the grant application in accordance with the project budget approved by the State Board and shall be expended within the time period specified in the grant agreement.

(b) *Pennsylvania projects.* Grant funds awarded to an applicant under the Grant Program shall be used only to fund projects within the geographic boundaries of this Commonwealth.

(c) *Allowable expenditures of grant funds.* Grant funds shall be used for one or more of the following purposes:

(1) To cover costs incurred by an applicant in creating a spatial mapping database. The database shall, at a minimum, contain county topographic data, property boundaries, soil boundaries, soil capability classes and soil productivity ratings.

(2) To cover costs incurred by an applicant to develop and implement agricultural zoning ordinances, including model ordinances for possible adoption by local government units.

(3) To cover costs incurred by an applicant to train staff, contract with consultants, and pay for computer software directly linked to achieving the purposes of paragraphs (1) and (2), or to reaching the objective of a fully approved and functioning county program.

(d) *Ineligible expenditures.* Grant funds may not be used for the purchase of general-use word processing and spreadsheet software.

§ 138h.5. Eligibility criteria.

(a) *General.* The following general criteria apply to applications for projects:

(1) The Grant Program will not accept applications for the following:

- (i) Projects already completed.
- (ii) Stages of projects already in progress.

(iii) Stages of projects for which funding has been included in a county appropriation or where other funding has been approved.

(2) Subsequent stages or upgrades of previously completed projects for which funding has already been approved may be considered for funding if documentation is provided to the Department to demonstrate that the stage of the project or upgrade identified in the application was not included in funding plans for earlier stages of the project.

(b) *Specific.* The following specific criteria will be used to evaluate and rank applications for funding consideration:

(1) The acceptability of costs within the proposed budget.

(2) The availability of funding for the project from a source other than the Commonwealth.

(3) The extent to which the project shall impact upon the goal of preserving agricultural lands within this Commonwealth.

(4) The relevance of the project to encouraging the preservation of agricultural lands.

(5) The geographic scope of the project and the amount of agricultural land which will be affected by the project described in the application.

(6) The value to the community of the project described in the application.

(7) The innovativeness of the project.

(8) The anticipated date of full implementation of a county program.

(9) The impact the project would have on other county programs.

§ 138h.6. Applications generally.

(a) *Application required.* Applicants shall submit a written grant application to the Department through their county agricultural land preservation boards.

(b) *Obtaining an application.* Applications for grants under this chapter shall be made on forms prepared by the Department. The forms will be furnished, upon request, by the Department.

(c) *Additional documentation.* The State Board and the Secretary may require an applicant to submit additional documentation to complete or verify the application form. The additional documentation may include a letter, affidavit or other documentation, to:

(1) Verify the legitimacy of the applicant's agricultural land preservation board.

(2) Verify that grant funds will be used for one or more of the purposes in § 138h.4 (relating to uses of grant funds).

(3) Confirm the applicant has secured funds from another source for the project for which the grant is requested.

(4) Obtain from a third party which is providing matching funds to an applicant a recommendation that a grant under this chapter be awarded the applicant and verifying that its contribution of funds to the project would not be available without a grant from the Department.

(d) *Request for additional documentation.* If additional documentation is necessary, the State Board or the Secretary will mail a written request for additional documentation to the applicant within 10 days of receipt of the application.

§ 138h.7. Filing applications.

(a) *Place and time.* An application for a grant under the Grant Program shall be received by the program administrator at the Department of Agriculture, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408, during the specific 45-day annual application period as advertised in the *Pennsylvania Bulletin*. The advertisement will be published at least 30 days prior to the commencement of the application period.

(b) *Incomplete or inaccurate applications.* The Department will review each application and any supporting documentation that is received within the 45-day application period. If an application is found to be incomplete or

inaccurate, the Department will request additional information and will discontinue further processing of the application if the documentation is not received by the Department within the 45-day application period described in subsection (a).

§ 138h.8. Review of application by State Board.

(a) *Transmittal of application to State Board.* When the Department determines a grant application is complete and accurate, it will forward this application, together with supporting documentation submitted therewith, to the State Board for review at its next regularly scheduled meeting. Since all applications are to be submitted and completed within the same time period, all applications for funding will be transmitted to the State Board at the same time.

(b) *Factors.* The State Board will review and evaluate the application and supporting documentation and will consider the factors in § 138h.5 (relating to eligibility criteria) in deciding whether to recommend approval or disapproval of the grant request.

(c) *Decisions.* When the State Board has reviewed the grant application and supporting documentation, it will vote on whether to recommend approval or disapproval of the grant application. The State Board will vote on these projects in accordance with its bylaws. The State Board may also recommend the grant be awarded in an amount less than that requested in the grant application. In addition, the State Board may vote to recommend the imposition of restrictions or special conditions upon the issuance of a grant. If the State Board recommends approval of a particular grant application, the Secretary will execute the grant agreement if funding is available and all other conditions have been met.

§ 138h.9. Notice of disposition of application.

The Department will mail to the applicant written notice of the approval or disapproval of a grant application within 30 days of a decision. This notice will be by regular mail to the address indicated by the applicant on the grant application form.

§ 138h.10. Grant agreement.

After the State Board approves a grant application, and as a precondition to the Department's release of grant funds to a successful applicant, the Department and the applicant shall execute a written grant agreement which describes the terms and conditions subject to which the grant is made. This grant agreement shall contain and conform to the requirements of this chapter and applicable State laws. It shall also contain any special terms and conditions required by the State Board and the Secretary.

§ 138h.11. Verification of use.

(a) *Verification.* Within 3 months of the time period specified in the grant agreement, or the completion of the project, whichever is earlier, the grant recipient shall submit to the Department written receipts accounting for the project costs. If the total of the written receipts demonstrates that some portion of the grant amount was not spent, the grant recipient shall also submit payment in the full amount of this unspent sum to the Department. The repayment shall be credited to the Agricultural Conservation Easement Purchase Fund, and may be used to fund this Grant Program. The Department may also require that additional documentation be submitted by the grant recipient to document the expenditure of grant funds.

(b) *Extension of time.* The 3-month period described in subsection (a) may only be extended by the written permission of the Secretary. An extension will be for a specific period of time.

(c) *Failure to verify use.* If required receipts or documentation are not submitted to the Department as described in subsections (a) and (b), or if the grant funds or a portion thereof are unaccounted for, the Secretary may demand, in writing, the return by the grant recipient of the entire grant sum or a lesser amount, plus appropriate legal interest as prescribed in section 202 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 202). The grant recipient shall repay a sum of grant funds and interest demanded by the Department within 60 days of the mailing of the written demand. The repayment shall be credited to the Agricultural Conservation Easement Purchase Fund, and may be used to fund this Grant Program.

§ 138h.12. Grant cancellation.

(a) *Misuse of funds.* A grant may be canceled by the Department if the Secretary determines grant funds are not being spent in accordance with the terms and conditions of the grant agreement. In the event of cancellation, the Department may demand the return of the entire grant sum, or a portion thereof, and the grant recipient shall repay the sum in the manner described in § 138h.11(c) (relating to verification of use).

(b) *Failure to establish a county program.* If, within 2 calendar years of the date of the first grant agreement to that county, the grant recipient does not have a county program in place, the grant funds provided to the eligible county under this chapter shall be returned to the Department in full as described in § 138h.11(c).

§ 138h.13. Deficits.

The Department's financial obligation or liability is limited to the amount of the grant. The Department will not be financially responsible for cost overruns incurred by grant recipients, or any other costs resulting from establishment of a county program.

§ 138h.14. Records.

(a) The grant recipient shall maintain books, records and other evidence pertinent to costs incurred in connection with the project. The books and records shall be maintained according to generally-accepted accounting principles.

(b) Financial records, supporting documents, statistical records and other records pertaining to the grant shall be retained by the grant recipient for 3 years following the date final payment is made. The records and documents shall be available for inspection or audit by the Commonwealth, its agencies and instrumentalities during this time period.

§ 138h.15. Final report.

Within 3 months of the date of completion of the project, the grant recipient shall submit a final report delineating the progress made towards meeting the objectives in the initial grant application.

[Pa.B. Doc. No. 96-1928. Filed for public inspection November 15, 1996, 9:00 a.m.]

Title 22—EDUCATION

HIGHER EDUCATION ASSISTANCE AGENCY

[22 PA. CODE CH. 121]

Corrective Amendment to 22 Pa. Code § 121.123

The Higher Education Assistance Agency has discovered a discrepancy between the agency text of 22 Pa. Code § 121.123 (relating to determination of institutional assistance grants) as deposited with the Legislative Reference Bureau and as published at 26 Pa.B. 3321, 3332 (July 13, 1996) and the official text as published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 262) and as currently appearing in the *Pennsylvania Code*. Two words were inadvertently omitted from the text of the section.

Therefore, under 45 Pa.C.S. § 901: The Higher Education Assistance Agency has deposited with the Legislative Reference Bureau a corrective amendment to 22 Pa. Code § 121.123. The corrective amendment to 22 Pa. Code § 121.123 is effective as of July 13, 1996, the date the defective text was printed in the *Pennsylvania Bulletin*.

The correct version of 22 Pa. Code § 121.123 appears in Annex A, with ellipses referring to the existing text of the regulation.

MICHAEL H. HERSHOCK,
President and Chief Executive Officer

Annex A

TITLE 22. EDUCATION

PART VIII. HIGHER EDUCATION ASSISTANCE AGENCY

CHAPTER 121. STUDENT FINANCIAL ASSISTANCE

Subchapter G. INSTITUTIONAL ASSISTANCE GRANTS PROGRAM

§ 121.123. Determination of institutional assistance grants.

(a) Institutional assistance grants, established by dividing the total funds available for institutional grants in this program by the number of Pennsylvania State grant recipients certified to the Agency by the participating institutions, will be paid to an eligible institution in either a lump sum or in installments at the discretion of the Agency. The institutional assistance grants shall be in a number equal to the number of full-time equivalent students receiving assistance from the Pennsylvania Higher Education Grant Program or the POW/MIA's Education Program certified as enrolled during the academic year except those intra-year transfer students from any other eligible institution. The following are examples:

* * * * *

(b) For purposes of this section, an Eligibility Certification Listing is defined as a listing created by the Agency for the institution to use in certifying the enrollment of students for the purpose of determining the institution's entitlement to institutional assistance grants.

[Pa.B. Doc. No. 96-1929. Filed for public inspection November 15, 1996, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF MEDICINE AND STATE BOARD OF OSTEOPATHIC MEDICINE [49 PA. CODE CHS. 18 AND 25] Respiratory Care Practitioners

The State Board of Medicine and State Board of Osteopathic Medicine (Boards) amend Chapters 18 and 25 (relating to State Board of Medicine—practitioners, other than medical doctors; and State Board of Osteopathic Medicine) to read as set forth in Annex A. The amendments add new subchapters pertaining to the certification and practice of respiratory care practitioners in this Commonwealth. The Boards' notice of proposed rule-making was published at 26 Pa.B. 757 (February 24, 1996).

Statutory Authority

The regulations are adopted under the authority of sections 13.1(c) and 36.1 of the Medical Practice Act of 1985 (MPA) (63 P.S. §§ 422.13a(c) and 422.36a) and sections 10.1(c) and 10.2 of the Osteopathic Medical Practice Act (OMPA) (63 P.S. §§ 271.10a(c) and 271.10b), added by the act of July 2, 1993 (P.L. 424, No. 60) and the act of July 2, 1993 (P.L. 418, No. 519) respectively. These sections require that the Boards issue certificates and temporary permits to individuals meeting the qualifications in the MPA and the OMPA to practice or offer to practice respiratory care in this Commonwealth. Under section 13.1(a) of the MPA and section 10.1(a) of the OMPA, on and after June 30, 1995, no person may practice, hold himself out to the public to practice or offer to practice as a respiratory care practitioner unless the individual holds a valid, current temporary permit or certificate issued by either Board. See section 3 of the act of July 2, 1993, section 13.1(a) of the MPA, section 3 of the act of July 2, 1993 and section 10.1(a) of the OMPA.

Under section 13.1(c) of the MPA and section 10.1(c) of the OMPA, the Boards are authorized to promulgate regulations to establish procedures for application, credentials, verification, examination, certification and fees.

Public Comments

Written comment, suggestions and objections were solicited within a 30-day period after publication. The Boards received reports from the House Professional Licensure Committee (House Committee) on March 19, 1996, and the Independent Regulatory Review Commission (IRRC) on April 24, 1996. The Boards received comments from the Pennsylvania Society for Respiratory Care, Inc. (PSRC), the Hospital Association of Pennsylvania (HAP), and from Paoli Memorial Hospital, Bryn Mawr Rehabilitation, Thomas Jefferson University Hospital and Main Line Health System and their staff members. As a result of the reports and the comments, numerous revisions have been made to these final-form regulations to include language to clarify language of various sections.

Summary of Changes

The House Committee and IRRC questioned part of the proposed §§ 18.310(c) and 25.510(c) (relating to inactive status). The Boards had proposed that a certificateholder

who wished to return his certificate from inactive to active status submit, inter alia, a resume of professional activities since the most recent registration and a letter of good standing from another jurisdiction where the certificateholder was currently licensed or registered to practice. The House Committee and IRRC pointed out that the Boards' language presumed that while a certificateholder was inactive in this Commonwealth, he was practicing in another jurisdiction. The House Committee questioned the presumption and the statutory basis for the requirement of the resume and letter of good standing. The House Committee recommended that the Boards adopt the reactivation requirements found in § 16.15 (relating to biennial registration; inactive status and unregistered status). The Boards have done this. At IRRC's request, the Boards clarified §§ 18.310(d) and 25.510(d) to show that an applicant for reactivation will be required to pay only the current biennial fee.

The House Committee and IRRC also questioned the proposed §§ 18.306(a)(3) and 25.506(a)(3) (relating to temporary permits). The Boards had proposed, under section 36a(b)(4) of the MPA and section 10.2(b)(2) of the OMPA, that a temporary permit be issued to an applicant who has provided respiratory care services for at least 12-consecutive months prior to December 28, 1993. The House Committee and IRRC questioned the proposed regulatory language which appeared to authorize the grant of a temporary permit even for experience gained long before December 28, 1993, while requiring that the experience be gained in consecutive months. On final rulemaking, the Boards tracked the statutory language more closely and authorized the issuance of a temporary permit to an applicant who has continuously provided respiratory care services for a minimum of 12 months immediately preceding December 28, 1993. The Boards also made this change to §§ 18.307(a)(4) and 25.507(1)(iv) (relating to criteria for certification as a respiratory care practitioner).

IRRC questioned the definition of "CRTT" in §§ 18.302 and 25.502 (relating to definitions). IRRC noted that the definitions do not delineate what "CRTT" stands for. In the *NBRC Licensure Guide*, "CRTT" is defined as the Certification Examination For Entry Level Respiratory Practitioners without an explanation of what the letters CRTT delineate. On final rulemaking, the Boards adopted the definition found in the *Licensure Guide*. IRRC also suggested that the Boards replace the word "technician" with "practitioner," the word favored in both the MPA and OMPA. The Boards have adopted this suggestion.

IRRC and the PSRC were concerned that the list of functions in §§ 18.305 and 25.505 (relating to functions of respiratory care practitioner) which a respiratory care practitioner may perform did not include reference to "indirect services, such as consultation or evaluation of an individual . . ." as provided for in section 13.1(d) of the MPA and section 10.1(d) of the OMPA. On final rulemaking, the Boards included indirect services such as consultation or evaluation of an individual.

IRRC raised concerns regarding §§ 18.306 and 25.506. IRRC noted that subsection (a)(1) of the proposed rule-making departed from section 36.1(b)(1) of the MPA and section 10.1(b)(1) of the OMPA by authorizing the issuance of a temporary permit to an applicant who had graduated from an approved respiratory care program and is awaiting results of the CRTT. IRRC correctly noted that the section section 36.1(b)(1) of the MPA and section 10.1(b)(1) of the OMPA authorize the issuance of a temporary permit to an applicant who has simply gradu-

ated from an approved respiratory care program. Section 36.1(c) of the MPA and section 10.1(b)(1) of the OMPA require the applicant to apply for the next scheduled examination. The Boards' final rulemaking tracks the statute.

IRRC made a similar observation regarding language in §§ 18.306(a)(2) and 25.506(a)(2) that the applicant "is awaiting results of the CRTT." The Board adopted the suggestion in final rulemaking and eliminated the quoted language. The Boards also adopted the suggestion that subsection (a)(2) specify that the application is to the relevant board for a temporary permit.

IRRC noted that the Boards' proposed rulemaking in §§ 18.306(b) and 25.506(b) did not make provision for extensions of the temporary permit beyond 12 months in specific cases, as do the statutes at section 36.1(c) of the MPA and section 10.1(c) of the OMPA. In final rulemaking, the Boards have made provision for extensions. In final rulemaking, the Boards, at the suggestion of IRRC and HAP, specified that an applicant who failed the examination may apply to take it again. The Boards also adopted the suggestion of IRRC to identify the examination being referred to in this provision as the CRTT.

The PSRC expressed approval for the proposed rulemaking while raising one concern. The PSRC observed that under the MPA and OMPA the Boards are authorized to issue a temporary permit to anyone who has made continuous provision of respiratory care services for a minimum of 12 months immediately preceding the effective date of the acts. PSRC is concerned that the applicant under these provisions might not apply or practice for several years after December 28, 1993, the effective date of the acts. The PSRC would like to terminate this window for application on December 31, 1997. The Boards, however, lack the statutory authority to impose this termination date.

HAP and the individual hospitals, hospital employees and staff members raised concerns that certification of respiratory care practitioners will increase costs of delivering health care services. These commentators also asked that the following be removed from the lists of functions of respiratory care practitioners in §§ 18.305 and 25.505: administration of medical gases, humidity and aerosol therapy, incentive spirometry and bronchopulmonary hygiene. The Boards observed in their notice of proposed rulemaking at 26 Pa.B. 759 that certification of respiratory care practitioners might increase costs. Certification, however, is mandated by law. See, 26 Pa.B. 757—758. The list of functions of respiratory care practitioner derives directly from the lists contained in section 13.1(d) of the MPA and section 10.1(d) of the OMPA. Since the lists of functions have their basis in statute the Boards cannot remove them.

Persons Affected

Persons who practice or who seek to practice respiratory care in this Commonwealth on and after June 30, 1995, shall obtain a permit or a certificate.

Fiscal Impact

Commonwealth

These new subchapters establish fees for the issuance of temporary permits, certifications and biennial renewal for respiratory care practitioners. Revenue generated from these fees will be used to cover the costs of administration of the certification program. The regulations will not otherwise impose additional costs on the Commonwealth.

Political Subdivisions

The new subchapters should not have any direct fiscal impact upon political subdivisions in this Commonwealth.

Private Sector

The new subchapters may impose additional costs upon the private sector. In particular, entities who provide respiratory care services may incur additional costs in bringing their facilities into compliance by employing or utilizing certified practitioners. Persons wishing to obtain certification from the Boards will incur those costs associated with the administration of the certification program, as well as costs associated with the qualifying examination.

General Public

The regulations should impose no additional costs upon the general public.

Paperwork Requirements

Persons seeking temporary permits or certifications will be required to obtain application forms from the Boards in order to obtain certification.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Boards submitted a copy of the notice of proposed rulemaking, published at 26 Pa.B. 757, to IRRC and the Chairpersons of the House Committee and the Senate Committee on Consumer Protection and Professional Licensure.

In compliance with section 5(b.1) of the Regulatory Review Act, the Boards provided IRRC and the Committees with a copy of comments received as well as other documentation.

These final-form regulations were approved by the House Committee on October 1, 1996, and approved by the Senate Committee on September 25, 1996. IRRC met on October 3, 1996, and approved the regulations in accordance with section 5(c) of the Regulatory Review Act.

Contact Persons

Interested persons are invited to submit questions regarding these regulations to Cindy Warner, Administrative Assistant for the State Board of Medicine, at (717) 783-1400, or Gina Bittner, Administrative Assistant for the State Board of Osteopathic Medicine, at (717) 783-4858.

Findings

The Boards find that:

(1) Public notice of intention to adopt regulations was given under section 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated under those sections at 1 Pa. Code §§ 7.1—7.2.

(2) The regulations of the State Boards are necessary for the administration of the MPA (63 P. S. §§ 422.1—422.45) and the OMPA (63 P. S. §§ 271.1—271.18).

Order

The Boards order that:

(a) The regulations of the State Boards, 49 Pa. Code Chapters 18 and 25, are amended by adding §§ 18.301—18.310 and §§ 25.501—25.510 to read as set forth in Annex A (*Editor's Note*: Sections 25.501—25.510 were proposed as §§ 25.292—25.301 at 26 Pa.B. 757 (February 24, 1996)).

(b) The Boards shall submit of this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality as required by law.

(c) The Boards shall certify this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.

(d) The regulations shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

CHARLES J. BANNON, M.D.,
Chairperson
SILVIA M. FERRETTI, D.O.,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 3180 (October 26, 1999).)

Fiscal Note: Fiscal Note 16A-532 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 18. STATE BOARD OF MEDICINE—PRACTITIONERS OTHER THAN MEDICAL DOCTORS

Subchapter F. RESPIRATORY CARE PRACTITIONERS

Sec.	
18.301.	Purpose.
18.302.	Definitions.
18.303.	Fees.
18.304.	Certification of respiratory care practitioners; practice; exceptions.
18.305.	Functions of respiratory care practitioners.
18.306.	Temporary permits.
18.307.	Criteria for certification as a respiratory care practitioner.
18.308.	Change of name or address.
18.309.	Renewal of certification.
18.310.	Inactive status.

§ 18.301. Purpose.

This subchapter implements sections 13.1 and 36.1 of the act (63 P. S. §§ 422.13a and 422.36a), which were added by section 3 of the act of July 2, 1993 (P. L. 424, No. 60) to provide for the certification of respiratory care practitioners.

§ 18.302. Definitions.

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

Act—The Medical Practice Act of 1985 (63 P. S. §§ 422.1—422.45.)

CRTT—The Certification Examination For Entry Level Respiratory Therapy Practitioners, a National uniform examination developed and administered by the NBRC for certified respiratory care therapy practitioners.

JRCRTE—The Joint Review Committee on Respiratory Therapy Education, which accredits respiratory care programs.

NBRC—The National Board for Respiratory Care, the agency recognized by the Board to credential respiratory care practitioners.

Respiratory care practitioner—A person who has been certified in accordance with the act and this subchapter.

§ 18.303. Fees.

The following is the schedule of fees charged by the Board:

- (1) Temporary permit \$15
- (2) Initial certification \$15
- (3) Certification examination \$90
- (Effective 7-96) \$100
- (4) Reexamination \$60
- (5) Biennial renewal of certification \$25

§ 18.304. Certification of respiratory care practitioners; practice; exceptions.

(a) A person may not practice or hold himself out as being able to practice as a respiratory care practitioner in this Commonwealth unless the person holds a valid, current temporary permit or certificate issued by the Board, or the State Board of Osteopathic Medicine under Chapter 25 (relating to State Board of Osteopathic Medicine), or is exempted under section 13.1(e) of the act (63 P. S. § 422.13a(e)) or section 10.1(e) of the Osteopathic Medical Practice Act (63 P. S. § 271.10a(e)).

(b) A person may not use the words "respiratory care practitioner," the letters "R.C.P." or similar words and related abbreviations to imply that respiratory care services are being provided, unless the services are provided by a respiratory care practitioner who holds a valid, current temporary permit or certificate issued by the Board or the State Board of Osteopathic Medicine and only while working under the supervision of a licensed physician.

§ 18.305. Functions of respiratory care practitioners.

(a) Under section 13.1(d) of the act (63 P. S. § 422.13a(d)), a respiratory care practitioner may implement direct respiratory care to an individual being treated by either a licensed medical doctor or a licensed doctor of osteopathic medicine, upon physician prescription or referral, or under medical direction and approval consistent with standing orders or protocols of an institution or health care facility. This care may constitute indirect services such as consultation or evaluation of an individual and also includes, but is not limited to, the following services:

- (1) Administration of medical gases.
- (2) Humidity and aerosol therapy.
- (3) Administration of aerosolized medications.
- (4) Intermittent positive pressure breathing.
- (5) Incentive spirometry.
- (6) Bronchopulmonary hygiene.
- (7) Management and maintenance of natural airways.
- (8) Maintenance and insertion of artificial airways.
- (9) Cardiopulmonary rehabilitation.
- (10) Management and maintenance of mechanical ventilation.
- (11) Measurement of ventilatory flows, volumes and pressures.
- (12) Analysis of ventilatory gases and blood gases.

(b) Under section 13.1(d) of the act, a respiratory care practitioner may perform the activities listed in subsection (a) only upon physician prescription or referral or while under medical direction consistent with standing orders or protocols in an institution or health care facility.

§ 18.306. Temporary permits.

(a) A temporary permit will be issued to an applicant who submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:

(1) Has graduated from a respiratory care program approved by the JRCRTE.

(2) Is enrolled in a respiratory care program approved by the JRCRTE and expects to graduate within 30 days of the date of application to the Board for a temporary permit.

(3) Has continuously provided respiratory care services for a minimum of 12 months immediately preceding December 28, 1993.

(b) A temporary permit is valid for 12 months and for an additional period as the Board may, in each case, specially determine except that a temporary permit expires if the holder fails the CRTT. An applicant who fails the CRTT may apply to retake it.

§ 18.307. Criteria for certification as a respiratory care practitioner.

The Board will approve for certification as a respiratory care practitioner an applicant who:

(1) Submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:

(i) Has graduated from a respiratory care program approved by the JRCRTE and passed the CRTT as determined by the NBRC.

(ii) Has been credentialed as a Certified Respiratory Therapy Technician or Registered Respiratory Therapist by the NBRC.

(iii) Holds a valid license, certificate or registration as a respiratory care practitioner in another state, territory or the District of Columbia which has been issued based on requirements substantially the same as those required by the Commonwealth, including the examination requirement.

(iv) Has continuously provided respiratory care services for a minimum of 12 months immediately preceding December 28, 1993, and has passed the CRTT as determined by the NBRC.

(2) Has paid the appropriate fee in the form of a check or money order.

§ 18.308. Change of name or address.

A certificateholder shall inform the Board in writing within 10 days of a change of name or mailing address.

§ 18.309. Renewal of certification.

(a) A certification issued under this subchapter expires on December 31 of every even-numbered year unless renewed for the next biennium.

(b) Biennial renewal forms and other forms and literature to be distributed by the Board will be forwarded to the last mailing address given to the Board.

(c) To retain the right to engage in practice, the certificateholder shall renew certification in the manner

prescribed by the Board and pay the required fee prior to the expiration of the next biennium.

(d) When a certification is renewed after December 31 of an even-numbered year, a penalty fee of \$5 for each month or part of a month of practice beyond the renewal date will be charged in addition to the renewal fee.

§ 18.310. Inactive status.

(a) A certificateholder who does not intend to practice in this Commonwealth and who does not desire to renew certification shall inform the Board in writing. Written confirmation of inactive status will be forwarded to the certificateholder.

(b) A certificateholder shall notify the Board, in writing, of his desire to reactivate the registration.

(c) A certificateholder who is applying to return to active status is required to pay fees which are due for the current biennium and submit a sworn statement stating the period of time during which the certificateholder was not engaged in practice in this Commonwealth.

(d) The applicant for reactivation will not be assessed a fee or penalty for preceding biennial periods in which the applicant did not engage in practice in this Commonwealth.

**CHAPTER 25. STATE BOARD OF
OSTEOPATHIC MEDICINE**

**Subchapter K. RESPIRATORY CARE
PRACTITIONERS**

Sec.	Purpose.
25.501.	Purpose.
25.502.	Definitions.
25.503.	Fees.
25.504.	Certification of respiratory care practitioners; practice; exceptions.
25.505.	Functions of respiratory care practitioners.
25.506.	Temporary permits.
25.507.	Criteria for certification as a respiratory care practitioner.
25.508.	Change of name or address.
25.509.	Renewal of certification.
25.510.	Inactive status.

§ 25.501. Purpose.

This subchapter implements sections 10.1 and 10.2 of the act (63 P. S. §§ 271.10a and 271.10b), which were added by section 3 of the act of July 2, 1993 (P. L. 418, No. 59) to provide for the certification of respiratory care practitioners.

§ 25.502. Definitions.

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

Act—The Osteopathic Medical Practice Act (63 P. S. §§ 271.1—271.18).

CRTT—The Certification Examination For Entry Level Respiratory Therapy Practitioners, a National uniform examination developed and administered by the NBRC for certified respiratory care therapy practitioners.

JRCRTE—The Joint Review Committee on Respiratory Therapy Education, which accredits respiratory care programs.

NBRC—The National Board for Respiratory Care, the agency recognized by the Board to certify respiratory care practitioners.

Respiratory care practitioner—A person who has been certified in accordance with the act and this subchapter.

§ 25.503. Fees.

The following is the schedule of fees charged by the Board:

- (1) Temporary permit \$15
- (2) Initial certification \$15
- (3) Certification examination \$90
(Effective 7-96) \$100
- (4) Reexamination \$60
- (5) Biennial renewal of certification. \$25

§ 25.504. Certification of respiratory care practitioners; practice; exceptions.

(a) A person may not practice or hold himself out as being able to practice as a respiratory care practitioner in this Commonwealth unless the person holds a valid, current temporary permit or certificate issued by the Board, or the State Board of Medicine under Chapter 18 (relating to State Board of Medicine—practitioners other than medical doctors) or is exempted under section 10.1(e) of the act (63 P. S. §§ 271.10a(e)) or section 13.1(e) of the Medical Practice Act of 1985 (63 P. S. § 422.13a(e)).

(b) A person may not use the words “respiratory care practitioner,” the letters “R.C.P.” or similar words and related abbreviations to imply that respiratory care services are being provided, unless the services are provided by a respiratory care practitioner who holds a valid, current temporary permit or certificate issued by the Board or the State Board of Medicine and only while working under the supervision of a licensed physician.

§ 25.505. Functions of respiratory care practitioners.

(a) Under section 10.1(d) of the act (63 P. S. § 271.10a(d)), a respiratory care practitioner may implement direct respiratory care to an individual being treated by either a licensed medical doctor or a licensed doctor of osteopathic medicine, upon physician prescription or referral, or under medical direction and approval consistent with standing orders or protocols of an institution or health care facility. This care may constitute indirect services such as consultation or evaluation of an individual and also includes, but is not limited to, the following services:

- (1) Administration of medical gases.
- (2) Humidity and aerosol therapy.
- (3) Administration of aerosolized medications.
- (4) Intermittent positive pressure breathing.
- (5) Incentive spirometry.
- (6) Bronchopulmonary hygiene.
- (7) Management and maintenance of natural airways.
- (8) Maintenance and insertion of artificial airways.
- (9) Cardiopulmonary rehabilitation.
- (10) Management and maintenance of mechanical ventilation.
- (11) Measurement of ventilatory flows, volumes and pressures.
- (12) Analysis of ventilatory gases and blood gases.

(b) Under section 10.1(d) of the act, a respiratory care practitioner may perform the activities listed in subsection (a) only upon physician prescription or referral or

while under medical direction consistent with standing orders or protocols in an institution or health care facility.

§ 25.506. Temporary permits.

(a) A temporary permit will be issued to an applicant who submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:

- (1) Has graduated from a respiratory care program approved by the JRCRTE.
- (2) Is enrolled in a respiratory care program approved by the JRCRTE and expects to graduate within 30 days of the date of application to the Board for a temporary permit.
- (3) Has continuously provided respiratory care services for a minimum of 12 months immediately preceding December 28, 1993.

(b) A temporary permit is valid for 12 months and for an additional period as the Board may, in each case, specially determine except that a temporary permit expires if the holder fails the CRTT. An applicant who fails the CRTT may apply to retake it.

§ 25.507. Criteria for certification as a respiratory care practitioner.

The Board will approve for certification as a respiratory care practitioner an applicant who:

- (1) Submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:
 - (i) Has graduated from a respiratory care program approved by the JRCRTE and passed the CRTT as determined by the NBRC.
 - (ii) Has been credentialed as a Certified Respiratory Therapy Technician or Registered Respiratory Therapist by the NBRC.
 - (iii) Holds a valid license, certificate or registration as a respiratory care practitioner in another state, territory or the District of Columbia which has been issued based on requirements substantially the same as those required by the Commonwealth, including the examination requirement.
 - (iv) Has continuously provided respiratory care services for a minimum of 12 months immediately preceding December 28, 1993, and has passed the CRTT as determined by the NBRC.

(2) Has paid the appropriate fee in the form of a check or money order.

§ 25.508. Change of name or address.

A certificateholder shall inform the Board in writing within 10 days of a change of name or mailing address.

§ 25.509. Renewal of certification.

(a) A certification issued under this subchapter expires on December 31 of every even-numbered year unless renewed for the next biennium.

(b) Biennial renewal forms and other forms and literature to be distributed by the Board will be forwarded to the last mailing address given to the Board.

(c) To retain the right to engage in practice, the certificateholder shall renew certification in the manner prescribed by the Board and pay the required fee prior to the expiration of the next biennium.

(d) When a certification is renewed after December 31 of an even-numbered year, a penalty fee of \$5 for each month or part of a month of practice beyond the renewal date will be charged in addition to the renewal fee.

§ 25.510. Inactive status.

(a) A certificateholder who does not intend to practice in this Commonwealth and who does not desire to renew certification shall inform the Board in writing. Written confirmation of inactive status will be forwarded to the certificateholder.

(b) A certificateholder shall notify the Board, in writing, of his desire to reactivate the registration.

(c) A certificateholder who is applying to return to active status is required to pay fees which are due for the current biennium and submit a sworn statement stating the period of time during which the certificateholder was not engaged in practice in this Commonwealth.

(d) The applicant for reactivation will not be assessed a fee or penalty for preceding biennial periods in which the applicant did not engage in practice in this Commonwealth.

[Pa.B. Doc. No. 96-1930. Filed for public inspection November 15, 1996, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 5, 1996.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-28-96	Farmers and Merchants Trust Company Chambersburg Franklin County	9 W. Big Spring Ave. Newville Cumberland County	Opened
10-28-96	Farmers and Merchants Trust Company Chambersburg Franklin County	13 Shippensburg Shopping Center Shippensburg Cumberland County	Opened
11-1-96	Dauphin Deposit Bank And Trust Company Harrisburg Dauphin County	WalMart 1355 E. Lehman Street Lebanon Lebanon County	Approved
11-1-96	The York Bank and Trust Company York York County	Weis Market 5140 Simpson Ferry Rd. Mechanicsburg Cumberland County	Filed

Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-1-96	Northern Central Bank Williamsport Lycoming County	<i>At:</i> 104 N. Elmer Ave. Sayre Bradford County <i>Into:</i> 230 Desmond St. Sayre Bradford County	Approved
11-4-96	S & T Bank Indiana Indiana County	<i>At:</i> 100 W. Mahoning St. Punxsutawney Jefferson County <i>Into:</i> 232 Hampton Avenue Punxsutawney Jefferson County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-96	Dauphin Deposit Bank And Trust Company Harrisburg Dauphin County	871 W. King St. Shippensburg Franklin County	Approved

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-30-96	ITE Credit Union Southampton Bucks County	Frankford and Linden Avenues Philadelphia Philadelphia County	Approved

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 96-1931. Filed for public inspection November 15, 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 applications 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 accommodation to participate in the proceeding 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.

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

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

PA 0020834. Sewage, SIC: 49, **Greencastle-Franklin County Authority**, 60 North Washington Street, Greencastle, PA 17225-1230.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Conococheague Creek, in Antrim Township, **Franklin County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.8 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
Total Suspended Solids	30	45		60

<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>
NH ₃ -N				
(5-1 to 10-31)	4	6		8
(11-1 to 4-30)	12	18		24
Total Phosphorus	monitor and report			
Total Residual Chlorine	0.23			0.75
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	3,500/100 ml as a geometric average			

The EPA waiver is in effect.

PA 0021709. Sewage, SIC: 4952, **Birdsboro Borough Municipal Authority**, 113 East Main Street, Birdsboro, PA 19508.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to Hay Creek in Birdsboro Borough, **Berks County**.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	9		18
(11-1 to 4-30)	20		40
Total Copper	0.037		
Total Residual Chlorine	monitor and report		
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0—9.0 inclusive		
Fecal Coliforms	200/100 ml as a geometric average		

The EPA waiver is not in effect.

PA 0022250. Sewage, SIC: 4952, **Biglerville Borough Authority**, 33 Musselman Avenue, Biglerville, PA 17307.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Conewago Creek in Butler Township, **Adams County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.370 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Phosphorus	2.0		
Total Residual Chlorine			
(Interim)	monitor and report		
(Final)	0.15		
Total Copper	0.012		
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0—9.0 inclusive		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

The EPA waiver is in effect.

PA 0084697. Sewage, SIC: 4592, **Wiconisco Township**, 305 Walnut Street, P. O. Box 370, Wiconisco, PA 17097.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Bear Creek, in Wiconisco Township, **Dauphin County**.

The receiving stream is classified for cold water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Dauphin Consolidated Water Company on the Susquehanna River located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.125 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
Total Suspended Solids	45	65		90
Total Residual Chlorine	0.50			1.63
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	6,300/100 ml as a geometric average			

Part C includes requirements for TRC.

The EPA waiver is in effect.

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

PA 0091472. Industrial waste, SIC: 1389, 1211, **Hart Chemical Company, Inc.**, Box 232, Creekside, PA 15732.

This application is for issuance of an NPDES permit to discharge treated industrial waste water to the Conemaugh River in Conemaugh Township, **Indiana County**. This is an existing discharge.

The receiving stream is classified for warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics. For the purpose of evaluating effluent requirements for TDS and phenolics, the existing downstream water supply considered during the evaluation is located in Saltsburg, PA, approximately 5.4 miles downstream of the discharge point.

The proposed discharge limits for Outfall No. 001, based on a maximum discharge rate of 0.075 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		0.075	
Total Iron	3.5		7.0
Manganese	2.0		4.0
Oil and Grease	15		30
TSS	30		60
Acidity	monitor only		
Alkalinity	greater than acidity		
pH	6—9.5 at all times		
TDS			122,217
Chloride	monitor only		

The proposed discharge limits for Outfall No. 001, based on a maximum discharge rate of 1 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		1.0	
Total Iron	3.5		7.0
Manganese	2.0		4.0
Oil and Grease	15		30
TSS	30		60
Acidity	monitor only		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum (mg/l)</i>
Alkalinity	greater than acidity		
pH	6—9 at all times		
TDS	monitor only		
Chloride	monitor only		

Other Conditions: An increase in the discharge flow rate from 0.075 mgd to 1 mgd will only be allowed in the event the Marion Mine begins discharging mine drainage that needs to be treated.

The proposed discharge limits for Outfall No. 002 are:

This discharge shall consist solely of uncontaminated stormwater runoff.

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (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.

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

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

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

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

Southcentral Regional Office, Water Management Program, 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>
PA0087688	Rife Road Assoc. Mountainview MHP 203 Rife Road East Berlin, PA 17316	Adams E. Berlin Twp.	Conewago Creek	TRC
PA0081469	Loysburg Gap MHP P. O. Box 74 Loysburg, PA 16659-0074	Bedford S. Woodbury Twp.	Beaver Creek	TRC

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.

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

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

Northcentral Regional Office, Regional Water Management Program Manager, 208 W. Third Street, Williamsport, PA 17701, telephone (717) 327-3669.

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

NPDES Permit PAS10A093. Stormwater. **Grand View Development Company**, 300 Mt. Lebanon Boulevard, Ste. 209-A, Pittsburgh, PA 15234 has applied to discharge stormwater from a construction activity located in Monroeville Township, **Allegheny County**, to Turtle Creek.

Bucks County Conservation District, District Manager, 924 Town Center, New Britain, PA 18901, telephone (215) 345-7577.

NPDES Permit PAS10D084. Stormwater. **Trafalgar House**, 375 Philips Boulevard, Trenton, NJ 08618 has applied to discharge stormwater from a construction activity located in Northampton Township, **Bucks County**, to Neshaminy Creek.

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

NPDES Permit PAS10G233. Stormwater. **Column Properties LTD**, 601 Clover Mill Road, Exton, PA 19341 has applied to discharge stormwater from a construction activity located in West Nantmeal Township, **Chester County**, to Brandywine Creek.

Clinton County Conservation District, District Manager, 2 State Route 150, Mill Hall, PA 17751, telephone (717) 726-3798.

NPDES Permit PAS101909. Stormwater. **Northlands Inc.**, 416 River Avenue, Williamsport, PA 17701 has applied to discharge stormwater from a construction activity located in Gallagher Township, **Clinton County**, to Rattlesnake Run.

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

NPDES Permit PAS10T075. Stormwater. **Vesterra Corporation**, 585 Skippack Pike, Ste. 200, Blue Bell, PA 19422 has applied to discharge stormwater from a con-

struction activity located in Whitpain Township, **Montgomery County**, to UNT to Wissahickon Creek.

Washington County Conservation District, District Manager, 602 Courthouse Sq., Washington, PA 15301, telephone (412) 228-6774.

NPDES Permit PAS10W055. Stormwater. **Burgettstown-Smith Township Joint Sewerage Authority**, P. O. Box 207, 415 Joffre-Cherry Valley Road, Burgettstown, PA 15021 has applied to discharge stormwater from a construction activity located in Smith Township, **Washington County**, to Raccoon Creek.

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 protester, 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 protester 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 applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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. 5296201. Industrial waste. **Milford Laundry and Dry Cleaning, Inc.**, 307 West Harford Street, Milford, PA 18337. Application to repair and replace the existing subsurface sand filter which serves the laundromat facility, located in Milford Borough, **Pike County**. Application received in the Regional Office October 2, 1996.

A. 4896401. Sewerage. **Bethlehem Township Municipal Authority**, 2740 Fifth Street, Bethlehem, PA 18017-3499. Application to construct and operate a sanitary sewer extension and pump station to serve New Orchard Estates, located in Bethlehem Township, **Northampton County**. Application received in the Regional Office September 6, 1996.

A. 6496201. Industrial waste. **Fox Ledge, Inc.**, R. R. 1, Box 555, Honesdale, PA 18431. Application to construct and operate an onlot industrial wastewater disposal system, consisting of rinse water from a bottled water plant, located in Mount Pleasant Township, **Wayne County**. Application received in the Regional Office October 15, 1996.

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

A. 3688201. Amendment 96-1. Industrial waste, **Spring Glen Fresh Foods, Inc.**, 314 Spring Glen Drive, P. O. Box 518, Ephrata, PA 17522 in Ephrata Township, **Lancaster County** for the conversion of the existing clarification facilities.

A. 6796412. Sewage, **Jacobus Borough Sewer Authority**, 126 North Main Street (rear), Jacobus, PA 17407 in Jacobus Borough, **York County** to construct sanitary sewer facilities was received in the Southcentral Region on October 29, 1996.

A. 6791411. Amendment 96-1. Sewage, **Spring Garden Township**, 558 S. Ogontz Street, York, PA 17403 in Spring Garden Township, West Manchester Township, and the City of York in **York County** to revise the construction drawings to reflect a new point of connection to the York City system at City Manhole No. 68 located approximately 200' east of Richland Avenue was received in the Southcentral Avenue on October 29, 1996.

Acknowledgment of Notices of Intent to Remediate

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

Southcentral Regional Office, Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.

Former Olivetti Supplies, Inc. Facility, Susquehanna Township, **Dauphin County**. Union Deposit Corporation, 651 East Park Drive, Harrisburg, PA 17111-4153, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with sol-

vents. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* on October 31, 1996.

Proposed Settlement Under the Hazardous Sites Cleanup Act

Crown Recycling and Recovery, Inc.
Lackawaxen Township, Pike County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), has entered into a partial settlement regarding the Crown Recycling & Recovery, Inc. State Superfund Site (Site). The Site is located near the small rural town of Bohemia on an unpaved road known as Blue Stone Drive in the Huggy Bear Lake Development, Lackawaxen Township, Pike County.

Investigations have revealed the presence of polychlorinated biphenyls, heavy metals, and tetrachlorodibenzo dioxin in onsite ash and soils. Tetrachloroethylene has been detected in groundwater beneath the Site. To date, the Department has conducted a Remedial Investigation, a Feasibility Study and a Risk Assessment for the Site. During the course of two interim responses the Department has erected a fence around the Site, removed lead contaminated ash, installed monitoring wells, and installed carbon absorption water treatment units in residences whose well water has become impacted by site related contaminants. During the first phase of the remedial response at the Site, all municipal and residual waste, as well as all scrap metal, was removed and disposed of or recycled. The second phase of the remedial response, which involves the removal of all remaining contaminated ash and soil from the Site, is scheduled to begin in the spring of 1997.

The partial settlement referenced above would resolve certain potential claims of the Department solely against Universal Manufacturing Corporation and Magnetek, Inc. (Settling Defendant), for reimbursement of response costs incurred by the Department in addressing the release or threat of release of hazardous substances at the Site. The claims originated under the authority of the HSCA. The settlement would require the Settling Defendant to pay the Department \$3,150,000 no later than January 31, 1997.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). Section 1113 of HSCA provides that the settlement shall become final upon the filing of the Department's response to significant written comments. The Partial Consent Adjudication which contains the specific terms of the settlement, is available for public review and comment. The Partial Consent Adjudication can be examined from 8 a.m. to 4 p.m. Monday through Friday at the Department's Northeast Regional Office located at 2 Public Square, Wilkes-Barre, PA 18711, by contacting Woodrow Cole at (717) 826-2511 or through the PA AT&T Relay Service at 1(800) 654-5984 (TDD). A public comment period on the Partial Consent Adjudication will extend for 60 days from today's date. Persons may submit written comments regarding the Partial Consent Adjudication to the Department by January 15, 1997, by submitting them to Woodrow Cole at the above address.

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

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

Steel City Environmental Services, Inc., 210 Washington Avenue, Dravosburg, PA 15034; License No. **PA-HC 0188**; Karen M. Rozich, Environmental Compliance Consultant; application received October 28, 1996.

Proposals for a Household Hazardous Waste Collection Day

West Bradford Township, Chester County is seeking proposals from hazardous waste contractors to provide a Household Hazardous Waste Collection Day in May, 1997. For a copy of the Request for Proposal, contact Peg Barrett, West Bradford Township, 1385 Campus Drive, Downingtown, PA 19335, or call (610) 269-4174.

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

Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2516.

A. 101481. Mid Atlantic Recycling & Distribution Center, Apex Waste Services, Inc., 13 Peggy Parkway, P. O. Box 157, Dunmore, PA 18512. An application for the Change of Ownership for this municipal waste transfer station, located in Dunmore Borough, **Lackawanna County**. The application was received on October 11, 1996, and was determined to be complete in the Regional Office on October 24, 1996.

A. 603081. Barna's Farm, Waymart Municipal Authority, P. O. Box 224, Waymart, PA 18422. An application for the Agricultural Utilization of Sewage Sludge at this facility, located in Canaan and South Canaan Townships, **Wayne County**. The application was received on October 17, 1996, and was determined to be complete in the Regional Office on October 24, 1996.

Beneficial use determinations received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the regulations for municipal and residual waste.

Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2516.

A. BU2100. Hydropress Environmental Services, Inc., 130 Brainards Road, Phillipsburg, NJ 08865. A Request for Beneficial Use Approval to utilize N-Viro Soil/Aglime at various sites within Pennsylvania. The following is a list of primary markets for the use of N-Viro Soil/Aglime: Agriculture, Soil Conditioning, Turf Establishment (Top Soil), Turf Maintenance, Land Recla-

mation and Landfill Cover. This request was received in the Regional Office on September 10, 1996.

Applications received 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.

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

A. 100172. USA Waste Services, Inc., 5400 LBJ Freeway, Suite 300 Tower One, Dallas, TX 75240. Arden Landfill, 310 Leger Road, North Huntingdon, PA 15642. Application for a major permit modification to modify design for existing municipal landfill in Chartiers Township, **Washington County**. Received in the Regional Office on October 29, 1996.

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

A. 603148. Mary S. Keeseey Farm, Springettsbury Township, (3501 N. Sherman Street, York, PA 17402). Application for operation of an agricultural utilization of sewage sludge site in Hellam Township, **York County**. Application determined to be administratively complete in the Regional Office October 22, 1996.

A. 602622. Triple S Farm, BFI, Inc., (1 Briar Lane, West Grove, PA 19390). Application for operation of an agricultural utilization of sewage sludge site in Amity Township, **Berks County**. Application determined to be administratively complete in the Regional Office October 25, 1996.

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 contaminant sources.

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

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **46-399-097**

Source: Pilot Coater

Company: **Elf Atochem North America, Inc.**

Location: Upper Merion

County: **Montgomery**

The following Dam Safety and Encroachment permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department).

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for processing requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permit, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act 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 BDWW 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 Bureau or Field Office indicated as the responsible office.

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

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

E07-270. Encroachment. **James Biddle**, R. D. 2, Box 233A, Williamsburg, PA 16693. To remove an existing structure and to construct and maintain a single span bridge having a span of 60 feet and an underclearance of about 8.5 feet across Clover Creek to provide access to private property located on a private driveway about 500 feet west of an access drive at Larke landmark (Williamsburg, PA Quadrangle N: 9.5 inches; W: 11.5 inches) in Woodbury Township, **Blair County**.

E22-355. Encroachment. **City of Harrisburg**, Daniel Lispi, 123 Walnut Street, Suite 212, Harrisburg, PA 17101. To place riprap bank protection along the bank of City Island in the Susquehanna River at a point on the east shore from Walnut Street to the southern end of the island and on the west shore from Walnut Street to Market Street (Harrisburg, PA Quadrangle N: 1.0 inch; W: 1.7 inches) in the City of Harrisburg, **Dauphin County**.

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

E45-307. Encroachment. **Locust Lake Village Property Owners Association**, HC 88, Box 121, Pocono Lake, PA 18347. To construct and maintain six dry hydrant intake structures: one in Pilgrim Lake, one in East Lake, two in Pines Lake and two in Locust Lake, for the purpose of fire protection within Locust Lake Village. Each intake structure will consist of a 6-inch screened PVC intake pipe extending approximately 8 feet into the lake, at a depth of 2 to 3 feet below the water surface. Locust Lake Village is located on the north side of S. R. 0940, approximately 7 miles west of S. R. 0380 (Thornhurst, PA Quadrangle N: 2 inches; W: 7 inches) in Tobyhanna Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

E45-308. Encroachment. **Thomas Hennet**, 110 Smith Drive, Stroudsburg, PA 18360. To remove the existing private concrete bridge across Lake Creek (HQ-CWF) to allow the reconstruction of its structurally damaged concrete footings. The bridge will be reset on the new footings and have a span of 11.8 feet and an underclearance of approximately 5.2 feet. The project is located along a private road known as Herbst Avenue, approximately 400 feet south of S. R. 3004 and S. R. 3017 (Saylorsburg, PA Quadrangle N: 3.5 inches; W: 10.2 inches) in Ross Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

E58-215. Encroachment. **Byron Lesjack**, P. O. Box 430, Hallstead, PA 18822. To place fill in approximately 0.4 acre of isolated PEM wetlands for the purpose of expanding the Hallstead Railroad Station Complex. The project is located on the east side of Railroad Street, approximately 0.25 mile west of the intersection of S. R. 0011 and S. R. 1010 (Great Bend, PA-NY Quadrangle N: 15.8 inches; W: 16.8 inches) in Hallstead Borough, **Susquehanna County** (Baltimore District, Army Corps of Engineers).

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

E46-753. Encroachment. **Sun Pipe Line Company**, 10 Penn Center, 26th Floor, 1801 Market Street, Philadelphia, PA 19103-1694. To install and maintain a 14-inch gas pipe line across, along and in the bed of Diamond Run, immediately downstream from the proposed relocated Diamond Run. This site is located approximately 1,200 feet southwest from the intersection of Conshohocken Road and Ridge Pike (Norristown, PA Quadrangle N: 19.0 inches; W: 9.8 inches) in Plymouth Township, **Montgomery County**.

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

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

Armstrong County Conservation District, District Manager, Armsdale Admin. Bldg., R. R. 8, Box 294, Kittanning, PA 16201-3428, telephone (412) 548-3425.

Bedford County Conservation District, District Manager, Fairlawn Ct. Ste. 4, 702 W. Pitt St., Bedford, PA 15522, telephone (814) 623-6706.

Bradford County Conservation District, District Manager, R. R. 5, Box 5030C, Stoll Nat. Res. Ctr., Towanda, PA 18848, telephone (717) 265-5539.

Carbon County Conservation District, District Manager, 92 Blakeslee Blvd., E. Leighton, PA 18235, telephone (610) 377-4894.

Cumberland County Conservation District, District Manager, 43 Brookwood Ave., Ste. 4, Carlisle, PA 17013, telephone (717) 249-8632.

Dauphin County Conservation District, District Manager, 1451 Peters Mtn. Rd., Dauphin, PA 17018, telephone (717) 921-8100.

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

Lackawanna County Conservation District, District Manager, 395 Bedford St., Bedford Station, Clarks Summit, PA 18411, telephone (717) 587-2607.

Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, telephone (610) 820-3398.

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

York County Conservation District, District Manager, 118 Pleasant Acres Rd., 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 No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A189	125 Brown Road Assocs. 2418 Traci Dr. Pittsburgh, PA 15237	Allegheny Co. Franklin Pk. Boro.	Big Sewickley Cr.
PAR10B013	DEP—Bureau of Aban. Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105	Armstrong Co. Mahoning Twp.	Cathcart
PAR100419	J.L.G. Industries 1 JLG Dr. McConnellsburg, PA 17233	Bedford Co. Bedford Twp.	Raystown Br.
PAR100808	Dept. of Transportation 715 Jordan Ave. Montoursville, PA	Bradford Co. Troy Twp.	UNT to N. Br. Towanda Crk.
PAR101311	Nesquehoning Boro. Recreation Complex 114 W. Catawissa St. Nesquehoning, PA 18240	Carbon Co. Nesquehoning Boro.	Nesquehoning Crk.
PAR10H112	Richard Yingst 7100 Fishing Cr., Vly. Rd. Harrisburg, PA 17112	Cumberland Co. E. Pennsboro and Hampden Twps.	Holtz Run
PAR10I106	Central Dauphin School District 600 Rutherford Rd. Harrisburg, PA 17109	Dauphin Co. Swatara Twp.	Beaver Crk.
PAR10K074	A. Duchini Inc. P. O. Box 10005 Erie, PA	Erie Co. Fairview Twp.	UNT to Lake Erie
PAR10N042	Marywood College 2300 Adams Ave. Scranton, PA 18509	Lackawanna Co. Dunmore/Scranton	Meadow Brook
PAR10Q082	Lehigh Farm & Home Mgt. Box 5017 Lehighton, PA 18235	Lehigh Co. N. Whitehall Twp.	Lehigh Rvr.
PAR105741	Mt. Valley Driving Range Box 162 Mahanoy City, PA 17948	Schuylkill Co. Ryan Twp.	Locust Crk.
PAR10Y227	C. Arthur Hildebrand 5699 Swamp Rd. Felton, PA 17322	York Co. Winterstown Boro.	UNT to E. Br. Codorus 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-T061	Springford Area School District Administration Building 199 Bechtel Road Collegeville, PA 19462	Royersford Borough Upper Providence and Limerick Townships Montgomery County	Mingo Creek

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

Northwest Regional Office, Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.

Permit No. 4396507. Public water supply. **Farma Parks Inc.**, 87 Hughey Road, Greenville, PA 16125. This permit approves the construction of a new well, well no. 4, as a source of supply with associated disinfection and sequestration of iron and manganese in Perry Township, **Mercer County**.

Type of Facility: Community Water Supply

Consulting Engineer: Richard A. Deiss & Associates, 9342 Pettis Road, Meadville, PA 16335.

Permit to Construct Issued: October 30, 1996.

Permit No. 1696503. Public water supply. **Paint Township**, P. O. Box 128, Shippensburg, PA 16254-0128. This permit approves Paint Township to become a consecutive water supplier to Corner Water Supply and Service Corporation in Paint Township, **Clarion County**.

Type of Facility: Consecutive Water Supply

Consulting Engineer: Brian S. Sekula, P. E., General Engineering, Inc., P. O. Box 684, R. D. 3, Box 52, Clarion, PA 16214.

Permit to Construct Issued: October 25, 1996

Permit No. 2596503. Non-Transient Non-Community. **Conelway Elementary School** (Corry Area School District), 800 East South Street, Corry, PA 16407. This permit approves the construction of the proposed corrosion control equipment in Wayne Township, **Erie County**.

Type of Facility: Non-Transient Non-Community

Consulting Engineer: Timothy P. Coldren, W. J. Smith & Associates, Inc., Box 153, Corry, PA 16407.

Permit to Construct Issued: October 24, 1996

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

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

Cole Care, Inc., U. S. Rt. 6 East, R. R. 1, Box 205, Coudersport, PA 16915-9762; License No. **PA-HC 0178**; renewal license issued October 25, 1996.

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802; License No. **PA-HC 0153**; renewal license issued October 25, 1996.

The Williamsport Hospital, 777 Rural Avenue, Williamsport, PA 17701; License No. **PA-AH 0186**; renewal license issued October 25, 1996.

License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Fenn-Vac, Inc., P. O. Box 62679, North Charleston, SC 29419; License No. **PA-AH 0542**; license issued October 24, 1996.

Fuelpure Fuel Purification Services, Inc., 4525 Centennial Boulevard, Colorado Springs, CO 80919-3350; License No. **PA-AH 0541**; license issued October 24, 1996.

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Inland Waters Pollution Control, Inc., 2021 S. Schaefer Highway, Detroit, MI 48217; License No. **PA-AH 0292**; license issued October 29, 1996.

Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Laidlaw Environmental Services, (TG), Inc., P. O. Box 210799, Columbia, SC 29221; License No. **PA-AH 0271**; amended license issued October 28, 1996.

Inland Waters Pollution Control, Inc., 2021 S. Schaefer Highway, Detroit, MI 48217; License No. **PA-AH 0292**; amended license issued October 29, 1996.

Sani Mobile Environment Inc., 2225 Boul. Industriel, Laval (Quebec) H7S 1P8, Canada; License No. **PA-AH 0335**; amended license issued October 29, 1996.

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1004) 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, (717) 657-4588.

Permit No. 603148. Richard & Rodger Good Farm, (Twin Good Farm), Springettsbury Township, (3501 N. Sherman Street, York, PA 17402). Application for operation of an agricultural utilization of sewage sludge site Chanceford Township, **York County**. Permit issued in the Regional Office October 30, 1996.

Permit No. 603148. Willard Kilgare Farm II, Springettsbury Township, (1501 Mt. Zion Road, York, PA 17402). Application for modification to add one new farm to the existing permit for a site in Lower Chanceford Township, **York County**. Permit issued in the Regional Office October 31, 1996.

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the

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

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of the 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 Certifications

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

E09-715. Encroachment. **Wilma M. Johnson**, 12 Waterloo Street, New Hope, PA 18938. To modify, protect and maintain an approximately 73-foot long, 13-foot high and 12-inch thick deteriorated stone masonry retaining wall situated along the western bank of the Delaware River at 12 Waterloo Street. The project consists of constructing an 8 to 12-inch thick reinforced concrete wall placed directly in front of the existing wall and to be tied together with steel anchors. Also, included in this project is the placement of riprap stone along the shore line and repaired retaining walls. The site is located approximately 1,500 feet south from the intersection of S. R. 32 and S. R. 179 (Lambertville, PA-NJ Quadrangle N: 20.1 inches; W: 10.3 inches) in New Hope Borough, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E48-237. Encroachment. **Filmtech Corporation**, P. O. Box 2005, Easton, PA 18044-2005. To construct and maintain twin 10-foot × 5-foot concrete box culverts in a tributary to Bushkill Creek to provide access to the proposed Filmtech Corporation plastics manufacturing facility. The project is located on the north side of S. R. 1002 (Uhler Road), approximately 0.25 mile west of its intersection with S. R. 2025 (Sullivan Trail) (Easton, NJ-PA Quadrangle N: 21.8 inches; W: 16.7 inches) in Forks Township, **Northampton County**.

[Pa.B. Doc. No. 96-1932. Filed for public inspection November 15, 1996, 9:00 a.m.]

Proposed Revision to the Pennsylvania State Implementation Plan for Ozone; Public Hearing

Redesignation Request/Maintenance Plan for the Reading Ozone Nonattainment Area

The Department of Environmental Protection is submitting an amendment to the redesignation request for the Federal Environmental Protection Agency under section 107(d) of the Clean Air Act for the Reading ozone nonattainment area covering Berks County. This revision responds to EPA's comments and updates information where more recent information is available. This revision also updates and supersedes the prior redesignation request, amendment to the redesignation request, and 1990 Baseline Inventory submittal to Berks County. The revised plan still demonstrates that air quality standards in Berks County will continue to be achieved and maintained.

The public hearing will be held at 1 p.m. on Monday, December 16, 1996, at the following location: Department of Environmental Protection, Reading District Office, 1005 Cross Roads Boulevard, Reading, PA.

Persons wishing to present testimony at the hearing must contact Karen Matter at (717) 787-9495 or at the address given within this notice no later than December 13, 1996, to reserve a time to present testimony. Oral testimony will be limited to 10 minutes for each witness and three written copies of the oral testimony must be submitted at the hearing. Each organization should designate one witness to present testimony on its behalf.

Persons interested in submitting written comments should send the comments to J. Wick Havens, Chief, Division of Air Resource Management, at the address given within this notice on or before January 15, 1997. Copies of the proposed revision may be obtained from the Bureau of Air Quality, Rachel Carson State Office Building, 12th Floor, P. O. Box 8468, Harrisburg, PA 17105-8468, by telephone at (717) 787-4310, or by E-mail: Havens.Wick@A1.dep.state.pa.us. This proposal is also available on the DEP Web site at <http://www.dep.state.pa.us> (choose Public Participation Center/Proposals Open for Comment).

Persons with a disability who wish to attend the hearing, and require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact J. Wick Havens at the above address or telephone number; or for TDD users, the AT&T Relay Service at 1 (800) 654-5984 to discuss how the Department can best accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 96-1933. Filed for public inspection November 15, 1996, 9:00 a.m.]

Proposed Watershed Redesignation; Public Hearing

The Department of Environmental Protection (DEP), Bureau of Land and Water Conservation, will be holding a public hearing regarding a proposed watershed redesignation for stormwater management planning purposes.

The Cumberland County Commissioners have requested the redesignation of the Yellow Breeches Creek

into two separate watersheds for purposes of stormwater planning under the Storm Water Management Act of 1978. The DEP, in consultation with the Cumberland County Planning Commission, has already designated 10 watersheds within Cumberland County. These watersheds were approved by the Environmental Quality Board. This requested resignation would result in Cumberland County having 11 watersheds for planning purposes.

The redesignated watersheds, which may be referred to as "Yellow Breeches Creek (Upper)" and "Yellow Breeches Creek (Lower)" would be partitioned at the confluence with Mountain Creek north of Mount Holly Springs Borough. The "Yellow Breeches Creek (Upper)" would encompass the watershed area of the Yellow Breeches Creek upstream of Mountain Creek with the "Yellow Breeches Creek (Lower)" encompassing the remainder of the watershed excluding Mountain Creek, which is already a designated watershed.

The redesignation will enable Cumberland County to undertake watershed stormwater planning in the upper portion of the Yellow Breeches Creek under the Storm Water Management Act of 1978, without studying the entire Yellow Breeches Creek. The remaining portion of the Yellow Breeches Creek Watershed and the other designated watersheds in Cumberland County will remain the same.

The DEP will hold a public hearing for the purpose of accepting comments on the redesignation of this watershed. The hearing will be held at 2 p.m. on December 18, 1996 at the South Middleton Township Building, 520 Park Drive, Boiling Springs, PA 17007.

Persons wishing to testify at the hearing should contact Durla Lathia of the DEP, Bureau of Land and Water Conservation, P. O. Box 8555, Rachel Carson State Office Building, Harrisburg, PA 17105, (717) 783-7577, by December 11, 1996, to reserve a time to present testimony. Oral testimony will be limited to 10 minutes for each witness and written copies of the testimony should be submitted at the hearing. Each organization is requested one witness to present testimony on its behalf. Anyone wishing to present written comments 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 Durla Lathia at (717) 783-7577. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 96-1934. Filed for public inspection November 15, 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-2559-B: Monongahela Valley Hospital, Monongahela, PA, Washington County. Convert 30 medical/surgical beds into a 15-bed hospital-based skilled nursing unit, at an estimated cost of \$1,000,100.

The project is scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning November 16, 1996. Any interested person, 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 decision made on this application, 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, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Public meeting will begin at 3 p.m., Thursday, January 9, 1997. Persons who need an accommodation due to a disability and want to attend a meeting should contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangement can be made. This meeting is subject to cancellation without further notice.

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

DANIEL F. HOFFMANN, FACHE,
Acting Secretary

[Pa.B. Doc. No. 96-1935. Filed for public inspection November 15, 1996, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Intentional Program Violations; Notice of Rule Change

The Department of Public Welfare announces that individuals found to have committed an intentional program violation (IPV) will be subject to an immediate disqualification penalty. An IPV is determined by a court or through an administrative disqualification hearing, or upon the signature of a disqualification consent agreement or waiver of administrative disqualification hearing. The individual's current eligibility status is not considered when imposing the disqualification penalty.

Any disqualification penalties currently in suspension shall be considered served if the time elapsed from the decision date is greater than or equal to the length of the disqualification period. If the time elapsed from the decision date is less than the length of the disqualification period, the individual shall be considered disqualified until the time elapsed is equal to the length of the disqualification period.

The U. S. Department of Agriculture requires this Rule Change under the United States Court of Appeals for the Ninth Circuit's ruling in *Garcia v. Concannon & Espy*, 67 F. 3d 256 (9th Cir. 1995). The U. S. Department of Health and Human Services requires the same Rule Change for the Aid to Families with Dependent Children (AFDC)

Program. This Rule Change is extended to the General Assistance (GA) Program because the Department is required to establish rules, regulations and standards for GA consistent with those established for AFDC. 62 P. S. Section 403(b). This Rule Change will be adopted by final rulemaking to 55 Pa. Code §§ 255.1(f), 275.32(a)(4) and 501.13(a)(3).

This Rule Change is effective February 1, 1996, for the Food Stamp Program as required by the U. S. Department of Agriculture Administrative Notice, dated November 10, 1995. This Rule Change is effective March 4, 1996, for the AFDC Program as required by the U. S. Department of Health and Human Services Action Transmittal, dated March 4, 1996. The effective date of the GA Program is consistent with AFDC.

Failure to implement this Rule Change will result in noncompliance with directives to states from the U. S. Departments of Agriculture and Health and Human Services.

This Rule Change has been reviewed by the Office of General Counsel and the Office of the Attorney General.

This Rule Change is made under the Joint Committee on Documents Resolution 1996-1(2), 26 Pa.B. 2374 (May 18, 1996). This Rule Change will be in effect for 365 days pending adoption of final rulemaking by the Department.

Public comment to this Rule Change can be made by contacting the Department of Public Welfare, Office of Income Maintenance, Patricia O'Neal, Director, Bureau of Policy, Room 431 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 format should contact Thomas G. Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Purpose

To inform county assistance offices of a revision to the policy contained in 55 Pa. Code Chapters 255, 275, and 501 relating to the implementation of a cash assistance or food stamp disqualification penalty.

Background

Under current regulations, the Department postpones implementing the disqualification penalty if the individual to be disqualified is not currently receiving benefits under the program in which the intentional program violation occurred. Instead, the disqualification penalty is imposed when the individual reappplies for and is found eligible to receive the benefit(s).

The United States Court of Appeals for the Ninth Circuit held that the U. S. Department of Agriculture's current policy of postponing the implementation of a food stamp disqualification penalty until such time as the individual is active in the Food Stamp Program violates Section 6(b)(1) of the Food Stamp Act of 1977, 7 U.S.C. § 2015(b)(1). *Garcia v. Concannon & Espy*, 67 F. 3d 256 (9th Cir. 1995). Under the Court's ruling, the U. S. Department of Agriculture notified the states of its intent to comply with the Court's ruling and issued a notice requiring states to impose disqualification penalties in a manner consistent with the Court's ruling. The U. S. Department of Health and Human Services notified states of its intent to follow the same provision for AFDC

disqualification. The Department will extend this disqualification provision to the General Assistance (GA) Program because it is required to establish rules, regulations, and standards for GA consistent with those established for AFDC. 62 P. S. § 403(b).

Rule Change

The provisions of Chapters 255, 275 and 501 of 55 Pa. Code §§ 255.1(f), 275.32(a)(4), and 501.13(a)(3) are amended to implement the requirement that the Department immediately disqualify an individual upon the finding of the court or administrative disqualification final order, or upon signature of a disqualification consent agreement or waiver of administrative disqualification hearing. The provision takes effect February 1, 1996, for the Food Stamp Program and March 4, 1996, for the AFDC Program. The effective date of the GA Program is consistent with AFDC.

Any cash or food stamp disqualification penalties currently in suspension shall be considered served if the time elapsed from the decision date is greater than or equal to the length of the disqualification period. If the time elapsed from the decision date is less than the length of the disqualification period, the individual shall be considered disqualified until the time elapsed is equal to the length of the disqualification period.

Fiscal Note: 14-NRC-066. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-1936. Filed for public inspection November 15, 1996, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Farm Show Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Farm Show.
2. *Price:* The price of a Pennsylvania Farm Show instant lottery game ticket is \$1.00.
3. *Play Symbols:* Each Pennsylvania Farm Show instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Cow Symbol (COW), Duck Symbol (DUCK), Goat Symbol (GOAT), Hen Symbol (HEN), Horse Symbol (HORSE), Pig Symbol (PIG), Rooster Symbol (ROOSTER) and Sheep Symbol (SHEEP).
4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$5, \$10, \$20, \$40, \$60 and \$100.
5. *Approximate Number of Tickets Printed For the Game:* Approximately 4,851,600 tickets will be printed for the Pennsylvania Farm Show instant lottery game.
6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching Cow Symbol (COW) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.

(b) Holders of tickets with three matching Horse Symbol (HORSE) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$60.

(c) Holders of tickets with three matching Duck Symbol (DUCK) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with three matching Pig Symbol (PIG) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with three matching Rooster Symbol (ROOSTER) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with three matching Sheep Symbol (SHEEP) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with three matching Goat Symbol (GOAT) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(h) Holders of tickets with three matching Hen Symbol (HEN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$1.

(i) A prize will be paid only for the highest Pennsylvania Farm Show instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,851,600 Tickets</i>
3-HENS	\$1	1:8	606,450
3-GOATS	\$2	1:40	121,290
3-SHEEP	\$5	1:150	32,344
3-ROOSTERS	\$10	1:100	48,516
3-PIGS	\$20	1:200	24,258
3-DUCKS	\$40	1:750	6,469
3-HORSES	\$60	1:1,200	4,043
3-COWS	\$100	1:2,000	2,426

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Farm Show instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Farm Show, prize money on winning Pennsylvania Farm Show instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Farm Show instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Farm Show or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 96-1937. Filed for public inspection November 15, 1996, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Washington and Greene Counties Reference No. 08430AG2032

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately 20 inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the following six projects in Washington County: S. R. 0070, Section R11; S. R. 0837, Section A00; S. R. 0837, Section 112; S. R. 0018, Section 19R; S. R. 0088, Section 20R and S. R. 0019, Section 14R; and for the following three projects in Greene County: S. R. 0218, Section D00; S. R. 0218, Section D01 and S. R. 0218, Section E00.

The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the maintenance and protection of traffic, soils, structures, concrete, asphalt paving and drainage.
- d. Understanding of Department's requirements, policies and specifications.
- e. Past performance.
- f. Workload.

The qualifications and experience required of the firm's inspectors will be established by the Department for each Work Order, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	18 (11)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The numbers in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science degree in Civil Engineering or a Bachelor of Science degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement of direct payroll cost for each Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rates, whichever is less:

<i>Payroll Classification</i>	<i>Direct Payroll Rate</i>
Transportation Construction Inspector Supervisor (TCIS)	\$17.34
Transportation Construction Inspector (TCI)	\$15.18
Technical Assistant (TA)	\$10.43

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a preconstruction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation or construction.

Letters of interest for this project must include a letter signed by the individuals proposed for all TCIS positions,

giving their approval to use their names in the letter of interest for this specific project.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

Technical questions concerning the requirements for this project should be directed to Anthony M. Dzurko, P. E., District 12-0, at (412) 439-7137.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

General Requirements and Information

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is December 2, 1996 at 4:30 p.m.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Expressions of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one Joint Venture for the same project advertisement. Also a firm that responds to a project advertisement as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project advertisement. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to

the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

4. Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each

subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of firm.

b. Past record of performance with respect to cost control, work quality, and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

c. Current workload and capacity of firm to perform the work within the time limitations.

d. Location of consultant.

e. Special requirements of the project.

f. Other factors, if any, specific to the project.

The Department currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-1938. Filed for public inspection November 15, 1996, 9:00 a.m.]

HOUSING FINANCE AGENCY

Low-Income Housing Tax Credit Program for 1997; Public Hearing

The Housing Finance Agency (Agency) will conduct hearings in accordance with the Internal Revenue Code of 1986, as amended, to which all interested persons are invited. The Agency will conduct a public hearing at the following location:

<i>Location</i>	<i>Date</i>	<i>Time</i>
Housing Finance Agency 2101 North Front Street Harrisburg, PA 17110	December 2, 1996	9:30 a.m.

Purpose

To solicit public comments concerning the proposed Pennsylvania 1997 Low-Income Housing Tax Credit Allocation Plan (Allocation Plan) for the Statewide distribution of the Federal low-income rental housing tax credits for projects to be placed-in-service after December 31, 1996.

The 1997 Allocation Plan contains changes and program amendments. Copies of the proposed 1997 Allocation Plan are available upon request. Interested persons are invited to submit written comments before or at the public hearing and to present oral comments at the public hearing regarding the Allocation Plan. Individuals desiring to comment on the Allocation Plan, but unable to attend the public hearing, should provide written comments prior to or on the date of the public hearing. Persons with a disability who wish to attend the above hearing and require an auxiliary aid service or other accommodation should contact the Tax Credit Program at (717) 780-3948. Oral comments will only be accepted at the public hearing. Written comments and requests for a copy of the proposed Allocation Plan may be submitted to: Manager, Tax Credit Program, Housing Finance Agency, P. O. Box 8029, Harrisburg, PA 17105-8029, (717) 780-3948, TDD# for Hearing Impaired: (717) 780-1869.

Persons who are planning to attend the public hearing should contact the Agency at (717) 780-3948.

WILLIAM C. BOSTIC,
Executive Director

[Pa.B. Doc. No. 96-1939. Filed for public inspection November 15, 1996, 9:00 a.m.]

HUMAN RELATIONS COMMISSION

Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) hereby announces the publication of the Stipulations of Fact, Findings of Fact, Conclusions of Law, Final Decision and Order, made after a Public Hearing under section 9(e)-(g) of the act, in the following case:

Carroll L. Mattingly v. Borough of Pottstown; Doc. No. E61933A; (Pennsylvania Human Relations Commission, October 30, 1996); Alleged age-based termination; Ruling for Respondent, 10-1 decision; 23 pages.

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinions desired, accompanied by a check or money order in the amount of 10 cents per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harris-

burg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,
Executive Director

[Pa.B. Doc. No. 96-1940. Filed for public inspection November 15, 1996, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Regulation No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-135	Insurance Department Requirements for Funds Held as Security for the Payment of Obligations of Unlicensed, Unqualified Reinsurers	11/04/96
11-136	Insurance Department No-Fault Motor Vehicle In- surance	11/04/96

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-1941. Filed for public inspection November 15, 1996, 9:00 a.m.]

INSURANCE DEPARTMENT

Addition To Eligible Surplus Lines Insurer List; Notice No. 1996-18

The Insurance Commissioner has designated the following companies as eligible surplus lines insurers, effective October 30, 1996. Please add the companies to the Pennsylvania Insurance Department Eligible Surplus Lines Insurer List published at 26 Pa.B. 2672 (June 1, 1996):

<i>Key No.</i>	<i>Insurer</i>	<i>Statutory Home Office Address/Phone No.</i>
4231	Connecticut Specialty Insurance Company	9 Farm Springs Drive Farmington, Connecti- cut 06032 (860) 674-6600
4730	Preferred National Insurance Company	210 University Drive, Suite 900 Coral Springs, FL 33071 (954) 752-1222

<i>Key No. Insurer</i>	<i>Statutory Home Office Address/Phone No.</i>
4787 Rock River Insurance Company	3400 80th Street Moline, Illinois 61265 (800) 447-0633

Persons who have any questions concerning this notice should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, telephone (717) 783-2144.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1942. Filed for public inspection November 15, 1996, 9:00 a.m.]

Alleged Violation of Insurance Laws: Bruce E. Deeree; No. SC96-10-059

Notice is hereby given of the Order to Show Cause issued on November 1, 1996 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: sections 209, 604 and 607 of The Insurance Department Act of 1921 (40 P. S. §§ 47, 234 and 237); and section 5(a)(2) of the Unfair Insurance Practices Act (40 P. S. § 1171.5(a)(2)).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251; Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3 and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1943. Filed for public inspection November 15, 1996, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; BlueCard Subscriber Liability Disclosure Endorsements; Individual Non-Group Subscriber Agreements; Filing No. 306-BCSL-NG-11/96

By filing no. 306-BCSL-NG-11/96, Blue Cross of Northeastern Pennsylvania proposes to amend Non-Group Contracts to include the BlueCard Program, which allows members to receive covered services from participating providers located outside of the geographic area served by the Plan and calculate the member's liability in most instances at the lower of the provider's billed charges or

the negotiated rate the Plan pays the local Blue Cross and/or Blue Shield Plan. This filing consists of nine pages.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg. Please refer to Pennsylvania Insurance Department File No. 961101—0058001 when referencing this filing.

Interested parties are invited to submit written comments, suggestions or objections, to Richard W. Stoner, Policy Examiner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1944. Filed for public inspection November 15, 1996, 9:00 a.m.]

Blue Cross of Western Pennsylvania; Pennsylvania Blue Shield; Endorsements to Add Benefits for Enteral Formulae; Filing No. 1-ENTERAL-96-WP

By filing no. 1-ENTERAL-96-WP, Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield hereby seek Insurance Department approval to include coverage for enteral formulae in all Direct Payment programs. Coverage for enteral formulae will be available on an optional basis to all experience rated and community rated group customers. This filing consists of 14 pages.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie. Refer to Insurance Department File No. 9611050001001 when referencing this filing.

Interested parties are invited to submit written comments, suggestions or objections, to Richard W. Stoner, Policy Examiner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1945. Filed for public inspection November 15, 1996, 9:00 a.m.]

List of Names of Qualified Unlicensed Reinsurers

Under section 319.1 of The Insurance Company Law of 1921 (40 P. S. § 442.1), the Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department which shall be considered qualified to accept reinsurance from insurers licensed by the Insurance Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from such listing are made by the Insurance Commissioner. This present listing shall replace in their entirety previously published listings of qualified unli-

censed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa.B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 48 (November 27, 1993); 24 Pa.B. 33 (August 13, 1994); 24 Pa.B. 49 (December 3, 1994) and 25 Pa.B. 50 (December 16, 1995).

Insurance Department's Qualified Reinsurers List

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|-----|-------|---|-----|-------|---|
| 1. | 37958 | Acceptance Insurance Company, Omaha, Nebraska | 20. | | British Aviation Insurance Company, Ltd., London, England |
| 2. | 37532 | Agricultural Excess and Surplus Insurance Company, Wilmington, Delaware | 21. | 36617 | Capital Assurance Company, Inc., Coral Gables, Florida |
| 3. | 36420 | Allianz Underwriters Insurance Company, Burbank, California | 22. | 10021 | Capital Mortgage Reinsurance Company, New York, New York |
| 4. | 10103 | American Agricultural Insurance Company, Indianapolis, Indiana | 23. | 30180 | Capital Reinsurance Company, New York, New York |
| 5. | 41858 | American Dynasty Surplus Lines Insurance Company, Wilmington, Delaware | 24. | 33596 | Centre Reinsurance Company of New York, New York |
| 6. | 37990 | American Empire Insurance Company, Cincinnati, Ohio | 25. | 36951 | Century Surety Company, Columbus, Ohio |
| 7. | 26883 | American International Specialty Lines Insurance Company, Anchorage, Alaska | 26. | 38989 | Chubb Custom Insurance Company, Dover, Delaware |
| 8. | 91785 | American Phoenix Life and Reassurance Company, Hartford, Connecticut | 27. | 22675 | CIGNA Specialty Insurance Company, Los Angeles, California |
| 9. | 27898 | Americas Insurance Company, New Orleans, Louisiana | 28. | 80322 | Citicorp Life Insurance Company, Phoenix, Arizona |
| 10. | 10316 | Appalachian Insurance Company, Johnston, Rhode Island | 29. | | CNA International Reinsurance Company Limited, London, England |
| 11. | | Assicurazioni General Di Trieste, Rome, Italy | 30. | 39993 | Colony Insurance Company, Richmond, Virginia |
| 12. | | Associated Electric & Gas Insurance Services, Ltd., Hamilton, Bermuda | 31. | 40371 | Columbia Mutual Insurance Company, Columbia, Missouri |
| 13. | 27189 | Associated International Insurance Company, Woodland Hills, California | 32. | 77720 | Columbia Universal Life Insurance Company, Austin, Texas |
| 14. | 50687 | Attorneys' Title Insurance Fund, Inc., Orlando, Florida | 33. | | Commercial Union Assurance Company, P.L.C., London, England |
| 15. | 19925 | Audubon Indemnity Company, Jackson, Mississippi | 34. | 37567 | Commonwealth Insurance Company, Vancouver, British Columbia, Canada |
| 16. | 18988 | Auto-Owners Insurance Company, Lansing, Michigan | 35. | 87017 | Consumer Benefit Life Insurance Company, Nashville, Tennessee |
| 17. | 36552 | Axa Reinsurance Company, Wilmington, Delaware | 36. | 20923 | Continental Reinsurance Corporation, San Francisco, California |
| 18. | 61395 | Beneficial Life Insurance Company, Salt Lake City, Utah | 37. | | Copenhagen Reinsurance Company (U.K.) Ltd., (The), London, England |
| 19. | 61417 | Beneficial Standard Life Insurance Company, Los Angeles, California | 38. | 17400 | Coregis Indemnity Company, Durham, North Carolina |
| | | | 39. | 29912 | Dearborn Insurance Company, Chicago, Illinois |
| | | | 40. | 37907 | Deerbrook Insurance Company, Northbrook, Illinois |
| | | | 41. | 42048 | Diamond State Insurance Company, Indianapolis, Indiana |
| | | | 42. | 10928 | Eagle Insurance Company, Jersey City, New Jersey |
| | | | 43. | | Eisen Und Stahl Ruckversicherungs-Aktiengesellschaft, Hannover, Germany |
| | | | 44. | 40509 | EMC Reinsurance Company, Des Moines, Iowa |
| | | | 45. | 21334 | Empire Indemnity Insurance Company, Oklahoma City, Oklahoma |
| | | | 46. | 21245 | Equity Mutual Insurance Company, Kansas City, Missouri |
| | | | 47. | 90670 | ERC Life Reinsurance Corporation, Jefferson City, Missouri |
| | | | 48. | 39020 | Essex Insurance Company, Wilmington, Delaware |

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|-----|-------|---|------|-------|--|
| 49. | 29700 | European Reinsurance Corporation of America, Manchester, New Hampshire | 78. | 10040 | Inner Harbor Reinsurance, Inc., Baltimore, Maryland |
| 50. | 35378 | Evanston Insurance Company, Evanston, Illinois | 79. | 22829 | Interstate Fire & Casualty Company, Chicago, Illinois |
| 51. | 44792 | Executive Risk Specialty Insurance Company, Simsbury, Connecticut | 80. | 11622 | Investors Insurance Company of America, Red Bank, New Jersey |
| 52. | 32018 | First Excess and Reinsurance Corporation, Jefferson City, Missouri | 81. | 93505 | ITT Hartford International Life Reassurance Corporation, Westport, Connecticut |
| 53. | 85472 | First ING Life Insurance Company of New York, New York | 82. | 16187 | John Hancock Property and Casualty Insurance Company, Wilmington, Delaware |
| 54. | 37184 | First Reinsurance Company of Hartford, Avon, Connecticut | 83. | 42960 | Keystone Insurance Company of New Jersey, Voorhees, New Jersey |
| 55. | 34916 | First Specialty Insurance Corporation, Jefferson City, Missouri | 84. | | (La) Concorde, Campagnie, D'Assurances, S. A., Paris, France |
| 56. | 38776 | Folksamerica Reinsurance Company, New York, New York | 85. | 33138 | Landmark American Insurance Company, Englewood, Colorado |
| 57. | | Folksam International Insurance Company (U.K.), Ltd., London, England | 86. | 35637 | Landmark Insurance Company, San Francisco, California |
| 58. | 40711 | Frankona Reinsurance Company (U. S. Branch), Kansas City, Missouri | 87. | 19437 | Lexington Insurance Company, Wilmington, Delaware |
| 59. | | Gan Insurance Company Limited, London, England | 88. | 15466 | Lloyds New York Insurance Company, New York, New York |
| 60. | 37362 | General Star Indemnity Company, Stamford, Connecticut | 89. | | Lloyd's Underwriters, London, England |
| 61. | 34991 | Genesis Indemnity Insurance Company, Bismarck, North Dakota | 90. | 32089 | Medmarc Mutual Insurance Company, Vergennes, Vermont |
| 62. | 92673 | Gerling Global Life Insurance Company, Toronto, Canada | 91. | 39217 | Melbourne Reinsurance Corporation, Wilmington, Delaware |
| 63. | 25569 | Gotham Insurance Company, New York, New York | 92. | 97071 | Mercantile and General Life Reassurance Company of America, Lansing, Michigan |
| 64. | 22098 | Grain Dealers Mutual Insurance Company, Indianapolis, Indiana | 93. | 84565 | Mercantile and General Reinsurance Company, Limited, London, England |
| 65. | 40193 | Great Lakes American Reinsurance Company, New York, New York | 94. | 23531 | Millers Mutual Fire Insurance Company, Ft. Worth, Texas |
| 66. | 14117 | Grinnell Mutual Reinsurance Company, Grinnell, Iowa | 95. | 33189 | Monticello Insurance Company, Wilmington, Delaware |
| 67. | | Guardian Royal Exchange Assurance Public Limited Company, London, England | 96. | 29629 | NAMIC Insurance Company, Indianapolis, Indiana |
| 68. | 42811 | Gulf Underwriters Insurance Company, Raleigh, North Carolina | 97. | 20079 | National Fire & Marine Insurance Company, Omaha, Nebraska |
| 69. | | Hannover Ruckversicherungs-Aktiengesellschaft, Hannover, Germany | 98. | 33510 | Neumann Insurance Company, Denver, Colorado |
| 70. | 39187 | Hansa Reinsurance Company of America, Tarrytown, New York | 99. | 41629 | New England Reinsurance Corporation, Hartford, Connecticut |
| 71. | 87572 | Harbourton Reassurance, Inc., Wilmington, Delaware | 100. | 25038 | North American Capacity Insurance Company, Manchester, New Hampshire |
| 72. | 36200 | Health Providers Insurance Company, Deerfield, Illinois | 101. | | Northern Assurance Company, Ltd., London, England |
| 73. | 78972 | Healthy Alliance Life Insurance Company, St. Louis, Missouri | 102. | | Ocean Marine Insurance Company, Ltd., London, England |
| 74. | 42374 | Houston Casualty Company, Houston, Texas | 103. | 31143 | Old Republic Union Insurance Company, Montgomery, Alabama |
| 75. | | Illinois Insurance Exchange, Chicago, Illinois | 104. | 88099 | Optimum Re Insurance Company, Dallas, Texas |
| 76. | 27960 | Illinois Union Insurance Company, Chicago, Illinois | 105. | 37338 | Pacific Insurance Company, Los Angeles, California |
| 77. | | Indemnity Marine Assurance Company, Ltd., London, England | 106. | 37648 | Permanent General Assurance Corporation, Nashville, Tennessee |

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|------------|--|------------|--|
| 107. | Phoenix Assurance Public Limited Company, London, England | 135. 38032 | US International Reinsurance Company, Manchester, New Hampshire |
| 108. | Pollution Liability Insurance Association, Chicago, Illinois | 136. 26425 | Wausa General Insurance Company, Lisle, Illinois |
| 109. 29807 | PXRE Reinsurance Company, Edison, New Jersey | 137. 85537 | Wellington Life Insurance Company, Phoenix, Arizona |
| 110. 88340 | Reassurance Company of Hannover, Orlando, Florida | 138. 21067 | Westchester Surplus Lines Insurance Company, Honolulu, Hawaii |
| 111. 24481 | Reliance Insurance Company of Illinois, Chicago, Illinois | 139. 29548 | Western Indemnity Insurance Company, Houston, Texas |
| 112. 40045 | Resolute Reinsurance Company, New York, New York | 140. 13196 | Western World Insurance Company, Keene, New Hampshire |
| 113. | River Thames Insurance Company, Ltd., London, England | 141. | Yorkshire Insurance Company, Ltd., York, England |
| 114. 41807 | Royal Surplus Lines Insurance Company, Glastonbury, Connecticut | 142. | Zurich International (Bermuda), Ltd., Hamilton, Bermuda |
| 115. 38636 | SAFR Reinsurance Corporation of the U. S., New York, New York | 143. | Zurich Re (U.K.), Limited., London, England |
| 116. | St. Paul Reinsurance Company, Ltd., London, England | | <i>Changes to the Qualified Unlicensed Reinsurers List Since it was Published on December 16, 1995</i> |
| 117. 21911 | San Francisco Reinsurance Company, Novato, California | | list updated 11/1/96 |
| 118. 41297 | Scottsdale Insurance Company, Columbus, Ohio | | The following companies have been added to the list since it was published on December 16, 1995: |
| 119. 11754 | Sheffield Insurance Corporation, Birmingham, Alabama | | Attorneys' Title Insurance Fund, Inc., Orlando, Florida |
| 120. 23388 | Shelter Mutual Insurance Company, Columbia, Missouri | | Audubon Indemnity Company, Jackson, Mississippi |
| 121. 93505 | Skandia Life Reassurance Corporation, Shelton, Connecticut | | Eisen Und Stahl Ruckversicherungs-Aktiengesellschaft, Hannover, Germany |
| 122. | Sphere Drake Insurance PLC, London, England | | Hannover Ruckversicherungs-Aktiengesellschaft, Hannover German was added back to the list because it was removed in error. |
| 123. 26387 | Steadfast Insurance Company, Dover, Delaware | | Manulife Reinsurance Corporation (U.S.A.), Bloomfield Hills, Michigan |
| 124. | Terra Nova Insurance Company, Limited, London, England | | Reliance Insurance Company of Illinois, Chicago, Illinois |
| 125. | Through Transport Mutual Insurance Association, Ltd., Hamilton, Bermuda | | The following companies have been removed from the list since it was published on December 16, 1995: |
| 126. 37982 | Tudor Insurance Company, Keene, New Hampshire | | Admiral Insurance Company, Wilmington, Delaware |
| 127. 24319 | Ulico Indemnity Company, Little Rock, Arkansas | | Adriatic Insurance Company, Bismarck, North Dakota |
| 128. 13307 | Underwriters Indemnity Company, Houston, Texas | | Alliance General Insurance Company, Chicago, Illinois |
| 129. | Unionamerica Insurance Company, Limited, London, England | | Alpine Insurance Company, Chicago, Illinois |
| 130. 36048 | Unione Italiana Reinsurance Company of America, Inc., New York, New York | | American Empire Surplus Lines Insurance Company (The), Cincinnati, Ohio |
| 131. 39330 | United Capitol Insurance Company, Atlanta, Georgia | | Concord Life Insurance Company, Inc., Phoenix, Arizona |
| 132. 28053 | United Coastal Insurance Company, Phoenix, Arizona | | Cornhill Insurance Public Limited Company, London, England |
| 133. 13021 | United Fire & Casualty Company, Cedar Rapids, Iowa | | Fidelity Excess and Surplus Insurance Company, Princeton, New Jersey |
| 134. 29220 | United Republic Insurance Company, Houston, Texas | | Fireman's Fund Insurance Company of Ohio, Cincinnati, Ohio |
| | | | First Financial Insurance Company, Springfield, Illinois |
| | | | Florida International Indemnity Company, Orlando, Florida |
| | | | Great Lakes Reinsurance (U.K.), P.L.C., London, England |
| | | | Gulf Life Insurance Company, Nashville, Tennessee |
| | | | Home Insurance Company of Illinois (NH), Chicago, Illinois |

Hallmark Insurance Company, Inc., Philadelphia, Pennsylvania
 Insurance Company of North America (U.K.), Ltd., London, England
 Lincoln National Life Reinsurance Company, Ft. Wayne, Indiana
 Lincoln National Reinsurance Company, Ft. Wayne, Indiana
 Nautilus Insurance Company, Scottsdale, Arizona
 Norwich Union Fire Insurance Society, Ltd., Norwich, England
 Ophthalmic Mutual Insurance Company, Montpelier, Vermont
 Pacific Insurance Company, Ltd., T/A ITT Pacific Insurance Company, Ltd., Honolulu, Hawaii
 ReCor Insurance Company, Inc., New York, New York
 SR International Business Company, Limited, London, England
 Threadneedle Insurance Company, Ltd., London, England
 WASA International (U.K.) Insurance Company, Ltd., London, England

The following companies have been removed from the list because they have become licensed in Pennsylvania since the list was published on December 15, 1995:

Blue Ridge Insurance Company, Columbia, Maryland
 Century Reinsurance Company, Philadelphia, Pennsylvania
 Metropolitan Group Property and Casualty Insurance Company, Warwick, Rhode Island
 Oxford Life Insurance Company, Phoenix, Arizona
 Security Reinsurance Company, Farmington, Connecticut
 Signet Star Reinsurance Company, Wilmington, Delaware
 Sirius Reinsurance Corporation, Wilmington, Delaware
 Sorema North America Reinsurance Company, New York, New York
 United Health and Life Insurance Company, Edina, Minnesota
 Zenith Insurance Company, Woodland Hills, California

The following companies have changed their names since the list was published on December 16, 1996:

Allstate National Insurance Company, changed its name to Deerbrook Insurance Company, Wilmington, Delaware
 American Skandia Life Reinsurance Corporation changed its name to ITT Hartford International Life Reinsurance Corporation, Westport, Connecticut
 Fidelity Environmental Insurance Company changed its name to Fidelity Excess and Surplus Insurance Company, Princeton, New Jersey
 Frankona America Life Reassurance Company changed its name to ERC Life Reinsurance Corporation, Kansas City, Missouri
 Hill Country Life Insurance Company changed its name to Columbia Universal Life Insurance Company, Austin, Texas
 Industrial Insurance Company of Hawaii, Ltd. changed its name to Westchester Surplus Lines Insurance Company, Honolulu, Hawaii

Medmarc Insurance Company, Inc. changed its name to Medmarc Mutual Insurance Company, Vergennes, Vermont

Mercantile and General Reinsurance Company, P.L.C. changed its name to Mercantile and General Insurance Company Limited, London, England

Metropolitan Reinsurance Company changed its name to Metropolitan Group Property and Casualty Insurance Company, Newark, Delaware

Nordic Union Reinsurance Corporation changed its name to Permanent General Assurance Corporation, Nashville, Tennessee

Stone wall Surplus Lines Insurance Company changed its name to American Dynasty Surplus Lines Insurance Company, Wilmington, Delaware

Urbaine Life Reinsurance Company changed its name to First ING Life Insurance Company, of New York, New York

Western Atlantic Reinsurance Corporation changed its name to European Reinsurance Corporation of America, Manchester, Vermont

The following companies were removed from the list since it was published on December 16, 1995 because the companies have merged into companies already on this list:

Abeille Reassurances (U.S. Branch), New York, New York merged into Axa Reinsurance Company, Wilmington, Delaware

Frankona America Reinsurance Company, Kansas City, Missouri merged into First Excess and Reinsurance Corporation, Kansas City, Missouri

The following company was removed from the list since it was published on December 16, 1996 because it merged into a company which is licensed to do business in Pennsylvania:

Lyndon Insurance Company (life and accident and health only) merged into ITT Hartford Life and Annuity Insurance Company

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1946. Filed for public inspection November 15, 1996, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

Executive Board

Resolution #CB-96284, October 23, 1996. The Commonwealth of Pennsylvania entered into a Memorandum of Understanding with the Independent State Store Union, Liquor Store Managers Unit, on September 23, 1996; the Memorandum encompasses approximately 615 employees in the first-level supervisory Liquor Store Managers Unit, certified by the Pennsylvania Labor Relations Board in Case Numbers PERA-R-6-C, PERA-U-7386-C, and PERA-U-2699-C, respectively.

Resolution #CB-96-285, October 23, 1996. The Commonwealth of Pennsylvania entered into a Memorandum of Understanding with the Pennsylvania Social Services Union, affiliated with Service Employees International Union, AFL-CIO, on October 9, 1996; the Memorandum encompasses approximately 55 professional employees in the first-level supervisory Compensation Referees Unit, certified by Pennsylvania Labor Relations Board in Case No. PERA-R-10, 137-C and PERA-R-91, 215-E.

Governor's Office

Manual M525.2 1996 Commonwealth Pay Plan—Amended August 5, 1996.

Management Directive No. 530.1—Agency Employee Services Coordinators, Amended September 17, 1996.

Management Directive No. 530.23—State Employee Combined Appeal, Amended October 4, 1996.

Administrative Circular No. 96-42—Availability of State Surplus Real Property for Transfer to Commonwealth Agencies—Franklin County, Dated September 23, 1996.

Administrative Circular No. 96-43—Availability of State Surplus Real Property for Transfer to Commonwealth Agencies—Mercer County, Dated September 23, 1996.

Administrative Circular No. 96-44—Commonwealth Checks More than Seven Years Old (Abandoned Property), Dated September 27, 1996.

Administrative Circular No. 96-45—Holidays—1997, Dated October 3, 1996.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 96-1947. Filed for public inspection November 15, 1996, 9:00 a.m.]

PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by the Pennsylvania Municipal Retirement Law (53 P. S. §§ 881.101—881.413) (relating to Pennsylvania Municipal Retirement Board), in connection with the Pennsylvania Municipal Retirement Board's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Pennsylvania Municipal Retirement Board, 1010 North 7th Street, Suite 301, Eastgate Center, Harrisburg, PA 17102

December 16, 1996 Patricia House 1 p.m.
(HARR)
(Survivor's Benefit)

Persons with a disability who wish to attend the above-listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Helen Willis at (717) 787-2065 to discuss how the Pennsylvania Municipal 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 16 Pa. Code § 91.1, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251 unless specific exemption is granted.

JAMES B. ALLEN,
Secretary

[Pa.B. Doc. No. 96-1948. Filed for public inspection November 15, 1996, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

I-00960051. Southeastern Pennsylvania Transportation Authority. Investigation into matters pertaining to the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 517 661 A) carrying South Union Street (S. R. 0082) over and above the grade of the tracks of Southeastern Pennsylvania Transportation Authority in Borough of Kennett Square, Chester County.

A public hearing in this investigation will be held Thursday, January 9, 1997, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1949. Filed for public inspection November 15, 1996, 9:00 a.m.]

Rescheduled Hearing

The following hearing which has been previously noticed in the *Pennsylvania Bulletin* has been rescheduled as indicated below: Docket No. A-00113148. Published: 26 Pa.B. 5332 (November 2, 1996). Rescheduled to: Friday, December 13, 1996, at 10 a.m.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1950. Filed for public inspection November 15, 1996, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 9, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.*

A-00113498. Norman W. Kephart (601 F Street, Philipsburg, Centre County, PA 16866)—persons upon call or demand in the boroughs of Philipsburg and South Philipsburg, and the township of Rush, Centre County, and the borough of Chester Hill and the township of Decatur, Clearfield County; which is to be a transfer of the right issued to Naomi J. Dotts, under the certificate issued at A-00112165, subject to the same limitations and conditions.

Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.*

A-00113501. Tana's Tours, Inc. (506 Dudley Street, Dunmore, Lackawanna County, PA 18512), a corporation of the Commonwealth of Pennsylvania—persons in group and party service between points in the counties of Lackawanna and Luzerne, and from points in the said counties, to points in Pennsylvania and return. *Attorney:* Joseph J. Notarianni, Jr., Suite 700, 108 North Washington Avenue, Scranton, PA 18503.

Notice of Motor Carrier Applications—Property, Excluding Household Goods In Use

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before December 2, 1996.

A-00113500 Mortgage Document Express, Inc.
P. O. Box 509, Coraopolis, PA 15108

A-00113502 Mark Hughes, t/d/b/a Hughes Trucking
637 East Grant Street, Olyphant,
PA 18447

A-00113503 Stephen M. Paladino, t/d/b/a S. Paladino
Trucking & Excavating
Box 143 Oakmont Acres, Ebervale,
PA 18223

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1951. Filed for public inspection November 15, 1996, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Friday, November 22, 1996, for Project #96-304-001 (Carpet Installation at Tioga Administration Bldg.). The Bid Document can be obtained from the Procurement Administrator, Philadelphia Regional Port Authority (PRPA), 210 W. Washington Square, 8th Floor, Phila., PA 19106, (215) 928-9100 and currently available. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations. Mandatory prebid job site meeting will be held November 20, 1996, 10 a.m. at the Tioga Administration Building, Delaware and Tioga Sts.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 96-1952. Filed for public inspection November 15, 1996, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Wednesday, November 27, 1996, for Project #96-305-001 (Computer Equipment Requirements). The Bid Document can be obtained from the Procurement Administrator, Philadelphia Regional Port Authority (PRPA), 210 W. Washington Square, 13th Floor, Phila., PA 19106, (215) 928-9100 and will be available November 19, 1996. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 96-1953. Filed for public inspection November 15, 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

Employes' Retirement System's denial of claimants' requests concerning the indicated accounts.

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

December 11, 1996	Elizabeth A. Higgins	1 p.m.
	(Multiple Service Membership)	
	Louis C. Teaford	2:30 p.m.
	(Membership Eligibility)	

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 Employes' 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. 96-1954. Filed for public inspection November 15, 1996, 9:00 a.m.]

STATE TRANSPORTATION COMMISSION

Meeting Notice

The State Transportation Commission will hold a regular scheduled business meeting on Friday, November 15, 1996. This meeting is open to the public and will begin at 10 a.m. at the following location: Department of Transportation, Riverfront Office Center, 1101 South Front Street, Conference Room 4A, Harrisburg, PA 17120.

Chairperson Bradley L. Mallory is presiding, and the meeting is open to the public. Attendees are to enter the Riverfront Office Center at the Employee Entrance and register with the receptionist.

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. 96-1955. Filed for public inspection November 15, 1996, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

Reader's Guide

Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

⑥ Duration

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET THAT COMPETITIVE EDGE—FOR FREE!

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

CATHERINE BAKER KNOLL,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340

Commodities

0012-11 Name cards.

Department: All Using Agencies
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

0045-07 Continuous forms.

Department: All Using Agencies
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

0061-11 Lottery lines.

Department: Revenue
Location: Harrisburg, PA
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1105-02 Body armor.

Department: All Using Agencies
Location: Various
Duration: 01/01—12/31
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

2599-01 Vehicle lamps.

Department: All Using Agencies
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

2610-01 Tires: automotive, truck and industrial.

Department: All Using Agencies
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

4230-01 Breathing apparatus, self-contained.

Department: All Using Agencies
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

4240-02 Personal eye protection equipment.

Department: All Using Agencies
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

5510-03 Wood sign posts.

Department: Transportation
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

5610-49 Cement, concrete, truck mixed.

Department: All Using Agencies
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

5710-01 Bituminous liquid; Incl. dust palliatives and AC.

Department: Transportation
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

6515-04 Oxygen therapy equipment.

Department: All Using Agencies
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

6530-03 Wheel chairs and accessories.

Department: All Using Agencies
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

6605-05 Laboratory analytical equipment and supplies.

Department: All Using Agencies
Location: Various
Duration: 04/01—03/31
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

6810-08 Chemicals, soap plant.

Department: Corrections
Location: Various
Duration: 03/01—02/28
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

7105-05 Furniture.

Department: All Using Agencies
Location: Various
Duration: 04/14—04/13
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

7240-02 Curbside recycling containers.

Department: All Using Agencies
Location: Various
Duration: 04/01—03/31
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

7930-08 Floor finish and remover.

Department: All Using Agencies
Location: Various
Duration: 05/01—04/30
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8135-01 Fiberboard, corrugated.

Department: Corrections/Transportation
Location: Various
Duration: 03/15—03/14
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

9150-03 Motor oil, bulk.

Department: All Using Agencies
Location: Various
Duration: 04/01—03/31
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

MM No. 42 Provide solid plastic toilet partitions, accessories, etc. as specified in contract specifications and drawing.

Department: Conservation and Natural Resources
Location: State Parks, Shawnee State Park, PA
Duration: Indeterminate 1996-97
Contact: Robert Bromley, (814) 733-4218

KEY 676 Wall framing, roofing materials, doors/windows/exterior finishes.

Department: Conservation and Natural Resources
Location: State Parks, Caledonia State Park, PA
Duration: Indeterminate 1996-97
Contact: R. Bruce McFate, (717) 352-2161

1393206 Aircraft and airframe structural components—1 each; engine, aircraft, new or rebuilt, to include all manufacturers warranties (trade-in Teledyne continental motors No. 0470-U17B, Serial No. 286602-R engine. Condition 2,000 hours overhaul due.

Department: State Police
Location: New Cumberland, Cumberland County, PA 17070
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1440206 Cameras, lenses and supplies—1 each; forward looking infrared imaging system (FLIR), aircraft mounted.

Department: State Police
Location: Hershey, Dauphin County, PA 17033
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1411116 Chemicals and chemical products—various amounts; insecticides.

Department: Corrections
Location: Bellefonte, Centre County, PA 16823
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8206890 Chemicals and chemical products—8,000 gallons; potassium-acetate base deicing/anti-icing fluid.

Department: Transportation
Location: Middletown, PA
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1436116 Furnace, steam plant and drying equipment—1 each; Aerco steam water heater—Model SWIB/11/2.00/P, as manufactured by Aerco International, Inc., Northvale, N.J. "no substitution"—must match existing equipment, piping and service requirements.

Department: Corrections
Location: Huntingdon, Huntingdon County, PA 16654-1112
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1405116 Household and commercial furnishings and appliances—20 each; stainless steel security fixtures, lavatory/toilet combination.

Department: Corrections
Location: Huntingdon, Huntingdon County, PA 16654-1112
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1406216 Household and commercial furnishings and appliances—6 each; split system air conditioning unit.

Department: Public Welfare
Location: Danville, Montour County, PA 17821-0700
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1383126 Recreational and athletic equipment and supplies—various amounts; exercise equipment.

Department: Labor and Industry
Location: Hiram G. Andrews Center, Johnstown, Cambria County, PA 15905
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1400216 Residential construction supplies and furnishings—1 project; furnish and install dust collector system.

Department: Public Welfare
Location: Ebensburg, Cambria County, PA 15931
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1425216 Residential construction supplies and furnishings—1 lot CIP; furnish/install automatic opening doors. Contractor to remove the existing aluminum doors, frame and glass for one (1) set of doors.

Department: Public Welfare
Location: Ebensburg, Cambria County, PA 15931
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1409206 Shoe materials and leather and skins—50 pairs; boots, motorcycle, black cowhide leather, with elastic laces for one time permanent lace up.

Department: State Police
Location: Harrisburg, Dauphin County, PA 17103
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

SERVICES

Audio/Video—04**4635** The contractor shall provide parts and labor for the low-band radio system at State Correctional Institution-Greene. To maintain radio equipment in compliance with the FCC regulations.

Department: Corrections
Location: State Correctional Institution Greene, 1030 East Roy Furman Highway, Waynesburg, PA 15370-8089
Duration: July 1, 1997—June 30, 1999
Contact: Carol A. Teegarden, Purchasing Agent, (412) 852-5515

Computer Related Services—08**ME 681319** The Office of Administration, Office for Information Technology is requesting vendors to submit a response to ITQ-681319 to provide a wide variety of Information Technology services. These services will include, but are not limited to, Assessment, Computer Programming Support, Software Conversion Tools and Testing for the Commonwealth's Year 2000 computer initiative and other agency Information Technology projects. Vendors will be pre-qualified through an Invitation To Qualify (ITQ) format to provide requesting Commonwealth agencies with Information Technology services.

Department: Office of Administration/Office For Information Technology
Location: Statewide. Agencies will secure services from pre-qualified vendors identified through the ITQ format.
Duration: 2 years with 3 one year extensions
Contact: Matthew F. Carey, (717) 772-8199

SPC No. 281406 The Commonwealth of Pennsylvania, Department of Revenue, Bureau of Receipts and Control desires to engage vendor services to provide data entry and key verification of Property Tax/Rent Rebate Records. Bid proposals to be submitted for Transaction 410 (establish) and Transaction 411 (clean) per thousand records. Prices and production volume must be stated in terms of three hundred (300) character records and firm for period of January 15, 1997 to December 31, 1997. Records are to be recorded on 9 track 1600 B.P.I. magnetic tape. This is a re-bid of SPC No. 281406 for Property Tax/Rent Rebate documents due to the addition of three fields to the keypunching programs. The evaluation period from the mailing of the bids to the opening date will be reduced to two weeks as changes are de minimis in nature. As a result, questions and answers will not be entertained. All terms and conditions have not changed; therefore, refer to questions and answers submitted with the original bid for additional information.

Department: Revenue
Location: Bureau of Receipts and Control, 1854 Brookwood Street, Harrisburg, PA 17104
Duration: January 15, 1997 to December 31, 1997
Contact: William A. Lupp, (717) 772-5465

RFP 961023 Provide consulting services to oversee development and implementation of a Warehouse Management System.

Department: Liquor Control Board
Location: Primarily, Harrisburg, PA; other Commonwealth locations as may be required
Duration: Approximately one (1) year
Contact: Nelson A. McCormick II, (717) 787-9851

015-4420 Vendor to provide maintenance on one (1) Xerox Model 5090, Serial W81-083759, located in Room B-05, Health and Welfare Building, Harrisburg, PA for the one (1) year period beginning February 1, 1997 and ending January 31, 1998.

Department: General Services
Location: Room B-05, Health and Welfare Building, Harrisburg, PA
Duration: 12 months
Contact: Dorothy Ozio, (717) 787-2001

Construction and Construction Maintenance—09

DGS 948-41SM1.1 Project title: site management. Brief description: providing, installing and maintaining construction facilities including fencing, construction trailers, temporary site utilities, disconnection of existing utilities serving and within the existing building. Site management, plans deposit \$75.00 per set. Payable to Brinjac, Kambic & Associates, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Brinjac, Kambic & Associates, Inc., 114 N. Second Street, P.O. Box 1290, Harrisburg, PA 17108-1290, telephone (717) 233-4502. Bid date: Monday, December 9, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for November 27, 1996, 9:30 a.m. in Transportation and Safety Building, Room G-100, (old Motor Vehicles Office—Ground Floor). Contact person Jay Browne, telephone (717) 233-4502. All contractors who have secured contract documents are invited, and urged, to attend this pre-bid conference.

Department: General Services
Location: Transportation and Safety Building, Harrisburg, Dauphin County, PA
Duration: 360 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717)787-6556

BM-0800-03 Contractor for the removal and proper disposal of a concrete bridge and the erection of an Acrow Panel Bridge. The Department will furnish the Acrow Panel Bridge.

Department: Transportation
Location: SR 2013 (Bell Road) over the Ocororo Creek in Colerain Township, Lancaster County, PA
Duration: March 01, 1997 to June 30, 1997
Contact: Ray E. Ebersole, (717) 787-4735

080929 Centre County, Group 2-97-ST4; Clearfield County, Group 2-97-ST6; Clinton County, Group 2-97-ST2; Cameron County, Group 2-97-ST3; McKean/Elk Counties, Group 2-97-ST5; Mifflin/Juniata Counties, Group 2-97-ST1; Potter County, Group 2-97-ST7.

Department: Transportation
Location: District 2-0
Duration: FY 1996/1997
Contact: V. C. Shah, (717) 787-5914

Demolition—11

Contract No. DGS 107-6 Phase I Project title: Rehabilitation—Point State Park Phase I. Brief description: demolition of existing concrete and electrical controls, renovation of plumbing equipment for fountain and installation of new concrete, gratings, lighting and controls in fountain and pump house. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, December 11, 1996 at 11:00 a.m.

Department: General Services
Location: Point State Park, Pittsburgh, Allegheny County, PA
Duration: 150 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Engineering Services and Consultation—14

08430AG2032 To provide supplementary construction staff for approximately twenty (20) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the following six (6) projects in Washington County: S. R. 0070, Section R11, S. R. 0837, Section A00, S. R. 0837, Section 112, S. R. 0018, Section 19R, S. R. 0088, Section 20R and S. R. 0019, Section 14R; and the following three (3) projects in Greene County: S. R. 0218, Section D00, S. R. 0218, Section D01 and S. R. 0218, Section E00.

Department: Transportation
Location: Engineering District 12-0
Duration: Twelve (12) months
Contact: Consultant Agreement Division, (717) 783-9309

Financial and Insurance Consulting—17

D/V-001 Request for Proposal: The Office of the Chancellor, State System of Higher Education, wishes to secure the services of a claims administrator to provide dental and vision plan administration services for certain employees of the organization. The request for proposal (RFP) and pre-proposal conference will provide interested vendors with sufficient information to prepare and submit proposals to the Office of the Chancellor for consideration. If interested, please call or write to Lou Ann Kauffman to request a copy of the RFP document. If interested, please call or write to Lou Ann Kauffman to request a copy of the RFP document. Ms. Kauffman's address is: Office of the Chancellor, State System of Higher Education, 2986 North Second Street, Harrisburg, PA 17110. Interested parties may wish to attend a pre-proposal conference on December 3, 1996. Final bids must be submitted by the close of business on December 20, 1996.

Department: State System of Higher Education
Location: 2986 North Second Street, Harrisburg, PA 17110
Duration: Indeterminate 1996-97
Contact: Lou Ann Kauffman, (717) 720-4160

Food—19

B-143 Bread and bread products (to be delivered only at facility's request). "Quantities and specifications available from facility."

Department: Labor and Industry
Location: HGA Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: January 1, 1997 through June 30, 1997
Contact: C. A. Sloan, Purchasing Agent, (814) 255-8228

BG-070 Baked goods (to be delivered only at facility's request). Specifications, quantities may be obtained from facility.

Department: Labor and Industry
Location: HGA Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: January 1, 1997 through June 30, 1997
Contact: C. A. Sloan, Purchasing Agent, (814) 255-8228

FIQ-11 Frozen items: vegetables, juices, meat entrees, specialty sandwich breads, pastries, etc. To be delivered only at request of facility. Contact facility for quantities/specifications.

Department: Labor and Industry
Location: HGA Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: January, February, March, 1997
Contact: C. A. Sloan, Purchasing Agent, (814) 255-8228

M-864 Meat and meat products; poultry and poultry products; fish; cheeses. "Quantities may be obtained from facility"; deliveries to be made only at facility's request.

Department: Labor and Industry
Location: HGA Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905
Duration: January, February, March, 1997
Contact: C. A. Sloan, Purchasing Agent, (814) 255-8228

A-93-264 4 ounce Hot Pockets—beef and cheddar. Equal to Hot Pockets brand manufactured by Chef America Food Service Division. Product UPC 03800. 24 x 4 ounce pockets/case. Product Spec.: pack size 24 x 4 oz. each. Serving size 4 oz., calories 310. Protein, 12%, carbohydrates 32%, fat 41%, cholesterol 40, sodium 600, number of bread servings 2/3 oz. of cooked meat 1.4 oz. This product can not have any pork content ingredients. To be bid out on an as-needed basis. To include any other related products.

Department: Corrections
Location: State Correctional Institution Graterford, P. O. Box 246, Graterford, PA 19426-0246
Duration: One year
Contact: Kelly Richardson, Purchasing Agent, (610) 489-4151

Fuel Related Services—20

BF 379-101.1 Abandoned Mine Reclamation, Rondell Company Site. Involves dewatering of impoundments, an estimated 73,700 C. Y. of grading and 8.5 of seeding. Seventy-nine percent (79%) of this project is financed by the Federal Government. Federal funds available for this program total 31.5 million for Pennsylvania's 1996 AML Grant.

Department: Environmental Protection
Location: Mount Pleasant Township, Westmoreland County, PA
Duration: 210 days after notice to proceed
Contact: Construction Contracts Unit, (717) 783-7994

Contract No. FDC-002-24 Removing and disposing of underground fuel systems at four sites (one-3,000 gallon, two-1,000 gallon, and one 550 gallon gas tanks and two 1,000 gallon diesel tanks); providing and installing aboveground fuel systems at three sites (two-2,000 gallon and one 1,000 gas tanks and two-2,000 gallon and one-1,000 gallon diesel tanks); contaminated soil disposal (80 c. y.), and soil/water sampling (3 each).

Department: Conservation and Natural Resources
Location: Southampton Township, Bedford County; Brush Creek and Ayr Townships, Fulton County; and Letterkenny Township, Franklin County, PA
Duration: 120 days
Contact: Construction Management Section, (717) 787-5055

Contract No. FDC-200-210 Removal and disposal of fuel systems at seven sites and provide and install aboveground storage tanks at five sites. Work is located in Raccoon Creek, Oil Creek, Pymatuning and Yellow Creek State Parks.

Department: Conservation and Natural Resources
Location: Brush Valley Township, Indiana County; West Shengo Township, Crawford County; Cornplanter Township, Venango County; Hanover Township, Beaver County, PA
Duration: 120 days
Contact: Construction Management Section, (717) 787-5055

Hazardous Material Services—21

DGS 948-41EC1.6 Project title: asbestos and hazardous materials abatement. Brief description: removal and disposal of asbestos and hazardous materials and the abatement of PCB contamination on the ground floor. Asbestos abatement. Plans deposit: \$75.00 per set. Payable to: Gannett Fleming, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011-2325, (717) 763-7211. Bid date: Monday, December 9, 1996 at 2:00 p.m. A mandatory pre-bid conference & walk-through has been scheduled for Monday, November 25, 1996 at 4:00 p.m. in Room G-100, Transportation and Safety Building, Harrisburg, PA. Walk-through immediately following the pre-bid. Contact person Thomas S. Brown, telephone (717) 763-7211, ext. 2255. All contractors who have secured contract documents are mandated and urged to attend this pre-bid conference and walk-through.

Department: General Services
Location: Transportation and Safety Building, Harrisburg, Dauphin County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Inquiry 8867 Radon mitigation action.

Department: Public Welfare
Location: Selinsgrove Center, FOB State Agency, Box 500, Route 522, Selinsgrove, Snyder County, PA 17870
Duration: March 1, 1997 to June 30, 1997
Contact: Arletta K. Ney, Purchasing Agent, (717) 372-5070

Heating, Ventilation, Air Conditioning—22

K-96055 Edinboro University of Pennsylvania is seeking bids for conversion of the existing bowling alley in the University Center to a Computer/Textbook Store. Work will consist of general, HVAC and electrical construction. A pre-bid meeting will be held on November 26, 1996 at 9:00 a.m. in the University Center First Floor Conference Room. Bids are due by 2:00 p.m. on December 17, 1996 in the Purchasing Office, 237 McNerney Hall, Edinboro, PA 16444. Plans and documents are available for a \$50.00 non-refundable deposit from the Purchasing Office. MBE/WBE firms are urged to respond.

Department: State System of Higher Education
Location: Edinboro University of Pennsylvania, Edinboro, PA 16444
Duration: 90 days
Contact: Tom Anderson, Contract Specialist, (814) 732-2704

6200SP18 High Tensile Electric Fencing for Streambank. A contract is offered to supply material and labor to construct electric fencing (one wire and two wire) along approximately 69,450 feet of stream bank in several locations in Adams, Bedford, Columbia, Cumberland, Dauphin, Fulton, Franklin, Lancaster, Lycoming, Luzerne, Northumberland, and Union Counties. Interested bidders may contact the Game Commission for date and time of the bid opening.

Department: Game Commission
Location: Bureau of Land Management; Adams, Bedford, Columbia, Cumberland, Dauphin, Fulton, Franklin, Lancaster, Lycoming, Luzerne, Northumberland, and Union Counties, PA
Duration: Construction completed by June 30, 1997
Contact: Dennis L. Neideigh, Public Access Division, (717) 787-6400

Mailing Services—28

SP 297175 Parcel pick-up and delivery services, including, but not limited to, next day ground, second day air, etc.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Penn Nursery. Pick up parcels at Penn Nursery, Spring Mills, PA and delivery throughout the Continental United States
Duration: Through June 30, 2001
Contact: Tammy Marks, (814) 364-5150

Medical Services—29

X76909 Provide bacteriologic proficiency performance samples to provide evaluations of analytical performance of microbiological laboratories that are requesting certification under the Safe Drinking Water Act.

Department: Environmental Protection
Location: Bureau of Laboratories, Harrisburg, PA
Duration: 1/1/97 through 12/31/99
Contact: Ally Castaneira, (717) 787-2471

300746 Oral surgery services: to perform oral surgery to patients of the Harrisburg State Hospital on an as-needed basis. Contractor is to provide direct treatment to the patients who need the following treatments: surgical extractions of impacted teeth, Alveolar bone ridge augmentation for the denture construction, TMJ and facial pain treatment, facial injury and jaw surgery.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105
Duration: July 1, 1997 to June 30, 2000; a period of three years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

LH-SER034 Contractor to provide ear, nose, throat services to inmates at State Correctional Institution at Laurel Highlands. Service to be provided at the Institution at an hourly rate. Specialized services requiring off-site visit at a usual customary reimbursement (UCR).

Department: Corrections
Location: State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somers, PA 15501-0631
Duration: 04/01/97 through 09/30/97
Contact: Richard C. Claycomb, Purchasing Agent II, (814) 443-0347

Property Maintenance—33

SP 298701 Contract services for tree planting 20 acres of State Forest land in Lewis Township, Union County. Planting will consist of 1,400 red oak seedlings and the installation of tree shelters. An additional 136 acres of State Forest land in Haines Township, Centre County and Hartley Township, Union County will be planted with 49,000 white pine seedlings. All tree seedlings and materials will be provided by the Bureau of Forestry.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Bald Eagle State Forest, Forest District No. 7, Laurelton, PA 17835
Duration: May 31, 1997
Contact: Nicholas P. Lylo, Forester, (717) 922-3344

CNR-001 Furnish and install washhouse toilet and shower partitions—Ricketts Glen State Park. Sealed bids will be received in Ricketts Glen State Park Office, R. R. 2, Box 130, Benton, PA 17814-8900 until 3:00 p.m. prevailing time on December 18, 1996 and publicly read. Documents containing all pertinent information must be obtained from the office of the Park Manager, Ricketts Glen State Park.

Department: Conservation and Natural Resources
Location: State Parks, Ricketts Glen State Park, R. R. 2, Box 130, Benton, Luzerne County, PA 17814-8900
Duration: 1-22-97 to 3-5-97
Contact: Ricketts Glen State Park, Park Manager, (717) 477-5675

SP 96399 Contract services for a demonstration tree planting on a control burn area on 5 acres of State Forest land in Hartley Township, Union County. The area will be planted with 1,680 tree seedlings, of which 1,120 will have tree shelters installed. All seedlings and materials will be provided by the Bureau of Forestry.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Bald Eagle State Forest, Forest District No. 7, Laurelton, PA 17835
Duration: May 31, 1997
Contact: Nicholas P. Lylo, Forester, (717) 922-3344

FM 09819601 Repave a portion of the roadway located on the grounds of YDC New Castle. Contact the YDC New Castle purchasing department for project specifications, (412) 656-7310.

Department: Public Welfare
Location: Youth Development Center New Castle, Frew Mill Road, R. R. 6, Box 21A, New Castle, Lawrence County, PA 16101
Duration: 7-1-96 through 6-30-97
Contact: T. E. Mateja, Purchasing Agent, (412) 656-7310

FM 09819602 Repaint water tower located on the grounds of YDC New Castle. Contact the YDC New Castle purchasing department for project specifications, (412) 656-7310.

Department: Public Welfare
Location: Youth Development Center New Castle, Frew Mill Road, R. R. 6, Box 21A, New Castle, Lawrence County, PA 16101
Duration: 7-1-96 through 6-30-97
Contact: T. E. Mateja, Purchasing Agent, (412) 656-7310

FM 09819604 Repave a portion of the walkways located on the grounds of YDC New Castle. Contact the YDC New Castle purchasing department for project specifications.

Department: Public Welfare
Location: Youth Development Center New Castle, Frew Mill Road, R. R. 6, Box 21A, New Castle, Lawrence County, PA 16101
Duration: 6-1-96 through 6-30-97
Contact: T. E. Mateja, Purchasing Agent, (412) 656-7310

FM-184 Furnish all labor, equipment and materials to paint the exterior of the PA State Police, Bethlehem Headquarters facility. Detailed bid specifications must be obtained from the Facility Management Division, (717) 783-5484.

Department: State Police
Location: Facility Management Division, Bethlehem Headquarters, 2930 Airport Road, Bethlehem, PA 18017-2149
Duration: 11/1/96 to 6/30/97
Contact: Les Brightbill and Joan Berkoski, (717) 783-5484

X89500 Provide lawn care services for the Hawk Run District Office to include mowing, leaf mulching, weed cutting and shrubbery pruning.

Department: Environmental Protection
Location: Hawk Run, PA
Duration: 3-1-97—6-30-98
Contact: Ally Castaneira, (717) 787-2471

MO 081433 Furnish and install vinyl sheet flooring in all seating locations (approximately 12,000 square feet) and carpeting in all areas not used for seating in Mitrani Hall (approximately 900 square yards). This work will include substrate treatment of the floor. To receive a bid package submit your request verbally to Joe Quinn, (717) 389-4311—bid packages will be free, but must be requested by 11/19/96.

Department: State System of Higher Education
Location: Bloomsburg University, Bloomsburg, PA
Duration: 30 days
Contact: Joseph C. Quinn, (717) 389-4311

Sanitation—36

035 The Department of Environmental Protection is soliciting proposals from end-users for the cleanup of prioritized stockpiles of scrap tires located throughout the Commonwealth. Proposals are due by noon, December 31, 1996. For copies of the Request for Proposals contact Peter Arnt, Bureau of Land Recycling and Waste Management, 400 Market Street, 14th Floor, Rachel Carson State Office Building, Harrisburg, PA 17101-2301. Telephone: (717) 787-7381.

Department: Environmental Protection
Location: Rachel Carson State Office Building, 400 Market Street, 14th Floor, Harrisburg, PA 17101-2301
Duration: June 30, 1997
Contact: Peter Arnt, (717) 787-7381

Miscellaneous—39

A-95-130 Vendor to supply to State Correctional Institution Graterford soft drink bag-in-a-box system. Cannot be gravity fed. Requires at least (3) varieties of soft drink, two machines and (4) pumps for each station. (16) heavy duty dispensers 4 or 5 drinks each. Vendor to supply CO₂—20 lb. cylinders as needed.

Department: Corrections
Location: State Correctional Institution Graterford, P. O. Box 246, Graterford, PA 19426-0246
Duration: Three years
Contact: Kelly Richardson, Purchasing Agent, (610) 489-4151

4620-02 The Department of Transportation will solicit vending services for: Monroe County, Site F; Delaware County, Site N and Mercer County, Site 17. Items vended will be limited to nonperishables such as soda/juice, candy/snacks, ice cream, sandwiches and hot drinks. The vendor will be responsible for the installation, stocking and maintenance of a minimum of three vending machines. General liability insurance will be required. Contracts will be awarded to the highest monthly fee bid to the Department of Transportation, expressed in lump sum bid form. Persons interested in obtaining a proposal to bid should contact the name listed below within 10 days of this notice. Bid opening is November 25, 1996 in Room 1008, Transportation and Safety Building at 2:00 p.m.

Department: Transportation
Location: Monroe County, I-80 WB; Delaware County, I-95 NB; Mercer County, I-79 NB, PA
Duration: 2 years and seven months per specifications and provisions
Contact: LuAnn J. Shadle, (717) 787-0188

[Pa.B. Doc. No. 96-1956. Filed for public inspection November 15, 1996, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

STATE CONTRACTS INFORMATION

5681

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
0020-07	11/07/96	The Graphics Art Shop	13,820.50	6545-01	11/07/96	Bound Tree Corporation	1,870.00
0054-07	11/01/96	Kutco Printing and Products, Inc.	21,673.79	7111-02	11/01/96	G I Tech, Inc.	9,000.00
0065-07	11/01/96	Center Square Press	3,756.00	7111-02	11/01/96	Supply Line, Inc.	1,000.00
1225126-01	11/01/96	Moore Business Forms, Inc.	221,149.74	7111-02	11/01/96	PA Office Svc. Groups, Inc.	2,000.00
1241386-01	11/01/96	Keystone Precision Instruments, Inc.	8,995.00	7111-02	11/01/96	Xerox	8,000.00
2310-01	10/31/96	Meissner Chevrolet/Geo/Olds	9,362,371.00	7111-02	11/01/96	PIBH	6,000.00
2310-01	10/31/96	Babe Charapp Ford	1,556,868.50	7111-02	11/01/96	Matrix Data	13,000.00
2310-01	10/31/96	E-Town Dodge	3,627,422.00	7111-02	11/01/96	Media Recovery, Inc.	4,000.00
2310-01	10/31/96	Kuhns-Harnish Ford, Inc.	2,161,650.00	7111-02	11/01/96	King Medical and Business Forms	11,000.00
2310-01	10/31/96	Galleria L/M Motors Fleet	2,509,950.00	7111-02	11/01/96	Greenline Paper Company	9,000.00
2310-01	10/31/96	Winner Group, Inc.	2,337,375.00	7111-02	11/01/96	Seattle Disk	4,000.00
2310-01	10/31/96	Manheim Chrysler/Plymouth	9,800,388.00	7420-01	11/07/96	D & H Distributing	5,000.00
2310-01	10/31/96	Hoffman Ford Sales, Inc.	3,161,912.00	7420-01	11/07/96	Olivetti Office USA	4,000.00
2310-01	10/31/96	Team Dodge	1,185,750.00	7420-01	11/07/96	R. V. Quinn, Inc.	11,000.00
2310-01	10/31/96	Phillips Ford Sales	1,359,750.00	7420-01	11/07/96	Swintec Corp. East	6,000.00
6505-05	11/01/96	Coulter Corporation	41,121.38	7420-01	11/07/96	Monroe System For Business, Inc.	6,000.00
6545-01	11/07/96	Ever Ready First Aid/Med Sply.	3,104.00	7420-01	11/07/96	RAJ Office Products	5,000.00
6545-01	11/07/96	Ragold Corporation	1,860.00	7450-02	11/08/96	Danka Industries	12,000.00
6545-01	11/07/96	Safety Headquarters, Inc.	41,972.90	7450-02	11/08/96	Dictaphone Corp.	51,000.00
6545-01	11/07/96	Edcor Safety	2,903.00	7450-02	11/08/96	Advanced Business Prods., Inc.	107,000.00
6545-01	11/07/96	Fisher Safety	536.00	7450-02	11/08/96	Phillips Dictation Systems (USA)	32,000.00
6545-01	11/07/96	Miller Safety Products, Inc.	3,997.72	7450-02	11/08/96	Advanced Business Prods., Inc.	2,000.00
				7450-02	11/08/96	Danka, Inc.	5,000.00
				7930-07	11/08/96	Val Chem Co., Inc.	52,404.50
				7930-07	11/08/96	Diamond Chemical Co.	95,136.00

STATE CONTRACTS INFORMATION

Requisition or Contract #	Awarded On	To	In the Amount Of
7930-07	11/08/96	Resourcenet International- Harrisburg Div.	44,500.00
7930-07	11/08/96	Textile Chemi- cal Co., Inc.	27,400.00
8204770-01	11/01/96	AAMVA	24,832.00

Requisition or Contract #	Awarded On	To	In the Amount Of
8415-06 (Rebid in Part No. 1)	11/07/96	Flynn & O'Hara Uni- form Co., Inc.	95,216.40

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 96-1957. Filed for public inspection November 15, 1996. 9:00 a.m.]