

# PENNSYLVANIA BULLETIN

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

**No. 255, February 1996**

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## **PENNSYLVANIA**

## **BULLETIN**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

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

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

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1996.

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# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART IV. COURT OF JUDICIAL DISCIPLINE

#### Rules of Procedure; Court of Judicial Discipline Doc. No. 1 JD 94

*Per Curiam:*

#### Order

*And Now*, this 6th day of February, 1996, the Court of Judicial Discipline hereby enters the following *Order*:

1. Pursuant to Article V, Section 18(b)(4) of the Constitution of Pennsylvania, the Court of Judicial Discipline proposes: (1) to amend C.J.D.R.P.No. 502 by adopting new subsections (D)—(F) and (2) to adopt new Rule 112, in the following form.

2. The Court of Judicial Discipline requests that interested persons submit suggestions, comments or objections not later than 30 days from the date of publication of this Order in the *Pennsylvania Bulletin* to Wanda W. Sweigart, Court Administrator, 200 North Third Street, P. O. Box 1106, Harrisburg, PA 17108-1106.

#### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART IV. COURT OF JUDICIAL DISCIPLINE

##### ARTICLE I. PRELIMINARY PROVISIONS

#### Rule 112. Photocopies.

Upon the request of any resident of Pennsylvania, the Administrative Office of the Court of Judicial Discipline shall provide free of charge a copy of any Opinion or Order issued by the Court. The Administrative Office will provide photocopies of any other documents listed in the official docket at a cost of \$.50 per page.

##### ARTICLE II. PROCEEDINGS BASED ON THE FILING OF FORMAL CHARGES

#### Rule 502. Trial. **Stipulations of Fact. Conclusions of Law. Withdrawal of Counts.**

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

(B) Conduct of Trial.

(1) All testimony shall be under oath.

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

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

(4) The trial shall be recorded verbatim. Requests and orders for transcripts shall be governed by Pa.R.J.A. 5000.5. Any party requesting notes of testimony shall bear the cost of transcription. If the notes of testimony are transcribed, it shall be the duty of the court reporter to file the original transcript with the Clerk.

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

#### (D) Stipulations of Fact.

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

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

#### (E) Conclusions of Law.

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

#### (F) Withdrawal of Counts.

The Board may file a motion to withdraw counts in a Complaint which shall be supported by a change in circumstances such as the loss of evidence or the unavailability of a necessary witness, or other justifiable reason.

[Pa.B. Doc. No. 96-205. Filed for public inspection February 16, 1996, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Procedure for Trial Commissioner Courtroom B, 1801 Vine St.; Family Court Administrative Regulation No. 96-1

*And Now*, this 2nd day of February, 1996, in consideration of efforts to eliminate backlog of cases scheduled for hearing in Courtroom B, 1801 Vine Street, Philadelphia, Pennsylvania, Joseph McHugh is appointed Trial Commissioner for Courtroom B, 1801 Vine Street, and is to assume complete administrative operation and caseload responsibility for the courtroom; further, the Trial Commissioner is hereby authorized to assign court appointed counsel in appropriate cases, appoint child advocates, issue bench warrants subject to Court approval, grant continuance dates, accept withdrawals of prosecution without prejudice to the Commonwealth, maintain contact with police liaison to aid in the reduction of police overtime, and additional duties as defined by Administrative Judge of Family Court.

This Order is issued in accordance with Pa.R.C.P. No. 239 and shall become effective as of October 19, 1995. 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.

ESTHER R. SYLVESTER,  
*Administrative Judge*

[Pa.B. Doc. No. 96-206. Filed for public inspection February 16, 1996, 9:00 a.m.]

## PHILADELPHIA COUNTY

### Transfer of Custody Modification Cases to Mediation Program; Family Court Administrative Regulation 96-2

*And Now*, this 2nd day of February, 1996, in order to enable the Court to maintain an efficient custody program, it is hereby *Ordered* and *Decreed* as follows with respect to such cases:

1. All Petitions to Modify present Custody Orders filed subsequent to this Order shall be referred to the Mediation Orientation Program;

2. All pending petitions for modification of custody shall administratively be assigned to the Mediation Orientation Program.

This Order is issued in accordance with Pa.R.C.P. No. 239 and shall become effective immediately. 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.

ESTHER R. SYLVESTER,  
*Administrative Judge*

[Pa.B. Doc. No. 96-207. Filed for public inspection February 16, 1996, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DAUPHIN COUNTY

#### Promulgation of Local Rules; No. 1793 S 1989

##### Order

*And Now*, this 23rd day of January, 1996, Dauphin County local rules are hereby amended as follows:

#### Rule 1915. Actions for Custody, Partial Custody, and Visitation of Minor Children.

##### 1915.1. Definitions.

These rules shall govern all actions for custody, partial custody, and visitation, including original actions, petitions to modify decrees, contempts, and registration of foreign decrees. The rules shall be interpreted as supplementing the Rules of Civil Procedure governing custody actions, Pa.R.C.P. 1915.1 et seq.

##### 1915.3. Commencement of Action. Complaint. Order.

(1) The complaint shall be filed with the Prothonotary.

(2)(a) In addition to the filing fees assessed for the filing of Complaints, an additional administrative fee in the amount of \$100.00 shall be paid to the Prothonotary simultaneously with the filing of the Complaint.

(b) An administrative fee of [ \$50.00 ] \$100.00 shall be paid to the Prothonotary simultaneously with the filing of any subsequent petition for relief (such as, but not limited to, a petition for modification or contempt).

(3) If a custody claim is asserted in a divorce complaint, a duplicate copy of the complaint shall be filed with the Prothonotary. Thereafter, when either party desires a hearing on the custody issue, he/she may request a time and date for hearing by the filing of a simple Motion. At such time as a hearing is requested under this section the administrative fee must accompany the Motion.

##### Rule 1915.3a. Custody [ Conciliation ] Mediation Alternative Hearing Procedures.

(1) The Court shall appoint as a **Conference Officer(s)** a member(s) of our Bar or other appropriate person, as an official of the Court, to:

(a) [ Conciliate ] Mediate custody cases filed with the Court;

[ (b) Recommend to the Court that interim or temporary orders be entered in appropriate custody cases; ]

[ (c) ] (b) Recommend appointment of counsel for the child;

[ (d) ] (c) Recommend the utilization of home studies and/or expert witnesses.

(d) Prepare agreed interim or final orders for presentation to the Court.

The compensation of Custody [ Conciliators ] Conference Officers shall be set by order of court.

(2) All custody matters not specifically reserved to the Court shall be promptly scheduled for a conference before the [ Conciliator ] Conference Officer. All parties and any child age five (5) or older for whom custody or visitation is sought shall be present at the location of such conference. Failure of a party to appear at the conference may provide grounds for the entry of temporary or permanent orders.

(3) At the conference, or as soon thereafter as possible, each party shall provide the [ conciliator ] Conference Officer and each other with the following information, insofar as it is then available:

(a) A list of all fact witnesses;

(b) A list of all expert witnesses;

(c) Issues for resolution;

(d) Estimated length of trial;

(e) All reports from appropriate agencies; and

(f) Report of experts intended to be called as witnesses.

Such information shall be updated, as appropriate, any time up to commencement of trial. Failure to produce the information requested hereunder prior to trial, for the



**[ Conciliator ] Conference Officer** or the Court, may be grounds for excluding the evidence or witnesses at trial.

(4) To facilitate the **[ conciliation ] mediation** process and encourage frank, open and meaningful exchanges between the parties and their respective counsel, statements made by the parties, or their witnesses, shall not be admissible as evidence in court. The custody **[ conciliator ] Conference Officer** shall not be witness for or against any party.

(5) At the conclusion of the conference where the case remains contested the **[ Conciliator ] Conference Officer** shall prepare a Conference Summary Report. This report shall contain facts gathered by the **[ Conciliator ] Conference Officer** during the conference. This report shall become a part of the Court record and upon being submitted to the Court shall also be copied to the parties.

**Rule 1915.3B. Custody [ Conciliation ] Mediation—Procedure.**

Upon being filed with the Prothonotary, a complaint or motion for hearing relating to child custody or visitation shall be immediately turned over to the **[ Conciliator ] Conference Officer** who shall forthwith enter an Order setting the time, date and place for a **[ Conciliation ] Mediation** Conference and return said Order to the Prothonotary. The attorney for the moving party will then be advised that his/her Complaint is ready to be served.

**1915.3C. Custody [ Conciliation ] Mediation. Post Conference Procedure.**

(1) **SETTLED CASE:** if, prior to or during the Custody **[ Conciliation ] Mediation** Conference, the parties are able to reach an agreement, the **[ Conciliator ] Conference Officer** may request that either party submit a proposed order of court. In any case, the **[ Conciliator ] Conference Officer** shall thereafter submit to the Prothonotary the agreed-upon, proposed Order. The Prothonotary shall then transmit the file to the Court for disposition of the matter.

(2) **CONTESTED CASE:** should the parties fail to reach an agreement prior to the conclusion of the **[ Conciliation ] Mediation** Conference, the **[ Conciliator ] Conference Officer** shall submit his/her Conference Summary Report to the Court Administrator for prompt assignment to a Judge. Once the assigned Judge has set a time and date for hearing of the matter, the moving party will be so notified and shall thereafter effect service of this notice upon the other side.

**1915.5. Question of Jurisdiction or Venue. No Responsive Pleading Required. Counterclaim.**

(a) If a question of jurisdiction or venue is raised prior to the **[ Conciliation ] Mediation** Conference, such objections shall be referred by the **[ Conciliator ] Conference Officer** to the Court for disposition. No other pleading need be filed to a claim for custody or visitation.

(b) Counterclaims or cross-claims shall, where possible, be filed prior to the **[ Conciliation ] Mediation** Conference.

**1915.7. Consent Order.**

(1) If at any time prior to the Conference the parties are able to agree upon custody or visitation, the parties

may submit a proposed consent order to the **[ Conciliator ] Conference Officer** for disposition in conjunction with these rules, with written consents attached thereto signed by the parties and their counsel, if any.

(2) Upon presentation of a consent order, the Court may, in its discretion, enter an order without taking testimony thereon.

(3) The parties or children need not be present unless the court so directs.

**1915.8. Physical or Mental Examination of Persons.**

(a) The **[ Conciliator ] Conference Officer** shall maintain and, on request, provide counsel and the parties with a list of psychiatrists, psychologists, social workers, counselors, and the like who are available for consultation, evaluation, and testimony in custody matters.

(b) Reserved.

(c) In the event that either psychological studies or home studies become necessary to a proper disposition of the cause, the cost of such studies may be assessed against the parties.

**Rule 1915.12. Contempt.**

All petitions for contempt and/or modification of a court order regarding custody or visitation shall be filed with the Prothonotary and directed to the **[ Conciliator ] Conference Officer** for review.

**Rule 1915.15. Form of Complaint.**

(1) In addition to the information required by Pa.R.C.P. 1915.15 each complaint shall contain the following averments;

A. Plaintiff has been advised of the requirement to attend the Seminar for Separating Parents and of the Program Description set forth in Local Rule 1930.

B. Defendant will be provided along with the Complaint a copy of the Order requiring attendance at the Seminar for Separating Parents set forth herein and Program Description set forth in Local Rule 1930.

(2) Any Affidavit of Service for applicable actions shall include a statement that the Program Description and Order scheduling his/her attendance at the Seminar were served with the applicable pleading.

(3) Counsel for the moving party, or the moving party, if unrepresented, shall provide the client with a copy of the Order requiring attendance, Program Description and advise the client to attend the Seminar with 45 days of the filing of an applicable pleading.

(4) Any party who resides more than 50 miles from Harrisburg may contact the Provider to make other arrangements to satisfy the attendance requirements.

(5) At such time as a party complete the Seminar, the Provider shall forward to the Prothonotary a Certificate of Completion, setting forth the name of the party and the docket number of the case, which Certificate shall be filed with the Court.

(6) No final custody trial shall be held or order granted where there are children under the age of 18 and **[ both ] all** parties attend the Seminar. This requirement will be waived **[ only under exceptional circumstances ]** by the Court **only upon petition filed** for good cause shown.

(7) Each custody Complaint shall contain the following second cover sheet:

- : IN THE COURT OF COMMON PLEAS
- : DAUPHIN COUNTY, PENNSYLVANIA
- :
- : CIVIL ACTION—CUSTODY
- :
- : NO.

**ORDER**

You, \_\_\_\_\_ are ORDERED to appear in person in the Custody [ **Conciliation** ] **Mediation** Office, Fourth Floor, Dauphin County Court House, Front and Market Streets, Harrisburg, Pennsylvania on \_\_\_\_\_ at \_\_\_\_\_ o'clock a.m./p.m. for a Custody [ **Conciliation** ] **Mediation** Conference.

[ **Both parents** ] **All parties** are further ORDERED to attend a seminar entitled "Seminar for Separating Parents" and bring with you to the [ **Conciliation** ] **Mediation** Conference the Certificate of Attendance you will receive at the Seminar. The Plaintiff is scheduled to attend on \_\_\_\_\_. The Defendant is scheduled to attend on \_\_\_\_\_. Any requests for rescheduling must be directed to the Provider and will be granted only upon cause shown. (See attached instructions and Provider brochure with registration form.)

FAILURE TO APPEAR AT THE SEMINAR AS SCHEDULED OR FAILURE TO REGISTER AND COMPLETE THE PROGRAM WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS BY THE COURT.

If you fail to appear as provided by this Order, an Order for custody may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Dauphin County Lawyer Referral Service  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

FOR THE COURT:

\_\_\_\_\_  
**Date** Custody [ **Conciliator** ]  
Conference Officer

**Rule 1920. Actions in Divorce or Annulment.**

**1920.1. Form of Complaint.**

(1) In addition to the information required by Pa.R.C.P. 1920.12, each complaint in Divorce shall contain one of the following averments:

- A. Plaintiff avers that there are no children of the parties under the age of 18.
- B. Plaintiff avers that there are children of the parties under the age of 18, namely: (list names and dates of birth).

(2) Any Affidavit of Service for applicable actions shall include a statement that the Order requiring attendance at the Seminar and a Seminar Description set forth in Local Rule 1930 were served with the applicable pleading.

(3) **At such time as a party completes the Seminar, the Provider shall forward to the Prothonotary a Certificate of Completion, setting forth the name of the party and the docket number of the case, which Certificate shall be filed with the Court.**

(4) Each divorce complaint shall contain the following second cover sheet:

- : IN THE COURT OF COMMON PLEAS
- : DAUPHIN COUNTY, PENNSYLVANIA
- :
- : CIVIL ACTION—DIVORCE
- :
- : NO.

**ORDER**

You are ORDERED to attend a seminar entitled "Seminar [ of ] for Separating Parents" [ **and bring with you to the conference the Certificate of Attendance you will receive at the Seminar** ]. The Plaintiff is scheduled to attend on \_\_\_\_\_. The Defendant is scheduled to attend on \_\_\_\_\_. Any request for rescheduling must be directed to the Provider and will be granted only upon cause shown. (See attached instructions and Provider brochure with registration form.)

FAILURE TO APPEAR AT THE SEMINAR OR FAILURE TO REGISTER AND COMPLETE THE PROGRAM WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS.

[ **If you fail to appear as provided by this Order, no** ] **No** final trial shall be held or order entered or divorce decree granted where there are children under the age of 18 until [ **both** ] **all** parties attend the Seminar.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Dauphin County Lawyer Referral Service  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

**BY THE COURT:**

\_\_\_\_\_  
**Date** **J.**  
Rule 1920.14. Waiver of 20 Days Under Section [ **201(d)** ]. **3301(d)**.

The twenty-day period following the filing of the affidavit under section [ **201(d)** ] **3301(d)** may be waived in writing by the parties.

**Rule 1030. Mandatory Seminar for Separating Families.**

(1) In all divorce and custody proceedings filed on or after January 1, 1995, and in such other cases as the Court shall direct, where the interests of children under the age of 18 years are involved, the parties shall complete a four hour program entitled "Seminar". See "Program Description" following this Rule which describes the Seminar.

(2) In all custody proceedings filed on or after January 1, 1995, each complaint shall contain a second cover sheet in accordance with Local Rule 1915.15.

(3) In all divorce proceedings filed on or after January 1, 1995, where the parties have minor child(ren), each complaint shall contain a second cover sheet in accordance with Local Rule [ 1920.20 ] 1920.1.

(4) The Court Administrator will establish the dates the parties shall attend the Seminar. The Custody [ **Conciliators** ] **Conference Officers** will establish the date the parties shall attend their Custody [ **Conciliation** ] **Mediation** Conference.

(5) The moving party shall serve, with the applicable pleading, a copy of the Seminar Description and Order setting forth the date and location of the Seminar upon the responding party.

(6) Copies of this Rule and Program Description shall be available in the Office of the Prothonotary of the Court of Common Pleas of Dauphin County.

(7) In divorce actions, the moving party shall attend the Seminar within 45 days of filing an applicable action. The responding party shall attend the Seminar within 45 days of service of the pleading.

(8) In custody actions, [ **both** ] **all** parties must attend at least the first session of the Seminar prior to their Custody [ **Conciliation** ] **Mediation** Conference.

(9) Any request for an extension of time within which to complete the Seminar shall be made to the Provider.

(10) The fee for the Seminar is \$25.00 per party, which must be submitted at the time of the initial Seminar. Payment shall be made by certified check, money order or cash. NOTE: No personal checks will be accepted. Any request for waiver or reduction of the fee shall be filed with the Court along with a verified affidavit of indigency or other proof of economic hardship, in accordance with Pa.R.C.P. 240 [ **and 1920.62** ] at least (5) days prior to the scheduled Seminar.

(11) No custody trial shall be held or order entered or divorce decree granted until both parties have completed the Seminar, unless the requirement is waived by the Court for good cause shown.

(12) Failure to comply with the Order may result in the dismissal of the action, striking of pleadings, or other appropriate action, including sanctions for contempt.

These amendments shall be effective 30 days after publication in the Pennsylvania Bulletin.

*By the Court*

CLARENCE C. MORRISON,  
*President Judge*

[Pa.B. Doc. No. 96-208. Filed for public inspection February 16, 1996, 9:00 a.m.]

## WESTMORELAND COUNTY

### Adopted New Orphans' Court Rules WO101 et seq.

#### Order of Court

*And Now, to wit this 1st day of February, 1996, It Is Hereby Ordered, Adjudged, and Decreed that all Westmoreland County Orphans' Court rules are hereby rescinded. New Westmoreland County Orphans' Court Rules WO101, WO102, WO103, WO104, WO105, W106, WO107, WO108, WO109, WO110, WO111, WO112, WO113, WO114, WO115, WO116, WO117, WO118,*

WO119, WO201, WO202, WO203, WO204, WO205, WO206, WO207, WO301, WO302, WO401, WO402, WO403, WO404, WO405, WO406, WO501, WO502, WO503, WO504, WO505, WO601, WO602, WO603, WO604, and WO605 are hereby adopted. The effective date of this Order is May 1, 1996.

*By the Court*

CHARLES E. MARKER,  
*President Judge*

#### Rule WO101. Sessions of Court and Filing.

(a) All proceedings shall be numbered consecutively by the clerk in the order filed, beginning at the first of each year and numbered as of that year, with a prefix number 65 to indicate Westmoreland County in conformity with the Pennsylvania Department of Revenue numbering, viz: 65-96-

(b) All papers filed relating to a proceeding shall be filed at the number assigned to the first paper filed in such proceeding.

(c) In these rules, any reference to the "Orphans' Court" or the "court" shall mean the Orphans' Court Division of the Court of Common Pleas of Westmoreland County, unless otherwise stated.

(d) In these rules, any reference to the "register" shall mean the Register of Wills of Westmoreland County; any reference to the "clerk" shall mean the Clerk of the Orphans' Court Division of the Court of Common Pleas of Westmoreland County.

*Explanatory Comments:* In Westmoreland County, the duties of the register of wills and the clerk of the orphans' court division are administered by one office. See 20 Pa. C.S.A. § 901 for the jurisdiction of the register of wills.

#### Rule WO102. Return Days, Motions and Audits.

(a) *Return Days.* The return day is the last day to answer or take other legal action with respect to a citation, rule to show cause, or other process, or when a matter may ordinarily next be brought before the court for action.

The return days shall be as fixed by order of court. If no date is fixed, it shall be twenty days from service.

A hearing will not be held on the return day unless specially ordered.

A hearing will be scheduled upon the request or motion of any party after the return day. The request or motion shall be accompanied by a proposed order, which shall provide for appropriate blank spaces for the scheduling of a hearing, the scheduling of a status conference, and a filing deadline for memoranda of law.

(b) *Motions.* All applications, petitions, motions and miscellaneous business should be presented to the court, at such time as the court is available.

(c) *Audit List.* The president judge shall decree and the register of wills shall publish in the Westmoreland Law Journal for three consecutive weeks commencing the second week of November a list of dates of audit, dates of confirmation nisi, and the schedule of filing periods as related to the audit dates for the following year.

The audit list will be called and accounts audited on the dates of audit scheduled by order of court, and will continue until the cases on the list have been heard or other disposition made. All accounts on the audit list filed by an attorney or firm shall be listed together on the audit list.

*Cross References:* A suggested form of Scheduling Order, to be used to schedule a hearing after the expiration of the return date, is included in the volume of approved forms.

*Explanatory Comments:* With regard to paragraph (b), specific arrangements should be made with the judge's chambers to assure the availability of the judge.

If a party fails to answer or otherwise respond to a rule or citation, the court may grant a rule absolute, without conducting a hearing.

**Rule WO103. Advertisements.**

At the time of issuing any letters testamentary or letters of administration, the register shall collect from the personal representative to whom such letters are issued, a sum determined by order of the orphans' court from time to time for payment of costs of publication in the *Westmoreland Law Journal* and proof of advertising; and, the register shall remit monthly to the *Westmoreland Law Journal* each sum so collected and shall retain a part of the sum as also determined by order of the orphans' court from time to time and remit the same to the Treasurer of Westmoreland County in due course.

*Explanatory Comments:* In Westmoreland County, the legal periodical is the *Westmoreland Law Journal*.

**Rule WO104. Depository of the Court.**

All moneys directed to be paid into court shall be paid to the clerk. Upon receipt, the clerk shall deposit the moneys in a federally insured, interest-bearing account with the depository designated by the court to the credit of the court, in the particular estate or proceeding to which they may respectively belong. No moneys shall be paid out of court by said depository except on the checks of the clerk, accompanied by a certified copy of the order directing the payment and attested by the seal of the court.

**Rule WO105. Attorneys.**

(a) *Appearance.* Every attorney employed in any proceeding shall enter an appearance. An attorney's appearance may not be withdrawn without leave of court, unless another attorney has entered or simultaneously enters an appearance, and the change of attorneys does not delay any stage of the proceeding.

(b) *Attorney as Surety.* An attorney shall not act as surety in any proceeding in this court, except by special leave of court.

*Cross References:* See Pa. R.C.P. No. 1012(b) regarding withdrawal of appearance and the 1985 explanatory comment thereto.

**Rule WO106. Discovery.**

(a) The practice relating to depositions, production of documents, perpetuation of testimony and other forms of discovery shall conform to the practice in the Civil Division of the Court of Common Pleas of Westmoreland County.

(b) Subpoenas shall be issued by the clerk upon request of a party, when a matter is at issue. In all other cases, subpoenas shall be issued only upon order of court.

**Rule WO107. Pleadings.**

(a) *Petitions.* All applications to the court shall be by petition of a party in interest, shall be signed by counsel, verified by the petitioner, and shall set forth:

- (1) the caption;

- (2) a heading indicating briefly the purpose of the petition;

- (3) a concise statement of the facts relied upon to give the court jurisdiction and to justify the relief desired, and any averments specifically required by any Supreme Court Orphans' Court Rule or any rule of this court. The statement shall be divided into paragraphs numbered consecutively, each containing but one material allegation, and shall cite the applicable section of any Act of Assembly relied upon;

- (4) the names of all parties interested, indicating those not sui juris. The names of fiduciaries of parties not sui juris shall be set forth with references to their appointments;

- (5) a prayer for the relief desired.

(b) *Exhibits.*

(1) There shall be attached to the petition as exhibits the originals or copies of all wills, codicils, consents, joinders, approvals, contracts and any other written instruments relied on or pertinent.

(2) If the petitioner is unable to attach any necessary exhibit, the petitioner shall so state in the petition, with the reason for such inability.

(c) *Verifications.* Every pleading containing an averment of fact not appearing of record in the action or containing a denial of fact shall state that the averment or denial is true, upon the signer's personal knowledge or information and belief, and shall be verified. The term "verified", when used in reference to a written statement of fact by the signer, means supported by affidavit or made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities. The verification extends to the authenticity of all exhibits attached to the pleading.

(d) *Decrees and Orders.* In all proceedings, counsel shall prepare and submit a proposed decree or order, specifying the requested action or relief, with the pleading upon which the same is based.

(e) *Copies of Pleadings.* Copies of pleadings shall be certified by counsel to be correct.

(f) *Notice.* No decree or order of court will be made without evidence of satisfactory notice of the application therefor to all parties of record, or their attorneys of record in the proceeding, and to any party known by the petitioner or the petitioner's attorney to have an interest in the outcome or judicial disposition of the matter.

*Cross References:* See Supreme Court Orphans' Court Rule 3.4, which discusses the form of petitions. The requirements set forth in Rule WO107 expand upon the requirements of Rule 3.4.

See 20 Pa.C.S.A. § 911, which permits unsworn verifications, and Pa. R.C.P. Nos. 1024 and 76, which govern the use of verifications in the civil division.

No notice need be given upon presentation of a petition for citation, as described in Rule WO108. Pennsylvania Supreme Court Orphans' Court Rule 5 provides detailed procedures regarding notice.

**Rule WO108. Personal Jurisdiction.**

(a) *Citations.* When jurisdiction over a person is sought, it shall be obtained by citation. Upon petition of any party in interest, the court shall issue an order directing the clerk to issue a citation. The citation shall direct the party named therein to file a complete verified

answer to the averments of the petition on or before the day fixed by the court, and to show cause as the order of the court shall provide.

(b) *Service of Petition with Citation.* A copy of the petition shall be served with the citation unless service thereof is authorized and made by publication.

*Cross References.* See Supreme Court Orphans' Court Rule 3.5, which provides for the citation as the means for acquiring personal jurisdiction over a person.

*Explanatory Comments.* In some situations, the court already has jurisdiction over parties, and a citation is not necessary. For example, the court generally maintains continuing jurisdiction over personal representatives and guardians.

#### **Rule WO109. Exceptions.**

(a) Except as provided in (b) below, and except for interlocutory decrees and orders, all decrees and orders are final unless specifically captioned by the court as a decree nisi. No exceptions shall be filed to final decrees and orders, and they must be appealed directly to the Superior Court.

(b) Exceptions to any order or decree nisi must be filed with the clerk within ten days after notice of the decree. Issues not raised in the exceptions shall be deemed waived. If no exceptions are filed, the decree shall become nonappealable.

(c) Upon filing exceptions, the moving party shall present to the court a proposed order, which shall provide for appropriate blank spaces for the scheduling of the filing of briefs and argument.

(d) If not otherwise established by the court, a party filing exceptions must file a brief at least ten days before the date scheduled for oral arguments. Opposing counsel must file a responsive brief within five days of service of opposing counsel's brief. The briefs shall contain, inter alia, a concise statement of issues. A party who has not timely filed a brief may be denied oral argument. Issues not briefed shall be deemed waived.

*Explanatory Comments.* The general rule in Westmoreland County is that exceptions must be filed only when the court issues a decree nisi. In all other cases, appeal lies directly with the Superior Court. A common example of when the court issues a decree nisi is in involuntary termination cases.

An order or decree must meet the definition of "final order" under Pa. R.A.P. 341 before it may be appealed to the Superior Court.

A party who desires to appeal a decree nisi must first file exceptions with the clerk in order to preserve the party's right of appeal. After the court makes a final order to the exceptions, the party may then file an appeal of such final order to the Superior Court of Pennsylvania. If the party fails to file exceptions to a decree nisi, the party may lose the right to appeal to the Superior Court. With regard to subsection (b), in exceptional cases, the Court may grant a party the right to file exceptions nunc pro tunc.

#### **Rule WO110. Bill of Costs.**

(a) The following items shall be considered as record costs in a proceeding:

- (1) Fees paid for filing pleadings;
- (2) Fees paid for service of pleadings;

(3) Fees paid to court reporters for the cost of original and/or no more than one copy of depositions;

(4) Any other costs specifically permitted by statute or supreme court rules; and

(5) If the case has been tried, fees statutorily permitted to witnesses for per diem attendance and mileage.

(b) A bill of costs must be filed with the clerk, along with an affidavit of service on the opposing party or his counsel of record, within ten days of the entry of a verdict by a jury, or a final order or decree by the court. The bill of costs may include the items listed in paragraph (a) of this rule.

(c) In cases where an executor, administrator, guardian or trustee has acted in good faith defending the estate against a claim, costs and fees may be allowed out of the estate, even though the claim is allowed.

(d) Exceptions specifying those items or amounts of costs to which a party has objections must be filed within ten days of receipt of the bill of costs.

(e) The court will enter an order specifying allowable costs.

*Cross References.* Paragraph (c) is taken from the former Rule WO9(c). The remaining paragraphs are taken from Rule W609 of the Westmoreland County Rules of Civil Procedure.

#### **Rule WO111. Enforcement of Decrees.**

Decrees of the orphans' court may be enforced through further proceedings in the orphans' court, or, where appropriate, through the office of the prothonotary.

*Cross References.* See 20 Pa.C.S.A. § 781 for methods of enforcement of orders and decrees of the orphans' court.

*Explanatory Comments.* Judgments for money damages are often enforced through the office of the prothonotary.

#### **Rule WO112. Appeals and Transfers to the Orphans' Court.**

(a) *Petition and Appeal from Register.*

(1) An appeal to the court from any judicial act, proceeding or decree of the register shall be effected by filing a notice of appeal with the clerk. The notice of appeal shall contain the caption, name of the appellant, and a reference to the judicial act, proceeding or decree appealed from, and shall be signed by the appellant or counsel. A copy of the notice of appeal shall be mailed to or personally delivered to all parties appearing before the register or their counsel, and a proof of notice shall be filed with the clerk within five days.

(2) Within thirty days after filing the notice of appeal, the appellant shall present to the court a petition complying with Rule WO107, including a reference to the notice of appeal, and whether bond was required or filed.

Upon filing of the petition, the court will award a citation to all interested parties, including the register, to show cause why the appeal should not be sustained and the decision complained of set aside and, in cases where a jury trial has been requested, why the disputed issue of fact should not be submitted to a jury.

(3) This section shall not apply to appeals for inheritance tax purposes nor to appeals specially regulated by law.

(b) *Certified Cases.* When a certification of a dispute has been made by the register to the court under Section 907 of the PEF Code, the court will determine whether pleadings will be required.

*Cross References:* The time period for filing appeals from decrees of the register is a matter of statutory law, under 20 Pa.C.S.A. § 908.

*Explanatory Comments:* An appeal from a decree of the register is a two-step process. The first step involves the filing of a notice of appeal. The second step is the filing of a petition within thirty days after filing the notice of appeal. Both steps are required for the perfection of an appeal from a decree of the register.

**Rule WO113. Fiduciaries to be Appointed.**

When a petition discloses that minors, unborn or unascertained persons, incapacitated persons, absentees, or presumed decedents or others not sui juris having interests are necessary parties and are without fiduciaries, an order will be made directing that the petition be filed, provided that the petition contains the names and ages of any minor children, the names and addresses of their parents, parent or persons with whom they reside, and all other facts required by Supreme Court Orphans' Court Rules Section 12, Rule 4. If it appears that a fiduciary should be appointed to represent any such person, the court will direct the petitioner to notify minors over fourteen years of age, the next of kin or next friends of minors under fourteen years of age, and the next of kin of incapacitated persons, that unless a fiduciary is appointed for them within ten days after service of the notice, the court, on petition of proper parties or on its own motion, may appoint a guardian or a trustee ad litem to represent their interests.

**Rule WO114. Temporary Fiduciaries.**

When a fiduciary of an estate under the jurisdiction of the court is in military service, in other government service, in a position of conflicting interest or in any situation where, for a temporary period, it may not be in the best interests of the estate for the fiduciary to act, a co-fiduciary or co-fiduciaries, if any, may be authorized to exercise all the powers of such fiduciary or the court may appoint a substitute fiduciary pro tem.

*Cross References:* See Sections 4301-4306 of the PEF Code.

**Rule WO115. Records.**

(a) *Withdrawal of Records.* No original wills shall be withdrawn from the office of the clerk or from the court without a written order of the court. No other record shall be withdrawn from the office of the clerk without a written order of the clerk or assistant clerk, which order shall limit the time for its return. The clerk shall report to the court any failure to return the same after the time limit so fixed has expired.

(b) *Record Books—Clerk of the Orphans' Court.* The clerk shall keep the following books:

(1) a book called the Orphans' Court Docket in which shall be set forth all proceedings of this court;

(2) a book called the Accounts Docket in which all accounts (excepting exhibits) of executors, administrators, guardians and trustees shall be transcribed in summary form;

(3) a book called the Distribution Docket in which shall be copied at length all distributions made by the court and all auditor's distributions when finally confirmed;

(4) a book called the Marriage License Docket in which shall be kept a memorandum of all marriage licenses granted, the return thereto, showing the number of the license, the date thereof, the date of marriage, by whom married, etc.;

(5) a book called the Minute Book in which shall be entered the sittings of the court and a brief memorandum of all matters brought before it, with the action of the court thereon, which entries shall be made at the time of each sitting of the court;

(6) a book called Delayed Registration of Birth Records in which shall be set forth all applications for delayed registration of birth records and the decrees of the court thereon;

(7) a book called the Adoption Docket in which shall be set forth all reports of intent to adopt, adoptions, voluntary and involuntary relinquishments and the decrees of the court thereon, and the Adoption Docket shall be impounded along with all other adoption matters.

(c) *Record Books—Register of Wills.* The register of wills and ex-officio clerk of the orphans' court shall keep the following books:

(1) a book known as the Memorandum Book in which shall be entered the names of decedent's and minor's estates and all other matters requiring the designation of a new number and term, together with a brief note of the subject matter of the entry;

(2) a book called the Administration Docket in which shall be noted the issuing of letters of administration, and accounts, and elections to take under or against wills;

(3) a book called the Inventory and Appraisalment Docket in which shall be set out the total amount of the personal property set out in the inventory, together with a brief reference to each tract of real estate and valuation thereof, as set out in all inventories filed in the register of wills office or the clerk of courts office, except those noted or set out in other dockets or books in either of those offices;

(4) a book called the Will Book in which shall be transcribed at length all wills probated, together with the date of death and the name of such executors as have qualified;

(5) a book called Transfer Inheritance Tax Docket in which shall be set forth a description in full of the real estate of decedent and totals of personal property and list of debts, together with notations as to assessment and payment of tax.

(d) *Indexes.* The clerk or register of wills shall keep a proper index for each docket whenever the same may be required, together with a general index.

(e) *Endorsement of Filing Date.* The clerk or register of wills shall endorse upon all papers filed the date of filing, which date shall be conclusive upon all parties, unless changed by order of court because of error or other cause showing the same to be incorrect.

*Cross References:* This Rule is taken from prior Rule W018.

*Explanatory Comments:* The books required in this rule may be kept electronically.

**Rule WO116. Format of Pleadings and Documents.**

(a) All originals of pleadings and forms of decrees shall be typed.

(b) Pleadings or documents submitted for filing must be clear and unblurred.

(c) When submitted to the court or the clerk, documents which are handwritten or not readily legible shall be accompanied by a typed copy.

(d) All documents in a foreign language shall be translated into English. The translation shall be typed and a certification of accurate translation shall be attached.

(e) "Typed" means typewritten or machine printed in black type on white paper and double spaced. Unconventional fonts shall be avoided.

(f) "Documents" shall include all written material, including but not limited to wills, trusts, powers of attorney, contracts and leases.

*Explanatory Comments:* If a holographic will is presented for probate, there must be offered with it a typewritten copy of the original will. This is known as a "copy fair".

Unconventional fonts include script or cursive style fonts.

**Rule WO117. Accounts.**

(a) Accounts shall conform with the Uniform Fiduciary Accounting Principles and accompanying commentaries and illustrations recommended by the Committee on National Fiduciary Accounting Standards in collaboration with the National Center for State Courts. Accounts shall be stated on 8-1/2 x 11 paper, fastened at the top and the pages shall be numbered consecutively.

*Cross References:* See Supreme Court Orphans' Court Rule 6.1.

(b) *Transcribing.* The clerk, when transcribing into account books such accounts as are required by law to be transcribed, shall omit from the record all schedules attached to accounts, description of unconverted real estate, testimony and documents accompanying the same and auditor's reports, unless otherwise directed by special order of the court, provided that accounts of guardians and trustees which are not final shall be transcribed in full.

(c) *Notice to Co-Fiduciaries.* When there are co-fiduciaries, actual notice of filing of an account and of audit must be given to those who do not join in the accounting.

(d) *Signing—Verification.* All accounts shall be signed and verified by the fiduciaries. In the first account filed in a decedent's estate, the verification shall include a statement that four months have elapsed from the date of the first complete advertisement of the original grant of letters (except where a personal representative has been directed by the court to file an account prior to that time). All fiduciaries must verify that the disbursements claimed have been made or will be made to the proper parties, and that the account as stated is true and correct. The verification must be attached after the last schedule.

(e) *Filing Time.* To be placed on the audit list, accounts shall be filed in the office of the clerk no later than the last day scheduled by the court for the filing of accounts in any given month.

(f) *Confirmation Nisi.* All accounts will be confirmed nisi when presented at the stated meetings of the court, not less than thirty days after the time of filing.

**Rule WO118. Change of Address.**

A personal representative of a decedent's estate or a guardian of the estate of a minor or an incapacitated person shall file with the Register of Wills of Westmoreland County any change of address. Notice or service to the last recorded address shall be deemed notice or service to the said personal representative or guardian.

**Rule WO119. Approved Forms.**

The court shall periodically file a decree listing approved forms which may be utilized in practice before the court. A complete set of these approved forms shall be kept in the clerk's office.

*Cross References:* The Westmoreland Bar Association is publishing a volume of approved forms as a companion volume to these Rules.

**Rule WO201. Application for Judicial Authorization of an Abortion.**

(a) Whenever the term "Application" is used in the Abortion sections of these rules, it shall refer to an Application for Judicial Authorization of an Abortion as set forth in (c) below.

(b) An Application may be submitted by a minor, by a guardian on behalf of an incapacitated person, or by a proposed guardian on behalf of an alleged incapacitated person.

(c) An Application and supporting documents shall be substantially in the form available from the judge of the orphans' court, and the form of verification to be signed by the applicant shall be substantially in the form set forth in Supreme Court Orphans' Court Rule No. 16.12.

(d) The Application and supporting documents shall be available from the judge of the orphans' court.

(e) The Application shall be submitted to, and filed directly with, the judge of the orphans' court for scheduling.

(f) The Verification of Medical Provider required by the Abortion Control Act shall be attached to the Application or shall be delivered to the court no later than 24 hours before hearing scheduled upon the Application.

(g) The date of filing of the Application for purposes of compliance with the Abortion Control Act shall be deemed to be the date when the Application is first presented to the judge of the orphans' court for scheduling.

*Cross References:* The Abortion Control Act is set forth at 18 Pa. C.S.A. § 3200, et seq. See Supreme Court Orphans' Court Rule No. 16.10 and No. 16.11. See Pennsylvania Orphans' Court Rule No. 16.12.

See Forms Abortion-1 and Abortion-2 for suggested forms of Application and Verification of Medical Provider.

**Rule WO202. Confidentiality.**

(a) All proceedings relating to an Application shall be confidential.

(b) Upon the initial filing of the Application, the court shall review the Application and note any information identifying the pregnant woman (such as name and address and social security number) and shall then seal the Application in an envelope, denoting on the face thereof a caption using the initials of the pregnant woman and writing an order on the face of the envelope, which shall indicate the contents of the envelope (for example, Application for Judicial Authorization of an Abortion, Verification of Applicant, Verification of Medical Provider, etc.). The court shall direct that the record (Application, pleadings, submissions, transcripts, exhibits, orders, evidence and any other written material to be maintained, which shall include its own findings and conclusions) be sealed. The order shall specifically state that the envelope shall remain sealed and confidential.

(c) The clerk of the orphans' court shall docket the case by using a docket number only. Neither the name nor the

initials of the pregnant woman shall appear anywhere upon the docket. All subsequent pleadings and exhibits shall be similarly sealed and maintained. A final decree in the matter, using only the initials of the pregnant woman, may appear on the face of a sealed envelope, but the Findings of Fact and Memorandum Opinion of the court shall be sealed.

(d) The identity of the pregnant woman shall not be disclosed in any report or decision of the proceeding.

(e) All persons shall be excluded from hearings upon the Application except the pregnant woman, her attorney, her guardian ad litem, her proposed guardian (if she is alleged to be incapacitated), the proposed guardian's attorney, and witnesses of the applicant or of the applicant's attorney and guardian ad litem, or other individuals as directed by the court.

(f) The judge hearing the Application shall direct all persons present at any hearing or proceeding upon the Application not to disclose any information regarding the case.

*Cross References:* See Supreme Court Orphans' Court Rule No. 16.2, Rule No. 16.6 and the Explanatory Comment accompanying Rule No. 16.1.

**Rule WO203. Consent to an Abortion on Behalf of an Incapacitated Person.**

(a) Whenever a person seeks judicial consent to an abortion on behalf of an alleged incapacitated person, a Petition for Guardianship of the pregnant woman shall be filed either before an Application is filed or simultaneously therewith.

(b) A Petition for Guardianship or consolidated Petition for Guardianship and Application, filed on behalf of an incapacitated pregnant woman, by a petitioner seeking authority to consent to an abortion on behalf of the pregnant woman, shall maintain the anonymity of the pregnant woman, and confidentiality shall be maintained as set forth in Rule WO202. If a Petition for Guardianship alleges that the alleged incapacitated person is in need of a guardian for the purpose of authorizing the guardian to consent to an abortion that would be in the best interests of the incapacitated person, the Petition for Guardianship shall contain all of the information required by Chapter 55 of the Probate, Estates & Fiduciaries Code and by the abortion sections of these rules.

(c) The court will conduct proceedings to determine the capacity of the pregnant woman in the same manner as provided for in Chapter 55 of the Probate, Estates & Fiduciaries Code, and will render a decision on the incapacity of the pregnant woman before proceeding to rule on the Application.

(d) The standard for granting authority to a guardian to consent to an abortion shall be whether or not the procedure would be in the best interests of the incapacitated person.

(e) The statutory requirement that a decision by the court upon an Application shall be rendered within three business days of filing of the Application shall apply to filing of the Application and not to a prerequisite Petition for Guardianship, unless the two petitions are consolidated.

*Cross References:* See Supreme Court Orphans' Court Rule No. 16.1.

Pursuant to the Abortion Control Act, 18 Pa.C.S.A. § 3206(f)(4), decision upon an Application must be rendered within three business days of the filing of the Application.

In regard to paragraph (d), the rule is in accordance with the Abortion Control Act, 18 Pa.C.S.A. § 3206(d).

**Rule WO204. Guardian Ad Litem.**

(a) The court shall advise the pregnant minor filing an Application at the time when she files the Application that she has a right to court-appointed counsel or the right to retain private counsel at her own expense, and that she has a right to appointment of a guardian ad litem, and the court shall appoint such counsel or guardian ad litem upon request of the applicant or at its discretion.

(b) The orphans' court shall maintain a list of qualified attorneys within the jurisdiction of the court who shall serve by court appointment as counsel for the applicant or as guardian ad litem whenever required by the Abortion Control Act or by these Rules.

(c) A guardian ad litem will be appointed by the court in all cases where it is necessary to obtain records pertaining to an adult applicant's mental capacity to request or to consent to an abortion. The guardian ad litem may act on behalf of the minor or incapacitated pregnant woman to sign authorizations to release medical records to the court.

*Cross References:* See 18 Pa.C.S.A. § 3206(e) and Supreme Court Orphans' Court Rule No. 16.1, note.

*Explanatory Comments:* Records essential to the court's decision on an Application on behalf of a mentally incapacitated woman should be obtained through written consent of her guardian ad litem. This rule is of particular importance in cases where a medical practitioner or family member seeks authority to consent to an abortion as the guardian of the pregnant woman. Section 106 of the Mental Health Procedures Act, 50 P.S. § 7106, provides that medical records related to proceedings under the Mental Health Procedures Act may not be released without the signed authorization of the patient and that, in no case, may confidential communications between the patient and doctor, resulting from any proceedings under the Mental Health Procedures Act, be released.

**Rule WO205. Medical Testimony.**

(a) It is presumed that the testimony of physicians, psychologists and other medical professionals may be taken in the courtroom by speaker telephone in all proceedings conducted in accordance with these rules and pursuant to 18 Pa.C.S.A. § 3206(c), unless objections are filed at least ten days before the hearing.

(b) Telephone testimony shall be limited to medical, psychological and other medical personnel who can provide information relevant to the emotional development, maturity, intellect and understanding of the applicant; the fact and duration of the applicant's pregnancy; the nature, possible consequences, and alternatives to abortion; and any other relevant evidence which the court may find useful in making a determination about the applicant's ability to give informed consent pursuant to 18 Pa.C.S.A. § 3205 or an allegation that the abortion is in the best interests of the applicant.

(c) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

**Rule WO206. Testimony of Applicant's Parents.**

The parents of a minor seeking judicial authorization of an abortion may be given an opportunity to be heard, within the discretion of the court, provided said opportunity to be heard does not delay the hearing on the



Application beyond the time period described by statute, unless the applicant objects to disclosure of her pregnancy to her parents.

**Rule WO207. Transcript of Testimony.**

A record of all proceedings before the court upon an Application shall be made as a matter of course, and shall be transcribed, insofar as is practicable and necessary to meet the requirements for a prompt appeal, on the same day as the proceeding is conducted.

*Explanatory Comments:* An applicant for judicial consent to an abortion is entitled to an appeal directly to the Pennsylvania Superior Court after an adverse decision rendered by the Court of Common Pleas. The appeal must be heard within five days. Other time constraints related to gestational age of the fetus may make it imperative that a transcript be prepared expeditiously.

The Pennsylvania Rules of Appellate Procedure, Rule No. 3804, requires that the court reporter, without charge to the applicant, transcribe the notes of testimony and deliver them to the clerk by 5:00 o'clock P.M. on the business day following receipt of the notice of appeal to the Superior Court.

*Cross References:* See 18 Pa.C.S.A. § 2306(f)(4).

**Rule WO301. Termination of Parental Rights—Unknown Father.**

(a) Court Proceedings—Voluntary Termination of Natural Mother's Parental Rights.

(1) When the natural mother of a child petitions the court to voluntarily terminate her parental rights and alleges in her petition that the identity and/or domicile of the birth father is unknown, she shall testify, under oath, as to the circumstances of the conception including, but not limited to, a physical description of the alleged natural father, his name, nickname or alias, his occupation or alleged occupation, his home or region of origin, and any subsequent contact with him.

(2) If the natural mother does not identify the father of her child by name in her petition to voluntarily terminate her parental rights or in her consent to adoption, the court shall require her presence, even if a petitioner files the appropriate pleading under 23 Pa.C.S.A. § 2304.

(b) Notice. The notice to "Unknown Father" pursuant to 23 Pa. C.S.A. § 2513 shall include the child's name, the child's date of birth, the natural mother's name and the place of birth when the Notice is published pursuant to Pa. O.C. Rule 5.1(c). It shall be published in the county and state where, by petition, the notice is most likely to effectively notify the "Unknown Father".

(c) When the proposed adoptee has been born outside the Commonwealth of Pennsylvania, any Petition for Adoption filed with the court shall include as exhibits thereto certified copies of all orders of court or decrees issued by a court of competent jurisdiction, which orders or decrees:

(1) terminate the parental rights of the birth parents of the child proposed to be adopted;

(2) establish rights of guardianship or custody of the child proposed to be adopted in any other person or entity other than the birth parents; and/or

(3) establish or set forth any special conditions and/or considerations concerning placement, custody or guardianship and adoption of the proposed adoptee.

**Rule WO302. Medical Testimony.**

(a) It is presumed that the testimony of physicians, psychologists and other medical professionals may be taken in the courtroom by speaker telephone in termination of parental rights cases unless objections are filed at least ten days before the hearing.

(b) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

**Rule WO401. Family Exemption.**

As soon as practicable after the grant of letters, the personal representative shall notify the person or persons entitled to the family exemption.

(a) Procedure For Personal Property Without Petition.

(1) The person claiming the exemption shall file with the personal representative a claim in writing containing the caption of the case, the name of the claimant, the relationship, a brief description of the property claimed, the date of the claim and the signature of the claimant.

(A) If the claimant is a minor, the guardian of the minor's estate shall file the claim; or if there is no such guardian, the personal representative without request made shall select for the use and benefit of the minor personal property to the full value to which the minor is entitled.

(B) If the claimant is an incapacitated person, the guardian of the estate of the incapacitated person shall select for the use and benefit of the incapacitated person personal property to the full value to which the incapacitated person is entitled.

(2) The original claim shall be filed with the clerk.

(3) Under this section, credit for the family exemption will be allowed upon confirmation of the account, or upon order of court issued pursuant to a petition filed under the provisions relating to the settlement of small estates. Where the property claimed is other than cash, the court may require evidence of value prior to approval.

*Explanatory Comments:* Usually the procedure set forth in Section (a) will be followed. One purpose of the family exemption is to provide immediate funds to a member of the household of the decedent.

(b) Procedure By Petition.

(1) The procedure for awarding the family exemption shall be by petition in the following cases:

(A) When it is desired to distribute the family exemption in advance of the audit to a minor who has no guardian of his estate.

(B) When there is a dispute over the valuation of the property retained or claimed.

(C) When a claim for property is refused by a personal representative.

(D) When the claim is in full or in part out of real estate, or

(E) In all other cases where an order of court is required or desired to effect a transfer of the property retained or claimed.

(2) The petition shall set forth:

(A) The name and current address of the petitioner, and relationship if petitioner is not the claimant.

(B) The name, date of death, domicile of the decedent, whether he died intestate or testate, whether letters have been granted and if so, the name and address of the person to whom granted.

(C) The name, address at the time of decease of the decedent, and relationship of, the claimant.

(D) If the claimant is not the surviving spouse, the names, addresses and legal representatives if any of other possible claimants, and other relevant facts to establish that there are no members of any prior class, and no other members of the claimant's class who have maintained the family relationship and are entitled to make a claim.

(E) A description of the property claimed and the gross value thereof. If real estate is claimed, it shall be sufficiently described to identify it accurately, and a list shall be provided of all liens against it.

(F) Whether the property claimed was specifically devised or bequeathed by the decedent or otherwise specifically disposed of by him, and if so, a statement that there are no other assets available for the exemption.

(G) Whether there is any objection to the claim and if so, by whom.

(H) Whether allowance of the claim prior to the audit or confirmation of the account is requested.

(3) If the claim is in whole or in part out of real estate, the petition shall be accompanied by a valuation of two appraisers not related to any of the parties, setting forth the fair market value of the property claimed. The appraisers shall state their profession and shall certify that by virtue of their profession they are familiar with values of real estate in the vicinity of the subject property.

(4) The petition shall conclude with a prayer for the exemption. When necessary the court shall provide for notice or appraisal of the property or both and shall fix a return day. The following exhibits shall be attached:

(A) A copy of the inventory or other evidence of the value of the property claimed.

(B) When an automobile is claimed, the certificate of a reputable dealer showing its market value as of the date of death.

(C) Proof that notice was given at least ten days prior to presentation of the petition to any person with an adverse interest who does not consent to the prayer of the petition.

(5) If no exceptions are filed within ten days to a decree awarding property for the family exemption, absolute confirmation of the decree shall be as of course, whereupon the property claimed shall be transferred and delivered. Where the transferee does not request early distribution, the property may be awarded at the audit of the estate.

(6) If exceptions are timely filed to a petition to an appraisal or to a decree awarding property as the family exemption, the court shall hold a hearing to determine the issues and provide for an appropriate decree.

(7) When real estate set apart is appraised in an amount in excess of that claimed and the claimant refuses to accept it within the period allowed for exceptions or fails to make payment of the surplus within the time established by law, the court shall order the sale or other appropriate disposition of the property.

#### **Rule WO402. Allowance to Surviving Spouse of Intestate Out of Real Estate.**

Proceedings regarding allowance to the surviving spouse of an intestate out of real estate shall follow the local rules for awarding the family exemption when the claim is in full or in part out of real estate.

*Explanatory Comments:* This rule exists solely for satisfying the requirements of Supreme Court Orphans' Court Rule 12.2.

#### **Rule WO403. Specific Performance.**

(a) *Preliminary Order.* Upon presentation of a petition for specific performance, the court shall award a citation directed to the party failing or refusing to perform the contract; and further, in the case of real estate, the court will make an order directing the clerk to forward to the Prothonotary of the Court of Common Pleas wherein the real estate lies, a certificate showing the proceeding as required by 20 Pa.C.S.A. § 3390(c), that the same may be entered in the appropriate docket.

(b) *Notice.* Notice of the filing of the petition shall be given immediately upon filing the same to all parties interested as heirs, devisees or legatees of the decedent or to such persons as the court may direct. Such notice may be given personally or by certified mail.

(c) *Default of Answer - Decree.* After service of the citation and notice, if no answer is filed and it appears that the facts are sufficient in equity, the court will decree specific performance of the contract.

(d) *Bond.* When it appears that the bond entered is not sufficient to cover the transaction, the court may require additional bond.

#### **Rule WO404. Distribution in Kind.**

##### **Personal Property**

(a) When distribution in kind of personal property is to be made by court order, and the parties having an interest in the particular property or its proceeds agree as to which of them shall have the property at its inventory or other agreed valuation, the personal representative shall state these facts in the petition for distribution.

(b) In cases where the personal property has a readily ascertainable market value and no arrangement for another distribution is set forth in the petition for distribution, the court will distribute such property to all those in the proportionate shares as their interest appears, unless the property cannot be divided into proper shares. In the latter case, the court may award undivided interests in the property to the persons as their interests may appear, or the court may direct the personal representative to sell so much thereof as cannot be so divided.

(c) In cases where the personal property does not have a readily ascertainable market value, the petition shall have attached thereto an election to take in kind, consented to by the other parties interested in the fund for distribution.

(d) When the personal property to be distributed in kind has no readily ascertainable value and the parties in interest do not agree to a distribution, the court may direct an auction thereof upon ten days notice, personally or by mail, to parties in interest, at such a time and place as the court may direct. The court may restrict the bidding to parties in interest or direct a public auction as equity may require.

#### **Rule WO405. Partition.**

(a) A petition for partition shall include:

(1) The name, residence and date of death of the decedent;

(2) Whether the decedent died testate or intestate, in whole or in part, and a copy of the will, if any;

(3) A description, giving the size and location, of the property to be partitioned;

(4) The estimated value of the property

(5) Liens and charges to which the property is subject and rents due from tenants thereof;

(6) Whether the property has previously been partitioned or valued for partition;

(7) The names, addresses and relationship of those interested in the land to be partitioned, and the extent of the interest of each of such persons;

(8) If the interest of any party is created by a recorded deed or will, a reference to such record;

(9) A reference to the number and term of appointment of any fiduciaries representing any of the parties;

(10) Whether any of the parties are absentees or presumed decedents, and if so, their representatives;

(11) Whether there is a need to appoint guardians or trustees for interests not represented;

(12) The names of any co-tenants who have collected rents or owe rent for any of the premises, and the amounts thereof, if known;

(13) Signed consents or joinders, if any;

(14) A request for a citation upon the parties in interest who have not joined as petitioners to show cause why an inquest in partition should not be granted;

(15) A proposed preliminary order.

(b) Where it appears from the petition that the address of any party is unknown to the petitioner, the citation shall be served by publication for three successive weeks in the *Westmoreland Law Journal* and in a newspaper of general circulation published at or near the location of the last known residence of the party whose present address is unknown. If the name of a party is unknown, or if there is no last known address, the newspaper where publication is made shall include a newspaper of general circulation published at or near the location of the property to be partitioned. The court may direct such additional means, if any, as the court deems reasonably necessary to effect notice to such parties.

(c) If the court determines that there shall be a partition because of a default or admission, or after a hearing on the petition, the court shall enter an order directing partition which shall set forth the names of all the co-tenants and the nature and extent of their interests in the property. Further proceedings shall generally be in conformity with the Pa. R.C.P. No. 1558, et seq. All required court filings shall be with the clerk.

(d) If rents are determined to be due from or to any co-tenants, equitable adjustment thereof shall be included in the partition proceedings.

(e) Costs, compensation of appraisers, compensation of experts authorized by the court, any master's fee, and counsel fees shall be allocated in such amount and manner as the court shall deem equitable.

*Explanatory Comments:* See Supreme Court Orphans' Court Rules Rules 5.1(c) and 12.8.

### Rule WO406. Small Estates.

(a) Personalty.

(1) When any person domiciled in Westmoreland County, Pennsylvania, dies owning property (exclusive of real estate and of wages, salary or any accrued vacation benefits or pension payable under 20 Pa.C.S.A. § 3101, but including personal property claimed as the family exemption) of a gross value not exceeding \$25,000.00, any party in interest may present a petition for the distribution of the property. The petition shall set forth:

(A) the name, date of death and domicile of the decedent, whether testate or intestate, and whether letters have been granted.

(B) if letters have been granted, to whom, the date of grant of letters, the date of the first complete advertisement of letters, if applicable, and the amount of bond, if any.

(C) the names and relationships of all beneficiaries under the will, if any;

(D) the names of the surviving spouse and next of kin if decedent died intestate as to any personalty;

(E) the names of any persons entitled to distribution who are not sui juris, with the names of their trustees or guardians and a reference to their appointment;

(F) when a family exemption is claimed out of personalty and has not previously been claimed:

(i) by whom the exemption is claimed;

(ii) the name of the surviving spouse, if any, whether the family relationship was maintained, and whether spousal rights have been forfeited;

(iii) if the spouse is not the claimant, the names of such children as were members of the same household as the decedent at his death, indicating any who are not sui juris, or if there are no such children, the names of the parent or parents of the decedent who were members of the same household as the decedent at his death;

(iv) the names of any other children, heirs or beneficiaries not previously identified and the legal representatives, if any, of all not sui juris;

(v) a description of the property claimed and the gross value thereof;

(vi) whether there is any objection to the claim, and if so, by whom;

(G) an itemized list of the personal property owned by the decedent at date of death, and the total value thereof (the itemized list may be attached as an exhibit, with only the total listed here);

(H) an itemized statement of all disbursements made prior to filing the petition, specifying the date, amount, payee and purpose of each disbursement, and the total of all disbursements (the itemized list may be attached as an exhibit, with only the total listed here);

(I) an itemized statement of all unpaid administrative expenses, preferred and other debts, and taxes, including those due the Commonwealth of Pennsylvania, together with the total thereof (the itemized list may be attached as an exhibit, with only the total listed here);

(J) an itemized list of all claims not admitted, and the total thereof (the itemized list may be attached as an exhibit, with only the total listed here);

(K) the names of all unpaid creditors whose claims are admitted, and of all heirs or beneficiaries not joining in or consenting to the petition.

(2) Exhibits shall be attached in the following order:

(A) the consent or joinder of all heirs, beneficiaries, creditors, sureties on any administrator's bond, and any others interested in the decedent's estate, who consent to the granting of the petition;

(B) a copy of the will, if any;

(C) proof of advertising of letters, if applicable;

(D) a receipt or statement from the Agent of the Commonwealth showing that the Pennsylvania Inheritance Tax has been paid in full, or consent to the granting of the petition;

(E) when an automobile is claimed as part or all of the family exemption, the certificate of a dealer or dealer's employee showing its market value as of the date of death;

(F) Itemized lists, if not included in the body of the petition.

(3) The petition shall be accompanied by a proposed decree, which specifically sets forth the proposed distribution.

(4) Upon presentation of the petition, the court may enter a decree without notice or with such notice or citation as the court shall direct.

*Cross References:* 20 Pa.C.S.A. § 3102.

(b) Personalty and realty.

(1) When any person domiciled in Westmoreland County, Pennsylvania, dies owning real and personal property of a gross value not exceeding \$25,000.00, the personal representative, after the expiration of one year from the date of the first complete advertisement of the grant of letters, may present a petition to the court seeking approval of the representative's administration of the estate, requesting distribution of the estate assets, and further requesting discharge of the representative.

(2) The petition shall set forth the information required in WO406(a). In addition, the petition shall include in the appropriate paragraph:

(A) the items of real property owned by decedent and their value at the date of death;

(B) whether the decedent died intestate as to any real property;

(C) as an exhibit, an account showing the administration and any distribution theretofore made of the estate;

(3) Upon presentation of the petition, the court shall direct ten days' written notice to be given to all known parties in interest who have not consented thereto that unless exceptions are filed to said petition and the account annexed, within thirty days of the date of the filing thereof, the court will confirm said account, make distribution as requested, and may discharge the petitioner and any surety from future liability.

(4) Any final order shall provide that it will not become absolute for ten days.

*Cross References:* See 20 Pa.C.S.A. § 3531. When a family exemption is claimed out of real estate, a petition must be presented under 20 Pa.C.S.A. § 3123, and WO401, unless all parties in interest agree in writing to the valuation at which such real estate is to be awarded. See Supreme Court Orphans' Court Rule 12.

#### **Rule WO051. Medical Testimony.**

(a) It is presumed that the testimony of physicians, psychologists and other medical professionals may be taken in the courtroom by speaker telephone in all guardianship cases, unless objections are filed at least ten days before the hearing.

(b) When an emergency guardianship petition is presented, the testimony of a physician or psychologist shall be taken in the courtroom by speaker telephone unless otherwise directed by order of court.

(c) All documents in a foreign language shall be translated into English. The translation shall be typed and a certificate of accurate translation shall be attached.

*Cross References:* See 20 Pa.C.S.A. § 5518 for provisions regarding testimony by qualified professionals. See 20 Pa.C.S.A. § 5513 regarding emergency guardianships

#### **Rule WO502. Petition.**

(a) In addition to the allegations required by statute or Supreme Court Rule, all petitions for appointment of guardian shall set forth:

(1) Whether or not the alleged incapacitated person is a fiduciary in any capacity.

(2) Whether the alleged incapacitated person was ever a member of the Armed Services of the United States, or is receiving any benefits from the United States Veterans Administration, or its successor.

(3) Whether any other court has ever assumed jurisdiction in any proceeding to determine the incapacity of the alleged incapacitated person.

(b) The notice of the petition and hearing shall be attached as a cover sheet to a citation and petition when served upon the alleged incapacitated person, and shall be in the form included with the forms suggested for use in the orphans' court or in such form as may be adopted by the Supreme Court of Pennsylvania.

(c) Unless the court directs otherwise, a copy of the notice and petition shall be given to those persons entitled to notice under 20 Pa.C.S.A. § 5511(a) by certified mail, return receipt requested. Proof of service shall be filed with the court at the hearing.

*Cross References:* See 20 Pa.C.S.A. § 5511(e) for current required allegations for petitions. Subparagraph (1) is taken from prior Rule WO19(a)(1). Subparagraph (2) is taken from Supreme Court Orphans' Court Rule 14.2(a)(5). Subparagraph (3) is taken from Supreme Court Orphans' Court Rule 14.2(a)(9).

See 20 Pa.C.S.A. § 5511(a) regarding the requirement of notice. See Form Guardianship-1 for the form of notice.

#### **Rule WO503. Petition to Invade Principal Assets.**

A Petition to Invade Principal Assets shall be presented to the court in all situations where the guardian intends to invade the principal assets of an incapacitated person or minor. Such Petition to Invade Principal Assets shall contain, at minimum, the following averments of fact:

(a) In the case of incapacitated persons:

(1) Name, age and residence of the incapacitated person.

(2) A reference to the original date of the guardian's appointment.

(3) Whether the guardian is bonded and, if so, for what amount.

(4) An itemized listing of the assets of the incapacitated person.

(5) An itemized listing of the income and expenses of the incapacitated person.

(6) A listing of the names and addresses of all creditors, and the amount due each.

(7) The purpose for the proposed invasion of principal.

(8) Whether any prior Petitions to Invade Principal Assets have been presented.

(9) In those cases where the guardianship estate is expected to be insolvent, that the creditors of the incapacitated person have been notified of the presentation of the Petition to Invade Principal Assets.

(10) The maximum amount estimated to be needed per month or per year, and the time period during which such invasion will be necessary (e.g., \$500.00 per month for the period January 1, 1995 through December 31, 1996).

(b) In the case of minors with court-appointed guardians:

(1) Name, age and residence of the minor and the person with whom the minor resides.

(2) A reference to the original date of the guardian's appointment.

(3) Whether the guardian is bonded and, if so, for what amount.

(4) Names and residences of the living parents and their incomes, and whether their incomes are sufficient to support the minor properly.

(5) An itemized listing of the assets of the minor.

(6) An itemized listing of the income of the minor.

(7) Whether there are other funds (e.g., current beneficiary of a trust or estate) available for the care, maintenance, education or funeral expenses of the minor or other persons for whom an invasion of principal is requested.

(8) A listing of the names and addresses of all creditors, and the amount due each.

(9) The purpose for the proposed invasion of principal.

(10) Whether any prior Petitions to Invade Principal Assets have been presented.

(11) That the next-of-kin of the minor have been notified of the presentation of the Petition for Allowance, if directed by the court.

(12) The maximum amount estimated to be needed per month or per year, and the time period during which such invasion will be necessary (e.g., \$500.00 per month for the period January 1, 1995 through December 31, 1996).

*Cross References:* See 20 Pa.C.S.A. § 5536(a), which permits the expenditure of income for the care and maintenance of an incapacitated person without the necessity of court approval, but which requires court authorization for the expenditure of principal.

See 20 Pa.C.S.A. § 5164, which permits the expenditure of income for the care, maintenance and education of a minor without the necessity of court approval, but which requires court authorization for the expenditure of principal.

*Explanatory Comments:* The time period for which an invasion of principal may be requested may generally not exceed one (1) year.

Under 20 Pa.C.S.A. §§ 5164 and 5536(a), court approval is required to use income for anyone other than the minor or incapacitated person. In such cases, a petition in essentially the same form as provided by this rule should be filed.

#### **Rule WO504. Petition for Sale of Assets.**

A Petition for Sale of Assets shall be presented to the court in all situations where the guardian intends to sell real or tangible personal property of an incapacitated person. Such Petition for Sale of Assets shall contain, at minimum, the following averments of fact:

(a) A reference to the original date of the guardian's appointment.

(b) Whether the guardian is bonded and, if so, for what amount.

(c) An itemized listing of the assets of the incapacitated person.

(d) An itemized listing of the income and expenses of the incapacitated person.

(e) The reason for the proposed sale and the proposed distribution of proceeds. If the property is real estate, (i) whether the property is expensive to maintain; (ii) whether the property is occupied and/or generating income; (iii) whether the guardian needs the proceeds for the care of the incapacitated person.

(f) If the purpose for the proposed sale is the payment of debts, a listing of the names of all creditors, and the amount due each.

(g) If the property is tangible personal property, one appraisal shall be attached. If the property is real estate, the petition shall be accompanied by a valuation of two appraisers not related to any of the parties, setting forth the fair market value of the property claimed. The appraisers shall state their profession and shall certify that by virtue of their profession, they are familiar with values of real estate in the vicinity of the subject property.

(h) If the property is the incapacitated person's residence,

(1) That the incapacitated person will not be returning to the property to live. (Indicate where the incapacitated person is currently living, i.e., nursing home, personal care home, etc.)

(2) If a private sale, that the price is greater than could be obtained at a public sale. If not, or if the price is less than the appraisal, indicate whether a commission is being charged.

(i) Notice of the presentation of the Petition for Sale of Assets shall be given to all next of kin of the incapacitated person, whose written consents to the sale are not attached.

(j) The proposed decree shall contain a provision regarding the posting of bond.

*Cross References:* See Rule 12.10 of the Supreme Court Orphans' Court Rules regarding sales of property.

See the 1949 Official Comment to 20 Pa.C.S.A. § 5521, which discusses 20 Pa.C.S.A. §§ 5151 and 5155 and the concerns regarding the sale of property.

#### **Rule WO505. Petition for Compromise of Claim.**

A Petition for Compromise of Claim shall be presented to the court in all situations where the guardian proposes to compromise a claim by or against an incapacitated

person. Such Petition for Compromise of Claim shall contain, at minimum, the following averments of fact:

(a) A reference to the original date of the guardian's appointment.

(b) Whether the guardian is bonded and, if so, for what amount.

(c) An itemized listing of the assets of the incapacitated person.

(d) An itemized listing of the income of the incapacitated person.

(e) A listing of the names and addresses of all creditors, and the amount due each.

(f) A concise description of the claim which is proposed to be compromised.

(g) Whether any prior Petitions for Compromise of Claim have been presented.

(h) That the next-of-kin of the incapacitated person have been notified of the presentation of the Petition for Compromise of Claim.

(i) In those cases where the guardianship estate is expected to be insolvent, that the creditors of the incapacitated person have been notified of the presentation of the Petition for Compromise of Claim.

*Cross References:* See 20 Pa.C.S.A. § 5521(b), relating to the guardian's powers, duties and liabilities.

See Pa. R.C.P. No. 2051, et seq., for the settlement procedures applicable to actions commenced in the civil division.

#### **Rule WO601. Jurisdiction.**

(a) The following petitions for approval of settlement shall be brought before the orphans' court when suit has not been commenced in the civil division:

(1) Petition to Compromise and Settle Minor's Action;

(2) Petition to Compromise and Settle an Incapacitated Person's Action; and

(3) Petition to Compromise and Settle Wrongful Death and Survival Action.

(b) Upon receipt of a petition, the court may, at its discretion, grant the petition as presented, request additional information from any party, or order testimony to be taken on the petition.

*Cross References:* With regard to wrongful death and survival actions, See 42 Pa.C.S.A. § 8301(b) and 20 Pa.C.S.A. §§ 2101-2104.

#### **Rule WO602. Petition to Compromise and Settle Minor's Claim.**

A Petition to Compromise/Settle a Minor's Claim shall contain, at minimum, the following averments of fact:

(a) Description of the factual circumstances of the case. These should include the date of the accident/injury, how the accident/injury occurred, the age of the minor at the time of the accident/injury, and identification of the defendant. If the case involves an automobile accident, the accident report should be attached.

(b) Type of injury suffered. Medical documentation (e.g. hospital records or a physician's report) should be attached to the Petition in order to advise the court of the extent and effect of the injuries. If the medical documentation indicates there are residual effects, the Petition should refer to the specific portions of the medical documentation which contain such opinions.

(c) Medical expenses incurred. If any portion of the medical expenses is to be deducted from the minor's share of the settlement, the Petition should contain an affirmation that the parents/guardians will not be reimbursed for such expenses from any other source.

(d) Amount and terms of the proposed settlement. The Petition should clearly identify whom the attorney bringing the Petition represents (i.e., the insurance company or the parent/guardian of the minor).

(e) Statement regarding the efforts made to secure the best settlement. Where appropriate, the Petition should inform the court whether there is a question of liability and should briefly address any legal/factual issues which may impede successful litigation.

(f) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(g) The attorney fee arrangement. A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(h) A list of any other expenses which will be deducted from the minor's share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(i) The exact portion the minor is to receive.

(j) The proposed order should provide in detail the proposed distribution of funds. The proposed distribution shall conform to the distribution procedures used in the civil division, under the Pennsylvania Rules of Civil Procedure.

*Cross References:* All petitions must meet the basic requirements established by WO107.

Under Pa. R.C.P. Nos. 2039 and 2206, the following distribution procedures are used in the civil division.

1. Pursuant to Pa. R.C.P. No. 2039(b), the court shall order the proceeds paid to the guardian of the estate of the minor.

2. If there is no court-appointed guardian of the estate and the amount is not more than \$10,000, Pa. R.C.P. No. 2039(b)(1) provides that the court may (but is not obligated to) release the proceeds directly to "the guardian of the person or to the natural guardian or to the person or agency by whom the minor is maintained or to the minor".

3. If there is no court-appointed guardian of the estate and the amount is more than \$10,000, Pa. R.C.P. No. 2039(b)(2) requires that the proceeds be deposited in a federally insured savings account - in the minor's name - with a stipulation that no withdrawals can be made until the child reaches the age of eighteen (18) except upon prior order of court.

4. The order must include a provision that proof of the sequestered account shall be promptly filed of record.

*Explanatory Comments:* Despite the discretionary language contained Pa. R.C.P. No. 2039(b)(1), the court generally does not release the proceeds directly to the minor or guardian. Except in cases involving extremely small damages or unique circumstances, the court routinely requires that the funds be deposited in a federally insured savings account in the minor's name with a

stipulation that no withdrawals can be made until the child reaches the age of eighteen (18) except upon prior order of court.

**Rule WO603. Petition to Compromise and Settle Incapacitated Person's Claim.**

A Petition to Compromise/Settle an Incapacitated Person's Claim shall contain, at minimum, the following averments of fact:

(a) Description of the factual circumstances of the case. These should include the date of the accident/injury, how the accident/injury occurred, the age of the incapacitated person at the time of the accident/injury, and identification of the defendant. If the case involves an automobile accident, the accident report should be attached.

(b) Type of injury suffered. Medical documentation (e.g. hospital records or a physician's report) should be attached to the Petition in order to advise the court of the extent and effect of the injuries. If the medical documentation indicates there are residual effects, the Petition should refer to the specific portions of the medical documentation which contain such opinions.

(c) Medical expenses incurred. If any portion of the medical expenses is to be deducted from the incapacitated person's share of the settlement, the Petition should contain an affirmation that the guardian will not be reimbursed for such expenses from any other source.

(d) Amount and terms of the proposed settlement. The Petition should clearly identify whom the attorney bringing the Petition represents (i.e., the insurance company or the guardian of the incapacitated person).

(e) Statement regarding the efforts made to secure the best settlement. Where appropriate, the Petition should inform the court whether there is a question of liability and should briefly address any legal/factual issues which may impede successful litigation.

(f) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(g) The attorney fee arrangement. A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(h) A list of any other expenses which will be deducted from the incapacitated person's share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(i) The exact portion the incapacitated person is to receive.

(j) The proposed order should provide in detail the proposed distribution of funds. The proposed distribution shall conform to the distribution procedures used in the civil division, under the Pennsylvania Rules of Civil Procedure.

**Rule WO604. Petition to Compromise and Settle Wrongful Death and Survival Action.**

A Petition to Compromise/Settle a Wrongful Death and Survival Action shall contain, at minimum, the following averments of fact:

(a) Description of the factual circumstances of the case. These should include the date of the accident/injury, how the accident/injury occurred, the age of the decedent at the time of the accident/injury, and identification of the

defendant. If the case involves an automobile accident, the accident report should be attached.

(b) Amount and terms of the proposed settlement. The Petition should clearly identify whom the attorney bringing the Petition represents (i.e., the insurance company or the heirs/beneficiaries of the decedent).

(c) Statement regarding the efforts made to secure the best settlement. Where appropriate, the Petition should inform the court whether there is a question of liability and should briefly address any legal/factual issues which may impede successful litigation.

(d) An affirmation by petitioner's counsel that the settlement is the best settlement that could be obtained. (Note: This could also be in the form of an attached affidavit.)

(e) The attorney fee arrangement. A copy of the written fee agreement must be attached. In structured settlements, the fee must be based on the present value of the annuity.

(f) A list of any other expenses which will be deducted from the heirs/beneficiaries' share of the settlement (e.g. costs advanced for medical reports, hospital records, filing fees, etc.).

(g) A statement as to whether the plaintiff's decedent died intestate or with a will, and if a will was in existence, the effect of the will upon the proposed monetary distribution between wrongful death and survival actions. If a will exists, a copy must be attached as an exhibit to the Petition.

(h) The exact amount of the wrongful death portion of the settlement each of the wrongful death beneficiaries is to receive.

(i) Dependency. Whether the parties proposed to receive funds from the wrongful death portion of the settlement were dependents of the decedent.

(j) Survival. How long the decedent survived after the accident.

(k) Notice. That notice of the presentation of the Petition has been given to all of the beneficiaries named under the decedent's will, if the decedent died testate, and to the decedent's intestate heirs, whether the decedent died testate or intestate.

(l) The proposed order should provide in detail the proposed distribution of funds.

**Rule WO605. Petitions for Allowance.**

(a) All withdrawals from a minor's account require a Petition for Allowance.

(b) Petitions for Allowance shall contain, at minimum, the following averments of fact:

(1) The facts and circumstances surrounding the origination of the minor's fund.

(2) A chronological statement of all prior petitions for allowance, including the reasons therefor, the amounts thereof, and the disposition.

(3) The age of the minor at the time the fund was created and the minor's present age.

(4) The original amount of the minor's funds and the present balance of same.

(5) The circumstances and reasons supporting the petition for allowance.

(c) All Petitions for Allowance shall be accompanied by:

- (1) A proposed Order.
- (2) A copy of the original Petition for Compromise and the Order of Distribution.
- (3) Copies of all prior petitions for allowance and the orders with respect to same.
- (4) Substantiating documentation to support the petition for allowance.
- (5) A consent filed by the petitioner.

*Explanatory Comments:* The court recognizes the parents' legal obligation to support and care for their child. Accordingly, when withdrawal from a minor's account is requested, the court will generally not permit the minor's funds to be used for routine parental obligations.

[Pa.B. Doc. No. 96-209. Filed for public inspection February 16, 1996, 9:00 a.m.]

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### WESTMORELAND COUNTY

**Adopted Rule of Civil Procedure W200.8; Rescinded Rules of Civil Procedure W200.8 and W200.9**

#### Order of Court

*And Now, to wit this 1st day of February, 1996, It Is Hereby Ordered, Adjudged, and Decreed that Westmoreland County Rules of Civil Procedure W200.8 and W200.9 are hereby rescinded. New Rule of Civil Procedure W200.8 is adopted. This rule is effective thirty (30) days after publication in the Pennsylvania Bulletin.*

*By the Court*

CHARLES E. MARKER,  
*President Judge*

#### **Rule W200.8. Settlement Conference.**

(a) Upon receipt of a praecipe to place the case on the trial list, the court administrator will schedule a settlement conference and notify counsel of record of the date and time of such conference.

(b) All plaintiffs, persons, and entities having the authority to settle the case and their counsel will be available in court.

(c) If the case is not settled, counsel will call to the attention of the court any matter which should be addressed to assure an expeditious trial.

(d) The following procedures will be followed in medical malpractice cases:

(1) All trial counsel and clients (including doctors) will be present during the conference,

(2) Insurance and CAT representatives shall be available by telephone to answer questions and to respond to settlement proposals, and

(3) All parties shall exchange expert reports at least 15 days prior to the settlement conference.

[Pa.B. Doc. No. 96-210. Filed for public inspection February 16, 1996, 9:00 a.m.]

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## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that James J. Gembarosky has been disbarred from the practice of law in the State of New York. The Supreme Court of Pennsylvania issued an Order dated February 5, 1996, disbaring James J. Gembarosky from the practice of law in this Commonwealth, to be effective March 6, 1996.

ELAINE M. BIXLER,  
*Secretary*

*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 96-211. Filed for public inspection February 16, 1996, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF BANKING

### Actions 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 February 6, 1996.

#### BANKING INSTITUTIONS

##### Foreign Bank Organization Offices

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-2-96	The Daiwa Bank, Limited 2-1 Bingomachi 2-chome Chuo-ku Osaka, Japan 541	2450 CNG Tower 625 Liberty Ave. Pittsburgh Allegheny County  One Liberty Place 1650 Market St., Ste. 2860 Philadelphia Philadelphia County	Authorization Surrendered
1-23-96	The Sumitomo Bank, Limited 6-5 Kitahama 4-chome Chuo-ku Osaka, Japan 541	2450 CNG Tower 625 Liberty Ave. Pittsburgh Allegheny County  One Liberty Place 1650 Market St., Ste. 2860 Philadelphia Philadelphia County	Filed Approved 2-2-96 Commenced Operations 2-5-96

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-15-96	United Valley Bank Philadelphia Philadelphia County	100 N. Presidential Boulevard Bala Cynwyd Montgomery County	Opened
1-31-96	Firsttrust Savings Bank Flourtown Montgomery County	New Britain Village Square Shopping Center 4275 County Line Rd. Chalfont Bucks County	Approved
1-31-96	Integra Bank Pittsburgh Allegheny County	One Oxford Centre Pittsburgh Allegheny County	Filed
1-31-96	Ambassador Bank of the Commonwealth Allentown Lehigh County	1323 Grape Street Whitehall Lehigh County	Filed
2-1-96	The Scottdale Bank and Trust Company Scottdale Westmoreland County	Route 201 and Liberty Street Vanderbilt Fayette County	Filed

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-1-96	Reeves Bank Beaver Falls Beaver County	<i>To:</i> 747 Corporation Street Beaver Beaver County	Filed

## NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 605 Third Street Beaver Beaver County	

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-2-96	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	1006 Market Street Harrisburg Dauphin County	Filed
2-2-96	Mid-State Bank and Trust Company Altoona Blair County	1315 11th Avenue Altoona Blair County	Effective
2-5-96	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	9 East Main Street Waynesboro Franklin County	Filed

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS****Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-31-96	ABCON Federal Credit Union Valley Forge Chester County	Valley Forge	Filed

*To:*

ABON Credit Union  
Valley Forge  
Chester County

Application represents conversion from a Federally-chartered credit union to a State-chartered credit union.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-212. Filed for public inspection February 16, 1996, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of March 1996**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of March is 8 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such

individual occupies or has occupied as a principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U. S. Treasury. The latest yield rate on long-term government securities is 6.07 to which was added 2.50 percentage points for a total of 8.57 that by law is rounded off to the nearest quarter at 8 1/2%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-213. Filed for public inspection February 16, 1996, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Field 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 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. 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 Field 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 Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0003620.** Industrial waste, SIC: 3312, **Pittsburgh Flatroll Company**, 31st Street and AVRR, Pittsburgh, PA 15201.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water, stormwater, and air compressor condensate from the Pittsburgh Plant in the City of Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Millvale Water Authority, located on the Allegheny River, about 1 mile from the discharge point.

Outfall 101: existing discharge, design flow of 0.017 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids	8.5	23			40
Oil and Grease		6.0			10
pH	6.0—9.0				

Outfall 201: existing discharge, design flow of 0.35 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids	72	168			70
pH	6.0—9.0				

Outfall 301: design flow of 0.0028 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids	13	30			70
Nickel	0.1	0.4			0.9
Chromium	0.2	0.4			1.0
pH	6.0—9.0				

Outfall 001: existing discharge, design flow of 0.370 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30	60	
Oil and Grease			15	30	
pH	6.0—9.0				

*Other conditions:* Special conditions apply to any proposed chemical additives and to stormwater and cooling water discharges. Residual wastes must be disposed properly.

The EPA waiver is not in effect.

**PA 0014311.** Industrial waste, SIC: 3316, **Republic Engineered Steels, Inc.**, 410 Oberlin Road, SE, Massillon, OH 44646.

This application is for renewal of an NPDES permit to discharge treated process stormwater from Republic Engineered Steels, Inc. in Beaver Falls, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Walnut Bottom Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Beaver Falls Municipal Authority located at Beaver Falls, 0.75 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.0064 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TSS	4.23	9.86	30	70	88
Oil and Grease	monitor and report		15		30
Lead	0.002	0.004	0.021	0.042	0.053
Zinc	0.028	0.084	0.1	0.3	0.38
pH	6.0—9.0				

Outfall 001: existing discharge to Walnut Bottom Run.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of those sources previously monitored at IMP 101, groundwater and stormwater.					
Chromium					monitor and report
Nickel					monitor and report
Lead					monitor and report
Zinc					monitor and report

Outfall 002-011: stormwater runoff discharges to Walnut Bottom Run and Beaver Falls Storm Sewer System

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Chromium					monitor and report
Nickel					monitor and report
Lead					monitor and report
Zinc					monitor and report

*Other conditions:* Stormwater condition sludge management condition and chemical additive condition.

The EPA waiver is in effect.

**PA 0098795.** Industrial waste, SIC: 4941, **North Fayette County Municipal Authority**, P. O. Box 368, Dunbar, PA 15431.

This application is for issuance of an NPDES permit to discharge treated process water and untreated stormwater from the Wheeler Bottom Water Treatment Plant in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as high-quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Westmoreland Municipal Authority, located at Connellsville, about 1 mile below the discharge point.

Outfall 001: existing discharge, design flow of 0.200 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor/report				
Total Suspended Solids			30		60
Total Iron			2		4
Aluminum			4		8
Manganese			1		2
Total Residual Chlorine (TRC)			0.5		1.0
pH	6.0—9.0				

*Other Conditions:* Special Conditions apply to uncontaminated stormwater runoff outfalls and to any existing or proposed chemical additives. Disposal of solids must meet residual waste standards. One year compliance period before TRC limit becomes effective.

The EPA waiver is in effect.

**PA 0204919.** Industrial waste, SIC: 2421, **Laurel Hill Timber Company**, P. O. Box 266, Lyme, NH 03768.

This application is for issuance of an NPDES permit to discharge leachate and stormwater from a sawdust pile in Jackson Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Laurel Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Laurel Run Reservoir, located 3.73 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.065 mgd.

*Interim Limits*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor/report				
Free Cyanide					monitor/report
CBOD <sub>5</sub>					monitor/report
Dissolved Iron					monitor/report
Total Suspended Solids					monitor/report
pH	monitor/report				

*Final Limits*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor/report				
Free Cyanide			0.050		0.100
CBOD <sub>5</sub>			25		50
Dissolved Iron					7.0
Total Suspended Solids			30		60
pH	6.0—9.0				

The EPA waiver is in effect.

**PA 0217280.** Industrial waste, SIC: 3229, **American Video Glass Company**, 777 Technology Drive, Mt. Pleasant, PA 15666-2715.

This application is for an issuance of an NPDES permit to discharge treated process water, noncontact cooling water and stormwater from American Video Glass Company in East Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters Sewickley Creek classified as WWF fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the McKeesport Municipal Water Authority, located on the Youghiogheny River at Sutersville, approximately 20 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.72 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
TSS	186	372	monitor and report	monitor and report	20
Oil and Grease	186	372	monitor and report	monitor and report	20
Fluoride	86	172	monitor and report	monitor and report	26
Lead (T)	0.65	1.3	monitor and report	monitor and report	0.2
Antimony			0.11	0.22	0.28
Temperature (°F)					110
pH	6.0—9.0				

Outfalls 002 and 003: new discharge, design flow of N/A mgd.

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

*Other Conditions:* After this facility starts up, effluent characterization must be done to demonstrate that it is similar to the State College facility.

The EPA waiver is in effect.

**PA 0096954.** Sewage, **Interstate 79 Associates**, 4839 Campbells Run Road, Pittsburgh, PA 15205.

This application is for renewal of an NPDES permit to discharge treated sewage from the Meadowlands Park Sewage Treatment Plant in North Strabane Township, **Washington County**.

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

Outfall 001: existing discharge, existing design flow of 0.0435 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50	
Suspended Solids	30			60	
Ammonia Nitrogen					
(5-1 to 10-31)	4			8	
(11-1 to 4-30)	12			24	
Fecal Coliforms					
(5-1 to 9-30)	200/100 ml as a geometric mean				
(10-1 to 4-30)	2,000/100 ml as a geometric mean				
Total Residual Chlorine	0.7			1.7	
pH	6.0—9.0				

*Other Conditions:* If/when the plant is expanded to a design flow of 0.087 mgd, the following effluent limitations would apply:

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen (5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.4			0.9
Dissolved Oxygen	not less than 4.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0203831.** Sewage, **Riverside Beaver County School District**, R. D. 2, Country Club Drive, Box 4010, Ellwood City, PA 16117.

This application is for renewal of an NPDES permit to discharge treated sewage from Riverside Beaver County School District's Primary Center Sewage Treatment Plant in North Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary to Thompson Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Beaver Falls Municipal Authority Eastvale Plant.

Outfall 001: existing discharge, design flow of 0.0064 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0204951.** Sewage, Michael Ott, **Ott Enterprises, Inc.**, 208 Rivercrest Drive, Moon Township, PA 15108.

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

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Kilbuck Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.01 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	2.5			5.0
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	0.03			0.06

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Dissolved Oxygen	not less than 6 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 327-3670.*

**PA 0032361.** Sewerage, SIC: 4952, **Williamsport Area School District (Woodward Elementary)**, 201 West Third Street, Williamsport, PA 17701.

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

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 based on a design flow of 0.009 mgd are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25		50
TSS	30		60
Total Residual Cl <sub>2</sub>	1		2.3
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0060305.** Industrial waste, SIC: 4941, **Department of Conservation and Natural Resources**, Mt. Pisgah State Park, R. R. 3, Box 362, Troy, PA 16947.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to unnamed tributary to Pisgah Creek in West Burlington Township, **Bradford County**.

The receiving stream is classified for the following uses: trout stock fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Municipal Water Authority located at Danville.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0005 mgd are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
pH (Std. Units)	within the range of 6.0—9.0	
TSS	30	60
Total Iron	monitor and report	
Total Aluminum	monitor and report	
Total Manganese	monitor and report	

The EPA waiver is in effect.

**PA 0032352.** Sewerage, SIC: 4952, **Williamsport Area School District (Hepburn-Lycoming School)**, 201 West Third Street, Williamsport, PA 17701.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Lycoming Creek in Hepburn Township, **Lycoming County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 based on a design flow of 0.016 mgd are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25		50
TSS	30		60
Total Residual Cl <sub>2</sub>	1		2.3



<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) (10-1 to 4-30)	200 col/100 ml as a geometric mean 2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0043419.** Sewerage, SIC: 4952, **Coudersburg Borough Authority**, 201 South West Street, Coudersport Borough, PA 16915, Eulalia Township, **Potter County**.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to the Allegany River in Eulalia Township, Potter County.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Pennsylvania, New York border located approximately 30 miles downstream.

Outfall 001:

The proposed effluent limits, based on a design flow of 0.9 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (6-1 to 10-31)	9	13.5	18
Fecal Coliforms (5-1 to 9-30) (11-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.64
	*Limit effective 2 years after permit effective date until then monitor and report		
pH	6.0—9.0 at all times		

Outfall 002:

Combined sewer overflow—Monitor for cause, frequency, duration and estimated quantity of flow.

The EPA waiver is in effect.

**PA 0112747.** Sewerage, SIC: 4952, **Mahaffey Borough Municipal Authority**, P. O. Box 202, Mahaffey, PA 15757.

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

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 based on a design flow of 0.07 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Total Residual Cl <sub>2</sub>	1		2.3
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200 col/100 ml as a geometric mean 2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PA 0036374.** Sewage, **Eaglepointe Development Associates**, Eaglepointe Industrial Center, 55 Pottstown Pike, Uwchlan, PA 19480.

This application is for renewal of an NPDES permit to discharge treated sewage from the Eaglepointe Wastewater Treatment Plant in Upper Uwchlan Township, **Chester County**. This is an existing discharge to an unnamed tributary to Marsh Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.015 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	0.5	1.0
(11-1 to 4-30)	1.5	3.0
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine (years 1 and 2)	0.5	1.25
(years 3, 4 and 5)	0.14	0.34
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

**PA 0012815.** Industrial waste, **Sonoco Products Company**, 300 South Brandywine Avenue, Downingtown, PA 19335.

This application is for renewal of an NPDES permit to discharge treated process wastewater from an industrial wastewater treatment plant in Downingtown Borough, **Chester County**. This is an existing discharge to east branch of Brandywine Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.80 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	43	86	108
Suspended Solids	30	60	75
Oil and Grease	15		30
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Ammonia-Nitrogen	2.0	4.0	5.0
Phosphorus (4-1 to 10-31)	1.0	2.0	2.5
Total Dissolved Solids	1,000	2,000	2,500
E. Coli	monitor/report		

The proposed effluent limits for Outfall 002 consisting of noncontact cooling water are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15		30
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

*Other Conditions:*

Chemical Additives

Disinfection if Necessary

The EPA Waiver is not in effect.

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

**PA 0043885-A1.** Sewerage, **Greater Pottsville Area Sewer Authority** 401 North Center Street, P. O. Box 1163, Pottsville, PA 17901.

This proposed action is for amendment of an NPDES permit to discharge treated sewage into the Schuylkill River in Pottsville City, **Schuylkill County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Pottstown Water Authority located on the Schuylkill River.

The proposed amendment involves revising the color limits from 100 Platinum-Cobalt Units as a monthly average to 150 Platinum-Cobalt Units as a monthly average in accordance with the recent decision by the Delaware River Basin Commission. All other permit limits and conditions remain the same.

The EPA waiver is not in effect.

**PA 0061999.** Sewerage, **Mark Albert and David J. Pitti** (Bethany Colony), 193 Hamilton Avenue, Massapequa, NY 11758.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary of Dyberry Creek in Dyberry Township, **Wayne County**.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.03 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
<i>CBOD<sub>5</sub></i>		
(5-1 to 10-31)	20.0	40.0
(11-1 to 4-30)	25.0	50.0
Total Suspended Solids	30.0	60.0
<i>NH<sub>3</sub>-N</i>		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Dissolved Oxygen	a minimum of 6.0 mg/l at all times	
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	.54	1.27

The EPA waiver is in effect.

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

**PA 0087165.** Industrial waste, SIC: 3081, **Bleyer Industries, Inc.**, 500 Walnut Street Extension, Mt. Union, PA 17066.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to the Juniata River, in Mt. Union Borough, **Huntingdon 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Dauphin Consolidated 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 0.022 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
<i>CBOD<sub>5</sub></i>		26	33
Total Suspended Solids		19	24
Oil and Grease	15	29	30
Temperature	monitor		
pH	6—9		

The EPA waiver is in effect.

**PA 0014672.** Industrial waste, SIC: 3691 and 3341, **General Battery Corporation**, Exide Corporation—Reading Smelter Division, Spring Valley Road and Nolan Street, Laureldale, PA 19605.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste and stormwater to a dry/intermittent stream, tributary to Bernharts Creek, in Muhlenberg Township, **Berks County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation is the Pottstown Borough Authority located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed *Interim* effluent limits for Outfall 001 for a design flow of 0.441 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 standard units at all times		
Total Antimony		monitor and report	
Total Arsenic		monitor and report	
Total Cadmium	0.27	0.59	0.68
Total Copper		monitor and report	
Total Lead		monitor and report	
Total Zinc		monitor and report	
Total Nickel		monitor and report	
Total Iron		monitor and report	
Total Aluminum		monitor and report	
Total Phosphorus		monitor and report	
Total Ammonia as N	20	40	40
Oil and Grease	15	30	30
Total Suspended Solids	30	60	75
Total Dissolved Solids	6,000	7,500	
CBOD <sub>5</sub>		monitor and report	
Dissolved Oxygen		monitor and report	
Osmotic Pressure		monitor and report	
MBAS		monitor and report	
Chronic Whole Effluent Toxicity Tests		monitor and report	

The proposed *Final* effluent limits for Outfall 001 for a design flow of 0.441 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 standard units at all times		
Total Antimony	0.1	0.2	0.25
Total Arsenic	0.21	0.42	0.52
Total Cadmium	0.003	0.006	0.008
Total Copper	0.03	0.06	0.08
Total Lead	0.01	0.02	0.03
Total Zinc	0.02	0.04	0.05
Total Nickel	0.04	0.08	0.10
Total Iron		monitor and report	
Total Aluminum		monitor and report	
Total Phosphorus		monitor and report	
Total Ammonia as N	3	6	7.5
Oil and Grease	15	30	30
Total Suspended Solids	10	20	25
Total Dissolved Solids	1,000	2,000	2,500
CBOD <sub>5</sub>	10	20	25
Dissolved Oxygen		5.0 at all times	
Osmotic Pressure	77	154	192
MBAS		monitor and report	
Chronic Whole Effluent Toxicity Tests		monitor and report	

The proposed *Interim* effluent limits for Outfall 002 for the discharge of groundwater and stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		monitor and report	
Chemical Oxygen Demand		monitor and report	
Total Suspended Solids		monitor and report	
Total Lead		monitor and report	
Total Chromium		monitor and report	
Total Iron		monitor and report	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease		monitor and report	
pH		monitor and report	
Total Copper		monitor and report	
Total Cadmium		monitor and report	
Total Arsenic		monitor and report	
Total Antimony		monitor and report	
Total Zinc		monitor and report	
Total Phenols		monitor and report	
Ammonia as N		monitor and report	
Acute Whole Effluent Toxicity Tests		monitor and report	

The proposed *Final* effluent limits for Outfall 002 for the discharge of groundwater and stormwater after the first flush is collected are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		monitor and report	
Chemical Oxygen Demand		monitor and report	
Total Suspended Solids		monitor and report	
Total Lead		monitor and report	
Total Chromium		monitor and report	
Total Iron		monitor and report	
Oil and Grease		monitor and report	
pH		monitor and report	
Total Copper		monitor and report	
Total Cadmium		monitor and report	
Total Arsenic		monitor and report	
Total Antimony		monitor and report	
Total Zinc		monitor and report	
Total Phenols		monitor and report	
Ammonia as N		monitor and report	
Acute Whole Effluent Toxicity Tests		monitor and report	

Part C requirements for toxics are briefly listed as:

1. Final water quality based effluent limitations for Total Antimony, Total Arsenic, Total Cadmium, Total Copper, Total Lead, Total Zinc, Total Nickel, Ammonia, Total Suspended Solids, Total Dissolved Solids, Dissolved Oxygen, CBOD<sub>5</sub> and Osmotic Pressure.
2. Requirements to submit a toxics reduction evaluation within 24 months of permit issuance.
3. Conditions for future permit modifications.
4. Procedures for granting time extensions to achieve final water quality based effluent limitations.
5. Procedures for demonstrating alternative site-specific bioassay based effluent limitations.
6. Procedures for demonstrating alternative method detection limits.

**PA 0013129.** Industrial waste, SIC: 3315, **Carpenter Technology Corporation**, 101 West Bern Street, Reading, PA 19612-4662.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to the Schuylkill River, an unnamed tributary of the Schuylkill River and Bernharts Creek in Reading City, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough Authority located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfalls 004, 005, 011, and 013 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
pH	between 6—9 s.u. at all times		
Temperature		110°F	

The proposed effluent limits for Outfall 012 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
pH	between 6—9 s.u. at all times		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature		110°F	
Hexavalent Chromium	monitor and report		

The proposed effluent limits for Outfall 009 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature		110°F	
Flow	monitor and report		
pH	between 6—9 s.u. at all times		
TSS	30	60	75
Oil and Grease	15		30
Total Cyanide	0.12	0.24	0.3
Free Cyanide	0.06	0.12	0.16
Total Nickel	0.57	1.14	1.44
Total Zinc	0.26	0.52	0.65
Tetrachloroethylene	monitor and report		
Total Cadmium	0.02	0.04	0.05
Total Silver	0.01	0.02	0.03
TTO	2.13	4.26	5.33
Hexavalent Chromium	0.07	0.14	0.18
Total Chromium	0.57	1.14	1.44
Total Copper	0.16	0.32	0.40
Total Lead	0.44	0.88	1.10
Naphthalene	monitor and report		
NH <sub>3</sub> -N	20	40	40
1,1,1-Trichloroethane	0.04	0.08	0.10

The proposed effluent limits for stormwater Outfalls W3, W4, W8, W9, W10, W11, W12, W13, E3A, E3B, E5, E7A, E7B, E7E, E7F, E7G, E7H, E8, E9A, E10, E11, E12, E13A, E13C, E13D, E13E, E13F, E13G, E14, E15, E16, E6L, E6O, E6P, E6Q, E6B, E6H, E6N, E9B, E101, 009, 010, 001, 003, 004, 005, 007, 011, and 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	monitor and report		
COD	monitor and report		
TSS	monitor and report		
Total Lead	monitor and report		
Hexavalent Chromium	monitor and report		
Total Iron	monitor and report		
Oil and Grease	monitor and report		
pH	monitor and report		
Total Copper	monitor and report		
Total Cadmium	monitor and report		
Total Arsenic	monitor and report		
Total Nickel	monitor and report		
Free Cyanide	monitor and report		
Total Cyanide	monitor and report		
Total Zinc	monitor and report		
Total Silver	monitor and report		
Tetrachloroethylene	monitor and report		

The EPA waiver is not in effect.

**PA 0011100.** Industrial waste, SIC: 3674, **AT&T Microelectronics (Reading Works)**, 2525 North 12th Street, Reading, PA 19612-3396.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Bernharts Creek, in Muhlenberg Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the proposed downstream potable water supply intake considered during the evaluation was the Pottstown Borough Authority located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.62 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 s.u. at all times		
Temperature			110°F
Total Phenols	0.05	0.1	0.125
Total Suspended Solids	30	60	75
Total Dissolved Solids	monitor and report		

The proposed Interim effluent limits for Monitoring Point 101 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 s.u. at all times		
Total Suspended Solids	16	32	40
Oil and Grease	15		30
Fluoride	15	27	38
Total Cadmium	0.009	0.025	
Total Chromium	0.217	0.345	0.54
Total Copper	0.072	0.117	0.18
Total Lead	0.015	0.024	0.038
Total Nickel	0.082	0.14	0.21
Total Silver	0.0083	0.015	0.021
Total Zinc	0.05	0.09	0.13
Total Toxic Organics (TTO)		1.2	

The proposed Interim effluent limits for Monitoring Point 201 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Cyanide	0.65	1.2	1.6

The proposed effluent limits for Monitoring Point 301 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
1,1,1-Trichloroethane	0.002	0.004	0.005
Trichloroethylene	0.01	0.02	0.025
Tetrachloroethylene	0.001	0.002	0.0025
Acetone	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 s.u. at all times		
Total Copper		monitor and report	

The proposed Final effluent limits for Outfall 101 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6—9 s.u. at all times		
Total Cadmium	0.002	0.004	0.005
Chromium, VI	0.017	0.034	0.043
Total Chromium	0.217	0.345	0.54
Total Copper	0.024	0.048	0.06
Total Lead	0.007	0.014	0.018
Total Nickel	0.082	0.14	0.21
Total Silver	0.0083	0.015	0.021
Total Zinc	0.05	0.09	0.13
Total Cyanide	0.65	1.2	1.6
Free Cyanide	0.008	0.016	0.02
1,1-Dichloroethylene	0.0004	0.0008	0.001
Total Iron	1.6	3.2	4.0
Total Dissolved Solids	1,000	2,000	2,500
Total Suspended Solids	30	60	75
Oil and Grease	15	30	30
Fluoride	3.4	6.8	8.5

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Toxic Organics (TTO)		2.13	
Total Toxic Organics (TTO)		1.2	

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

**PA 0052019.** Sewage, **Avon Grove Trailer Park**, P. O. Box 668, Southhold, NY 11971.

This application is for renewal of an NPDES permit to discharge treated sewage from the Avon Grove Trailer Park in London Grove Township, **Chester County**. This is an existing discharge to an unnamed tributary to east branch of White Clay Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 7,500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	50
Ammonia (as N) (5-1 to 10-31)	6	12
(11-1 to 4-30)	18	36
Total Residual Chlorine	1.2	2.8
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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.*

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

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

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

*Northcentral Regional Office: Regional Water Management Program Manager, 208 West 3rd 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 PAS10A082.** Stormwater. **Abele Associates IV**, 2559 Washington Road, Pittsburgh, PA



15241 has applied to discharge stormwater from a construction activity located in South Fayette Township, **Allegheny County**, to Millers Run.

**NPDES Permit PAS10A060-2.** Stormwater. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233, has applied to discharge stormwater from a construction activity located in Crafton, Ingram and Rosslyn Farms Borough and the City of Pittsburgh, **Allegheny County**, to Chartiers Creek.

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

**NPDES Permit PAS10C020.** Stormwater. **Rick Shipe**, Wingo Development Corporation, R. D. 2 Box 2000, Bldg. A-1, Reading, PA 19605 has applied to discharge stormwater from a construction activity located in Amity Township, **Berks County**, to Manatawny Creek.

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

**NPDES Permit PAS100608.** Stormwater. **New Enterprise Stone & Lime**, P. O. Box 77, New Enterprise, PA 16664 has applied to discharge stormwater from a construction activity located in Logan Township, **Blair County**, to UNT to Sandy Run and Kettle Creek.

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

**NPDES Permit PAS10F053.** Stormwater. **BXAL Inc.**, 422 Allegheny Street, Hollidaysburg, PA 16648 has applied to discharge stormwater from a construction activity located in College Township, **Centre County**, to Spring 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 PAS10G189.** Stormwater. **Emidio Frezzo Jr.**, Newark Road and Maple Lane, Toughkenamon, PA 19374 has applied to discharge stormwater from a construction activity located in Londonderry Township, **Chester County**, to UNT to Big Elk.

**NPDES Permit PAS10G190.** Stormwater. **Joseph Chamberlain**, 157 West Locust Street, Oxford, PA 19363 has applied to discharge stormwater from a construction activity located in East Nottingham Township, **Chester County**, to the west branch of Big Elk.

*Fayette County Conservation District, District Manager, 10 Nickman Plaza, Lemont Furnace, PA 15456, telephone (412) 438-4497.*

**NPDES Permit PAS10L010.** Stormwater. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676 has applied to discharge stormwater from a construction activity located in Springhill Township, **Fayette County**, to Rubles Run.

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

**NPDES Permit PAS10Q106.** Stormwater. **Carl Betz**, 7209 Kernsville Road, Orefield, PA 18069 has applied to discharge stormwater from a construction activity located in Lowhill Township, **Lehigh County**, to Jordan Creek.

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

**NPDES Permit PAS10T060.** Stormwater. **Newfields Development Corporation**, 401 City Avenue, Suite 710, Bala Cynwyd, PA 19004 has applied to discharge stormwater from a construction activity located in Limerick Township, **Montgomery County**, to Mingo Creek.

**NPDES Permit PAS10T061.** Stormwater. **Spring-Ford Area School District**, 199 Bechtel Road, Collegeville, PA 19426 has applied to discharge stormwater from a construction activity located in Limerick Township, **Montgomery County**, to Mingo Creek.

*Pike County Conservation District, District Manager, HC6, Box 6770, Hawley, PA 18428, telephone (717) 226-8220.*

**NPDES Permit PAS10V014.** Stormwater. **Chris Hansen**, 1 Scenic Drive, Highlands, NJ 07732 has applied to discharge stormwater from a construction activity located in Lehman Township, **Pike County**, to Little Bushkill.

*Wayne County Conservation District, District Manager, Ag. Service Ctr., 470 Sunrise Ave., Honesdale, PA 18431, telephone (717) 253-0930.*

**NPDES Permit PAS107413.** Stormwater. **WalMart**, T-405 Old Willow Avenue, Honesdale, PA 18431 has applied to discharge stormwater from a construction activity located in Texas Township, **Wayne County**, to Holbert Creek.

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

**NPDES Permit PAS10Y045.** Stormwater. **Joseph Delozier Jr.**, 1051 Frogtown Road, Hanover, PA 17331 has applied to discharge stormwater from a construction activity located in Penn Township, **York County**, to Gitts Run.

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other

accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**A. 0275217.** Amendment No. 2. Industrial waste, **Shenango, Inc.**, 200 Neville Road, Pittsburgh, PA 15225-1690. Application for the construction and operation of a biological wastewater treatment plant located in the Township of Neville, **Allegheny County**.

**A. 5672401.** Sewerage, **Upper Stonycreek Joint Municipal Authority**, P. O. Box 24, Hooversville, PA 15936. Application for the modification and operation of the sewage treatment plant and pump stations located in the Township of Quemahoning, **Somerset County**.

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

**A. 2296401.** Sewage, **Lower Swatara Township Municipal Authority**, 1499 Spring Garden Drive, Middletown, PA 17057 in Lower Swatara Township, **Dauphin County** to construct the North Union Pumping Station to serve Double M Development/Hershey Creamery, Inc. was received in the Southcentral Region on January 30, 1996.

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

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

**4595506.** Public water supply. **Hillside Mobile Home Park, c/o Dennis Dougherty**, R. R. 1, Box 1444, East Stroudsburg, PA 18301. This proposal involves a new well source, hypochlorinator, hydro pneumatic tanks and distribution system. It is located in Hamilton Township, **Monroe County**.

**6495504.** Public water supply. **Canal Mobile Home Park, c/o Frank Perano**, Box 278, King of Prussia, PA 19406. This proposal involves two well sources, hypochlorinators, hydro pneumatic tanks and distribution system. It is located in Texas Township, **Wayne County**.

**3546429.** Public water supply. **Richard's Self-Serve Spring Water**, 300 Centre Street, Ashland, PA 17921. This proposal involves the installation of a water vending machine with storage tank supplied by a permitted source and hauler. It is located in Ashland Borough, **Schuylkill County**.

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

**A. 1096501.** Public water supply. **The Municipal Authority of the Borough of Greenville**, 44 Clinton Street, P. O. Box 638, Greenville, PA 16125. This proposal involves the extension of water service to the St. Paul's Nursing Home. In exchange for this extension, St. Paul's Nursing Home will give to the Authority the two 100,000 gallon water storage tanks currently owned by St. Paul's Nursing Home. To utilize these tanks, the Authority must

install a water booster pumping station and create a separate pressure zone for this area in Greenville Borough, **Mercer County**.

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

**A. 0996502.** Public water supply. **Quakertown Borough**, 15-35 N. Second Street, Quakertown, PA 18951. This proposal involves the upgrade of Quakertown Borough water system. Project includes a replacement well and a replacement of an existing treatment facility for iron and manganese removal. Installation of an air stripper tower and clear well at well no. 14 facility in Quakertown Borough, **Bucks County**.

**A. 0996501.** Public water supply. **Quakertown Borough**, 15-35 N. Second Street, Quakertown, PA 18951. This proposal involves the construction of a new well to replace existing well no. 13 in Quakertown Borough, **Bucks County**.

**Acknowledgment of Notices of Intent to Remediate**

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (the 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 must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the Act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, please 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:

*Northeast Regional Field Office: Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**Graner Property Remediation Site**, Lowhill Township, **Lehigh County**. Douglas Sammak, Project Director with American Resource Consultants, Inc., P. O. Box 2227, Doylestown has submitted a Notice of Intent to Remediate (on behalf of Riding Brook, Inc.) site soils contaminated with lead. The applicant proposes to remediate the site to meet the Statewide health standard.

The applicant simultaneously submitted a Final Report for site remediation—see additional *Pennsylvania Bulletin* notice.

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**Notice of Administrative Record Reopening Under the Pennsylvania Hazardous Sites Cleanup Act**

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Ing-Rich Site  
Beaver Falls, Beaver County

Under sections 506(g) and (h) of the Pennsylvania Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.506(g) and (h)) the Department of Environmental Protection (Department) hereby reopens the administrative record for the prompt interim response it conducted June, 1994 through January, 1995 at the Ingram-Richardson Manufacturing Facility (Ing-Rich) site in Beaver Falls, PA.

Under 35 P. S. § 6020.506, the Department originally published the administrative record on July 30, 1994, in order to provide the public the opportunity to comment on the action it took during the prompt interim response to investigate site conditions and to remove hazardous substances that were disposed of at the site. The Department closed the administrative record on December 6, 1994.

The Department is now reopening the administrative record so that it can include in the record:

(a) consistent with 35 P. S. § 6020.506(g)(1), additional information the Department obtained during the implementation of the response action and believes to be of central relevance to the selected action; and

(b) consistent with 35 P. S. § 6020.506(g)(3), documentation of its response costs.

The reopened administrative record containing this new information is now available for public review and comment. The record can be examined from 8 a.m. to 4 p.m. during business hours at the Department's offices at 400 Waterfront Drive, Pittsburgh, PA. Individuals interested in examining the reopened administrative record should arrange for an appointment with Ed Duval or other personnel in the Department's Regional Files Office at (412) 442-4000.

The reopened administrative record will be available for public review and comment for a 60 day period beginning the date of this notice through April 26, 1996. Persons may submit written comments on the reopened administrative record to Jeffrey J. Jones, Ing-Rich Project Manager, Department of Environmental Protection, Environmental Cleanup Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Upon their receipt, all public comments will be included in the administrative record.

Upon request, the Department will conduct a public hearing so that persons may present oral comments on the reopened administrative record for inclusion in the record. A request for a public hearing must be made in writing and must be postmarked no later than 30 days after the publication of this notice, or by March 26, 1996. The written request should be directed to Betsy Mallison, Department of Environmental Protection, Office of Community Relations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. The Department will not hold a public hearing unless it receives a written request postmarked no later than March 26, 1996.

Questions concerning this notice should be directed to Department Project Manager, Jeffrey J. Jones at (412) 442-4142.

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**Notice of Settlement Under the Hazardous Sites Cleanup Act**

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The Department of Environmental Protection (Department) under the Authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has entered into a settlement regarding the Department's costs incurred for response activities at the Giordano Waste Materials (Giordano) site. This settlement is entered into under section 1102 of HSCA (35 P. S. § 6020.1102). The settlement involves a Consent Order and Agreement (COA) between the Department and Consolidated Rail Corporation (Conrail), a party potentially responsible for the hazardous substances which the Department removed from the Giordano site.

The Giordano site is an approximately 7-acre parcel of land in Butler Township, Schuylkill County. The site includes a right-of-way owned by Conrail. The right-of-way is located on the western side of the site. The surrounding area is predominantly rural, although some residential areas and a school are located nearby. Investigations revealed the presence of lead contaminated battery casings and lead contaminated smelter ash at the site. The releases and threatened releases from the battery casings posed a substantial danger to public health and safety and the environment. The Department deemed it appropriate to implement an interim response to address threats to the public health and safety and the environment posed by the battery casings at the site. The Department, under the authority of HSCA, implemented an interim response which included the removal of lead contaminated battery casings from the site. The interim response was completed on April 27, 1990.

Through the implementation of the interim response, the Department incurred costs at the site. The Department may conduct an additional response action to address contamination remaining on site. On February 5, 1996, a COA was executed between the Department and Conrail. Under the terms of this agreement, Conrail is required to make a payment of \$60,000 to reimburse the Department for past and future costs at the Giordano site.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). This section also provides that the settlements will become final upon the filing of the Department's response to significant written comments. The COA that contains the specific terms of the settlement is available for public review and comment. The COA can be examined from 8 a.m. to 4 p.m. at the Department's office at 2 Public Square, Wilkes-Barre, PA 18711, by contacting Joseph Iannuzzo at (717) 826-2511 or through the PA AT&T Relay Service at 1 (800) 654-5984 (TDD). A public comment period on the COA will extend for 60 days from today's date. Persons may submit written comments regarding the COA to the Department by April 17, 1996, by submitting them to Joseph Iannuzzo at the above address.

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

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

**A. 301291. Ashland Chemical Company,** Neville Road, Pittsburgh, PA 15225. Operation of a residual

waste incinerator in Neville Township, **Allegheny County**. Application received in the Regional Office on January 29, 1996.

**A. 101648. Genesis Environmental, Inc.**, 108 Atterbury Road, Monroeville, PA 15146. Genesis Autoclave Facility, Industrial Center of McKeesport, Industry Road, Parcel 4-1, McKeesport, PA 15132. Application for Medical Waste Processing and Transfer Facility, in the City of McKeesport, **Allegheny County**, was received in the Southwest Regional Office on January 29, 1996.

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

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

**A. 300725. Philadelphia Suburban Water Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010. Received application for a permit renewal for the Neshaminy Falls Water Treatment Plant Captive Residual Waste Disposal Landfill located in Middletown Township, **Bucks County**. Application received in the Southeast Regional Office on January 31, 1996.

**A. 301290. Cherokee Bio Technology, Inc.**, 1600 Colon Road, Sanford, NC 27330. Received new application for a residual waste facility for the processing of petroleum contaminated soil located in the City of Chester, **Delaware County**. Application received in the Regional Office on December 27, 1995, was incorrectly published on January 27, 1996 as Chester Bio Technology, Inc.

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

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

**A. 101389. Frey Farm Landfill, Lancaster County Solid Waste Management Authority** (1299 Harrisburg Pike, Lancaster, PA 17603). Application for modification for request for equivalency review of treatment process residue as alternative daily soil cover at a site in Manor Township, **Lancaster County**. Application determined to be administratively complete in the Regional Office January 17, 1996.

**Closure plan submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for closure of a solid waste disposal area or site.**

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

**A. 071203046. ICI Explosives USA, Inc.**, P. O. Box 271, Tamaqua, PA 18252. Closure Plan for the slurry pit area of this hazardous waste facility, located in Tamaqua Borough, **Schuylkill County**. The closure plan was received in the Regional Office on February 10, 1993.

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

*Regional Office: Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**42-302-025.** The Department intends to issue an air quality operating permit to **Saratan Corporation** (R. D. 1, Box 226, Kane, PA 16735) for the operation of a thermal fluid heat plant in Sergeant Township, **McKean County**. This source is subject to New Source Performance Standard 40 CFR Part 60, Subpart Dc.

The Department intends to issue an air quality operating permit to **Seneca Printing & Label, Inc.** (Sandycreek Industrial Park, P. O. Box 1211, Franklin, PA 16323) for the operation of the following sources at DeBence Drive, Sandycreek Township, **Venango County**.

**61-320-001.** Six Existing Lithographic Printing Lines

**61-399-009.** Five Evaporators

**24-328-002.** The Department intends to issue an air quality operating permit to **CNG Transmission Corporation** (P. O. Box 2450, Clarksburg, WV 26302) for the operation of a low NO<sub>x</sub> combustor in Benzette Township, **Elk County**. This source is subject to Federal New Source Performance Standards 40 CFR Part 6, Subpart GG.

**33-329-003.** The Department intends to issue an air quality operating permit to **CNG Transmission Corporation** (P. O. Box 2450, Clarksburg, WV 26302) for the operation of an internal combustion engine in Gaskill Township, **Jefferson County**.

**42-399-029.** The Department intends to issue an air quality operating permit to **McKean County Solid Waste Authority** (P. O. Box 448, Mt. Jewett, PA 16740) for the operation of two leachate tanks and an aerobic unit in Sergeant Township, **McKean County**.

**43-399-005B.** The Department intends to issue an air quality operating permit to **GE Transportation Systems** (1503 West Main Street Ext., Grove City, PA 16127) for the operation of diesel engine test cells in Grove City, **Mercer County**.

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

*Regional Office: Southwest Regional Office, Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**65-303-018.** The Department intends to issue an air quality control operating permit to **Cyclean, Inc.**, 1000 South IH 35, Round Rock, TX 78681 for an afterburner and fabric filter for its Recycle Asphalt System at its facility located in Mt. Pleasant Township, **Westmoreland County**.

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

*Regional Office: Southwest Regional Office, Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**65-307-079. Kennametal, Inc.** (P. O. Box 231, Latrobe, PA 15650) for a jet mill at its Kingston Plant located in Derry Township, **Westmoreland County**.

**65-307-080. Latrobe Steel Company** (2626 Ligonier Street, P. O. Box 31, Latrobe, PA 15650) for a stress relief furnace at its facility located in Latrobe Borough, **Westmoreland County**.

**65-399-034. Elliott Turbomachinery Company, Inc.** (800 N. Fourth Street, Jeannette, PA 15644) for a GE Frame 7 Gas Turbine at its Jeannette Plant located in Penn Township, **Westmoreland County**.

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

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*Regional Office: Southwest Regional Office, Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**OP-03-152.** The Department intends to issue an air quality control operating permit to **Glacial Sand & Gravel Company** (P. O. Box 1022, Kittanning, PA 16201) for a sand and gravel processing operation at its facility located in East Franklin Township, **Armstrong County**.

**03-318-018.** The Department intends to issue an air quality control operating permit to **Carson Industries, Inc.** (189 Foreman Road, Freeport, PA 16229) for spray painting and ink dip tanks at its facility located in Freeport Borough, **Armstrong County**.

**04-303-004B.** The Department intends to issue an air quality control operating permit to **Wine Construction, Inc.** (R. D. 3, Sewickley, PA 15143) for a baghouse for a batch asphalt plant at its facility located in Economy Borough, **Beaver County**.

**04-307-102.** The Department intends to issue an air quality control operating permit to **Damascus Steel Casting Company** (P. O. Box 257, Block House Run Rd., New Brighton, PA 15066) for a dust collector for the shot blast and grinder operations at its facility located in New Brighton Borough, **Beaver County**.

**63-000-015.** The Department intends to issue an air quality control operating permit to **Flexsys America L. P., Inc.** (829 Route 481, Monongahela, PA 15063) for its Crystex Manufacturing operation at its facility located in Carroll Township, **Washington County**.

**63-313-028.** The Department intends to issue an air quality control operating permit to **Goldschmidt Industrial Chemical Corp.** (P. O. Box 278, McDonald, PA 15057) for a Venturi Scrubber for its chemical handling operation at its facility located in McDonald Borough, **Washington County**.

**65-000-720.** The Department intends to issue an air quality control operating permit to **Carbidie Corporation** (Arona Road, P. O. Box 509, Irwin, PA 15642) for No<sub>x</sub> and VOC Sources at its Arona Plant located in Hempfield Township, **Westmoreland County**.

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

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*Regional Office: Southwest Regional Office, Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**11-318-008A. Johnstown America Corporation** (17 Johns Street, Johnstown, PA 15907) for a paint booth at its Franklin Plant located in Franklin Borough, **Cambria County**.

**26-310-018. Davison Sand & Gravel Company** (400 Industrial Blvd., New Kensington, PA 15068) for a limestone crushing operation at its Connellsville II Quarry located in Bullskin Township, **Fayette County**.

**63-308-039. Langeloth Metallurgical Company** (10 Langeloth Plant Drive, P. O. Box 608, Langeloth, PA 15054) for baghouse for a pure oxide electric furnace at its facility located in Smith Township, **Washington County**.

**65-000-860. Fansteel Hydro Carbide** (P. O. Box 363, Latrobe, PA 15650) for a rota-cone vacuum mixer/drier at its Latrobe Plant located in **Westmoreland County**.

**65-305-045A. Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012) for a pebble lime loading and unloading facility at its Gibsonton Yard located in Rostraver Township, **Westmoreland County**.

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

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

**06-319-046A.** The Department intends to issue an air quality control operating permit to **General Battery Corporation** (P. O. Box 14294, Reading, PA 19612-4294) for the raw material storage and handling building controlled by three fabric collectors in Laureldale/Muhlenberg Township, **Berks County**.

**36-2037.** The Department intends to issue an air quality control operating permit to **Kellogg USA, Inc.** (P. O. Box 3006, Lancaster, PA 17604) for combustion sources in East Hempfield Township, **Lancaster County**.

**36-317-206A.** The Department intends to issue an air quality control operating permit to **M&M/Mars, Inc.** (295 Brown Street, Elizabethtown, PA 17022) for a cocoa nib conveying, roasting and cooling system in Elizabethtown, **Lancaster County**.

**67-306-004A.** The Department intends to issue an air quality control operating permit to **P. H. Glatfelter** (228 South Main Street, Spring Grove, PA 17362) for the no. 4 power boiler in Spring Grove Borough, **York County**.

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

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

**07-302-032.** Installation of two natural gas fired boilers by **Quality Chemicals, Inc.** (P. O. Box 216, Tyrone, PA 16686) in Tyrone Borough, **Blair County**. The sources are subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

**29-310-002D.** Installation of two primary jaw crushers by **H. B. Mellott Estate, Inc.** (Route 1, P. O. Box 25, Warfordsburg, PA 17267) in Bethel Township, **Fulton County**. The sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

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

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

Copies of the following permit applications are available for review from 8 a.m. to 4 p.m. in the DEP office, 2 Public Square Office, Wilkes-Barre, PA. A 30-day comment period, from the date of publication, will exist for the submission of comments.

**13-301-012A.** The Department intends to issue an air quality operating permit to **Campton Funeral Home Inc.** for the operation of a crematory at the facility located in Palmerton Borough, **Carbon County**. The source is located at 517—519 (Rear) Delaware Avenue (the mailing address is 525 Delaware Avenue) Palmerton, PA 18071.

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

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

Copies of the following applications are available for review from 8 a.m. to 4 p.m. in the DEP office, 2 Public Square Office, Wilkes-Barre, PA. A 30-day comment period, from the date of publication, will exist for the submission of comments.

**13-301-012A.** The Department intends to issue an air quality plan approval modification to **Campton Funeral Home Inc.** (525 Delaware Ave., Palmerton, PA 18071) for a crematory located in Palmerton Borough, **Carbon County**. The modification consists of a change of address for the location of the source from 525 Delaware Avenue to 517—519 (Rear) Delaware Avenue and for a change in the opacity limit to conform to the Department's minimum permitting criteria for crematory incinerators.

This is a correction to two publications in the *Pennsylvania Bulletin*: 25 Pa.B. 4159 (September 30, 1995) and 25 Pa.B. 5648 (December 9, 1995).

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**Reasonably Available Control Technology; Public Hearings**

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The Department of Environmental Protection proposes to approve an amendment to the Pennsylvania State Implementation Plan (SIP) for the operation of a municipal waste resource recovery incinerator (MWI) facility owned by Montenay Montgomery Limited Partnership, located at 1155 Conshohocken Road, Plymouth Township, Montgomery County, PA 19425 (a/k/a Dravo and Montenay), in compliance with 25 Pa. Code §§ 129.91—129.95 as a Reasonably Available Control Technology (RACT) determination for nitrogen oxides (NO<sub>x</sub>) and volatile organic compound (VOC) emissions from the facility.

The proposed revision to the SIP does not adopt any new State of Pennsylvania regulations. The requirements of the proposed revision to the SIP will be contained in the proposed Plan Approval PA-46-0010. The proposed revision, if approved, will be submitted to the United States Environmental Protection Agency as a revision to the PA SIP with an oxides of nitrogen emission limit of 0.383 LB/MM Btu and volatile organic compound emission limit of less than 25 tons/year.

The proposed Plan Approval PA-46-0010 will change the emission limits and operating parameters for Montenay and are different from those previously indicated in Operating Permit 46-340-0002 issued on May 9,

1994. It will also allow the burning of municipal-like residual waste as referenced in Waste Management permit application no. 400558.

The changes in proposed Plan Approval PA-46-0010 compared to Operating Permit 46-340-0002 will include: 1) revisions to facility emission limits for—a. toxic metals, b. nitrogen oxides, c. volatile organic compounds; 2) revised operating requirements to permit this acceptance of municipal-like residual waste acceptance criteria.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held at 7 to 9 p.m. on March 18, 1996, at the Plymouth Township Municipal Building, located at 700 Belvoir Road, Norristown, PA 19428. Persons interested in commenting on the proposed SIP revision should notify John Gerdemann, Community Relations Coordinator, at (610) 832-6228, that they want to make a presentation at the public hearing. Persons interested in submitting written comments should send comments to Department of Environmental Protection, Francini Carlini, Regional Manager, Bureau of Air Quality, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before April 18, 1996.

Copies of the application for the Plan Approval submitted to the Department, the proposed Plan Approval and any other information related to the matter are available at the Bureau of Air Quality, Room 116, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105 and the Department's Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428. Appointments should be made to review the above by calling Harrisburg at (717) 787-9256 or Conshohocken at (610) 832-6270.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service, or accommodation to participate in the proceedings should contact John Gerdemann directly at (610) 832-6228 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 to discuss how the Department may accommodate their needs.

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**Notice of Plan Approval Application Minor Source**

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

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

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications, contact Devendra Verma, Engi-

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

**16-302-021.** The Department received a plan approval application from **Georgia Pacific Corporation** (240 Stonebridge Drive, Suite 308, Columbia, SC 29210) for the construction of a woodwaste boiler (16 MMBTU/hr) with multiclone and ESP at the Markle Hardwood Sawmill, Washington Township, **Clarion County**. This source is subject to Federal New Source Performance Standard 40 CFR Part 60, Subpart Dc.

**43-318-030.** The Department received a plan approval application from **Spang & Company, Power Control Division** (5241 Lake Street, Sandy Lake, PA 16145) for the construction of a surface coating operation (dip tank and drying oven @ 500 cycles/yr, 16 gals varnish/cycle) located in Stoneboro, **Mercer County**.

#### Request for Variance

The Bureau of Deep Mine Safety has received a request for variance from the Tanoma Mining Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Glen Ziegler by calling (717) 787-1376.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Thomas J. Ward, Jr., Director, Bureau of Deep Mine Safety, P. O. Box 8463, Harrisburg, PA 17105-8463.

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

Section 268(b) of the Bituminous Coal Mine Act, entitled Clearances and Shelter Holes, requires that shelter holes be provided on the clearance side along designated travelingways that are also used as haulage entries, other than belt conveyor haulage entries. Such shelter holes shall be spaced not more than 80 feet apart.

Summary of the request: Tanoma Mining Company's plan calls for 105' distances between track shelter holes in the Main E and all future Mains development at the Tanoma Mine. Studies have shown that the main entries in the Tanoma Mine should be developed on 120' centers in order to enhance roof control. This 120' center will result in shelter holes being approximately 105' apart since the crosscuts are driven a maximum of 20' wide.

#### Notice of Presumed Abandonment

The equipment described in this notice, which is located on a site mined by Dupont Anthracite, Incorporated in Taylor Borough, Lackawanna County, Contract No. BF 373-101.1, under the terms of Mining Permit Number 35890201-01, issued by the Department of Environmental Protection (Department) is presumed to be abandoned.

The equipment is described as follows: Dragline.

Any person who wishes to retain ownership of such equipment shall present documentation to the Department by March 20, 1996. If the Department determines the documentation is sufficient to establish ownership,

the equipment must be removed from the site within a time specified by the Department. Failure to notify the Department within the above time frame, may result in disposal of the equipment in accordance with the provisions of applicable law.

Inquiries shall be directed to Richard C. Brenneman, Project Coordinator, Division of Acid Mine Drainage Abatement, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P. O. Box 8476, Harrisburg, PA 17105-8476, (717) 783-5649.

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects:

<i>Projects</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
BF 53-101.1	Monroe/Limestone Twps.	Clarion	102
BF 392-101.1	Oliver Twp.	Jefferson	21
BF 393-101.1	Conemaugh Twp.	Indiana	7
BF 394-101.1	Clarion/Limestone Twps.	Clarion	28
BF 395-101.1	E. Franklin Twp.	Armstrong	41.5
BF 396-101.1	Conemaugh Twp.	Indiana	6

Letters of interest must be received by Ernest F. Giovannitti, Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m., March 20, 1996, to be considered.

Telephone inquiries shall be directed to B. P. Rao, Chief, Division of Acid Mine Drainage Abatement, at (717) 783-1311.

#### MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

*Coal Mining Applications Received*

**11920101. K&J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), permit revision to modify the 57 acre surface mine permit to include the land application of sewage sludge in Chest Township, **Cambria County** and Chest Township, **Clearfield County**, receiving stream unnamed tributary to Chest Creek, Chest Creek to West Branch Susquehanna River, unnamed tributary locally known as Dry Rock Run, application received January 19, 1996.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**30841317. Consol Pennsylvania Coal Company** (450 Racetrack Road, Washington, PA 15301), to transfer the Enlow Fork bituminous deep mine in Richhill Township, **Greene County** from Enlow Fork Mining Company, no additional discharge. Application received January 17, 1996.

**32841312. Keystone Coal Mining Corporation** (P. O. Box 729, Indiana, PA 15701), to revise the permit for the Urling No. 1 and No. 3 bituminous deep mine in Armstrong Township, **Indiana County** to add (2) 16" discharge boreholes, (1) 4" monitoring borehole, and 16" discharge pipeline right-of-way, no additional discharge. Application received January 17, 1996.

**56841601. Solar Fuel Company, Inc.** (P. O. Box 488, Somerset, PA 15501), to renew the permit for the Solar Coal Prep Plant in Quemahoning Township, **Somerset County**, no additional discharge. Application received January 4, 1996.

**33961301. Doverspike Brothers Coal Company** (R. D. 4, Box 271, Punxsutawney, PA 15767), to operate

the Kocjancic bituminous deep mine in Snyder Township, **Jefferson County**, receiving stream east branch of Walburn Run. Application received January 4, 1996.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54851332R2. R S & W Coal Company** (Box 36, Creek Road, Klingerstown, PA 17941), renewal of an existing anthracite underground mine operation in Norwegian Township, **Schuylkill County**, affecting 2.1 acres, receiving stream—Schuylkill River. Application received January 19, 1996.

**54683043R2. Jeddo-Highland Coal Company** (800 Exeter Avenue, West Pittston, PA 18643), renewal of an existing anthracite surface mine operation in Mahanoy Township, **Schuylkill County**, affecting 1,555.0 acres, receiving stream—Mahanoy Creek. Application received January 22, 1996.

**54841305R2. Gorenty Tunneling Company** (3 Walnut Street, Middleport, PA 17953), renewal of an existing anthracite deep mine operation in Blythe Township, **Schuylkill County** affecting 5.0 acres, receiving stream—Schuylkill River. Application received January 19, 1996.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Applications Received*

**6478NC32C. Glen Gery Corporation** (P. O. Box 7001, Wyomissing, PA 19610-6001), renewal of NPDES Permit #PA0123218 in Oxford Township, **Adams County** receiving stream—unnamed tributary to south branch of Conewago Creek. Application received January 19, 1996.

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

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 U. S. 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.

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**Application 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.**

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

**E09-709.** Encroachment. **Bucks County Commissioners**, Administration Building, Doylestown, PA 18901. To rehabilitate and maintain an existing two-span masonry arch bridge to enhance its structural stability by performing the following activities: 1) Lining the existing arches with 2 inch metal plates and grouting the area between them 2) Repairing and repointing the stone masonry walls 3) Repairing the concrete footers. County Bridge 293 is located across Mill Creek on Gravel Hill Road (Hatboro, PA Quadrangle, N: 8.95 inches; W: 2.0 inches) in Upper Southampton Township, **Bucks County**.

**E15-403.** Encroachment. **Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To reissue permit no. E15-403 which authorized removal of the existing structure and to construct and maintain a twin-celled 14-foot x 5-foot R. C. box culvert (culvert bottom depressed 6 inches and a 12-inch concrete weir in east cell) in Crum Creek (HQ, CWF) located at S. R. 1005, Section 30M, Station 12+92 (Valley Forge, PA Quadrangle N:1.4 inches; W:12.7 inches) in Willistown Township, **Chester County**.

**E15-510.** Encroachment. **Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To remove the existing structure and to construct and maintain an 18-foot span by 5-foot effective rise twin cell precast box culvert across the west branch of Ridley Creek (HQ, TSF) located on Paoli Pike (S. R. 2014) approximately 800 feet northeast of the intersection of S. R. 2014 and Boot Road (West Chester, PA Quadrangle N: 20.9 inches; W: 6.9 inches) in East Goshen Township, **Chester County**.

**E46-731.** Encroachment. **Huntingdon Valley Country Club**, 2295 Country Club Drive, Huntingdon Valley, PA 19006-5699. To reconstruct, restore and maintain a new 9 hole golf course at the Huntingdon Valley Country Club. The new layout includes the construction of eight bridges, reconstruction of one bridge and three temporary constructions crossings of wetlands between 1st, 2nd, 4th, 7th and the 9th holes. Also, to clear the vegetation and re-establish tees, fairways and greens. The site is located along the south west side of Terwood Road and along the north west side of Paper Mill Road near the intersection of these roads (Hatboro, PA Quadrangle, N: 1.5 inches; W: 12.5 inches) in Upper Moreland Township, **Montgomery County**.

**E46-732.** Encroachment. **Michael Walsh**, 2445 Edgemoor Road, Huntingdon Valley, PA 19006. To remove accumulated bed load and to restore to original contours a small impoundment which is ancillary to an existing dam; to construct and maintain a sediment forbay approximately 20 feet long, 5 feet wide and 3 feet deep within an unnamed tributary to the Pennypack Creek (WWF) located approximately 80 feet upstream of the existing pond. The site is situated approximately 450 feet east and 50 feet north of the intersection of Edge Hill Road and Overlook Avenue (Hatboro USGS Quadrangle N:2.77 inches, W:13.45 inches) in Upper Moreland Township, **Montgomery County**.

**Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

*Northwest Regional Office: Regional Program Manager, Water Supply and Community Health, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

**Permit No. WA 16-898A.** Water allocation. **Clarion Township General Authority**, R. D. 1, Box 12H, Stratantville, PA 16258. Requested increase in the current permitted usage from 94,250 gpd average to a projected maximum usage of 114,350 gpd. The Clarion Township General Authority (CTGA) is an independent general purpose Authority operating and maintaining the water distribution system for Clarion Township, **Clarion County**.

*Type of Facility: Water Allocation*

*Consulting Engineer: Ronald R. Bolam, P.E., The Warnich Company, Inc., 226 Sunset Drive, Butler, PA 16001-1334*

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## ACTIONS

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The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this section 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.

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

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#### *Permits Issued*

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

**NPDES Permit No. PA0043524.** Sewage, **Michael's Development Company, Inc.**, (Simpson Manor), 800 Simpson Road, Brownsville, PA 15417 is authorized to discharge from a facility located in Hunter's Ridge Sewage Treatment Plant, Redstone Township, **Fayette County** to an unnamed tributary of Dunlap Creek.

**NPDES Permit No. PA0092665.** Sewage, **Harry Products, Inc.**, 671 Pittsburgh Road, Butler, PA 16001 is authorized to discharge from a facility located at Trader Horn Sewage Treatment Plant, Harry Products, Inc., Route 422 East, Manor Township, **Armstrong County** to an unnamed tributary of Garrett's Run.

**NPDES Permit No. PA0217221.** Sewage, **Dan Matsook**, 990 Dear Lane Extension, Rochester, PA 15074 is authorized to discharge from a facility located at Matsook S. R. STP, Rochester Township, **Beaver County** to Dutchman Run.

**NPDES Permit No. PA0217239.** Sewage, **James and Michelle Smith**, 235 Chemin Saint Victoire, Saint Victoire, Quebec JOG1TO, Canada is authorized to discharge from a facility located at Smith Single Residence Sewage Treatment Plant, Amwell Township, **Washington County** to unnamed tributary of Redd Run.

**NPDES Permit No. PA0217247.** Sewage, **Marion Center Area School District**, Box 156, Route 403, Marion Center, PA 15759 is authorized to discharge from a facility located at Creekside Washington Elementary School STP, Washington Township, **Indiana County** to unnamed tributary of South Branch Plum Creek.

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

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*Allegheny County Conservation District: District Manager, 875 Greentree Road, Pittsburgh, PA 15220, telephone (412) 921-1999.*

*Berks County Conservation District: District Manager, P. O. Box 520, Ag. Center, Leesport, PA 19533-0520, telephone (610) 372-4657.*

*Cumberland County Conservation District: District Manager, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, telephone (717) 249-8632.*

*Dauphin County Conservation District: District Manager, 1451 Peters Mountain Road, Dauphin, PA 17018, telephone (717) 921-8100.*

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*Indiana County Conservation District: District Manager, 251 Route 286N, Indiana, PA 15701, telephone (412) 463-7702.*

*Lebanon County Conservation District: District Manager, Ste. 5, 2120 Cornwall Road, Lebanon, PA 17042-9788, telephone (717) 272-3377.*

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

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

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

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

<i>NPDES Permit</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A162	John Hobart Miller & Ballytown Company 1344 Freeport Rd. Pittsburgh, PA 15238	Allegheny Co. Harmar Twp.	Campbells Run
PAR10C140	Keystone Coca Cola P. O. Box 14443 Reading, PA 19612	Berks Co. Maidencreek Twp.	Willow Crk.
PAR10C142	Muhlenberg School District 801 Bellevue Ave. Laureldale, PA 19605	Berks Co. Muhlenberg Twp.	Laurel Run
PAR10H091	Hugo's Inc. 2244 Old Gettysburg Road Camp Hill, PA 17011	Cumberland Co. Hampden Twp.	Cedar Run
PAR10I081	Commonwealth River Front Inc. 115 North St. Harrisburg, PA 17101	Dauphin Co. City of Harrisburg	Susquehanna Rvr.
PAR103123	Joseph Kuzneski 115 N. 6th St. Indiana, PA 15701	Indiana Co. White Twp.	McCarthy Run
PAR10P037	WalMart Stores Inc. 701 S. Walton Blvd. Bentonvle., AR 72716	Lebanon Co. N. Lebanon Twp.	Union Canal
PAR10R076	Echo Valley Estates 200 Harris Hill Rd. Shavertown, PA 18708	Luzerne Co. Kingston Twp.	UNT to Toby's Crk.
PAR10R077	Hazleton Area School District 101 S. Church St. Hazleton, PA 18201	Luzerne Co. Sugarloaf Twp.	Nescopeck Crk.
PAR10R080	Orloski Service Stations Inc. 508 Blackman St. Wilkes-Barre, PA 18703	Luzerne Co. Fairview Twp.	Big Wapwallopen

<i>NPDES Permit</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10T245	Pennsylvania Dept. of Transportation 200 Radnor-Chester Rd. St. Davids, PA 19087	Montgomery Co. U. Providence Twp.	Dog Run

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#### Notices of Intent for Coverage Under General Permits Received

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

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

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

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

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

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

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#### NOI Received and Final Actions Under NPDES General Permits

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

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR323509	2	Armstrong World Ind. Innovation Center P. O. 3209 Lancaster, PA 17604-3209	Lancaster	Little Conestoga Creek	3996
PAG043533	3	Jeffrey Crist and George Kegg 1645 Pebble Brook Lane Harrisburg, PA 17110	Bedford W. St. Clair Twp.	UNT to George Creek	N/A
PAR143507	2	Mead School & Office Products P. O. Box 317 Alexandria, PA 16611	Huntingdon Alexandria Boro.	Frankstown Branch Juniata River	2677
PAR143508	2	Intelligencer Printing Co. Inc. P. O. Box 1768 Lancaster, PA 17603	Lancaster Manheim Twp.	UNT to Conestoga River	2752
PAR203575	2	Ross Engineering Co. 89 E. Main St. Leola, PA 17540	Lancaster	UNT to Groff Creek	3499
PAR213522	2	Standard Concrete Products Co. 700 N. Sherman Street York, PA 17404	York Spring Garden Twp.	Mill Creek	3271
PAR803600	2	Myers Truck Leasing P. O. Box 47 Thomasville, PA 17364	York Jackson Twp.	Paradise Creek	4213

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

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

These actions of the Department may be appealed to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by an aggrieved person under The Environmental Hearing Board Act (35 P. S. § 7514); 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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#### NOI Received and Final Actions Under NPDES General Permits

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

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

NPDES No.	GP No.	Facility Name and Address	Facility Location	Stream Name	SIC
PAG046103	4	Bruce W. Huber, Jr. 2119 Kansas Ave. White Oak, PA 15131	Westmoreland Sewickley Twp.	UNT of Little Sewickley Creek	8811

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

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

NPDES Permit No.	Name and Address	County and Municipality	Receiving Stream
PAS10B007	Carl Culp 2074 Hobson Dr. Ford City, PA 16226	Armstrong Co. Kittanning Boro	Campbell Run
PAS10W022	Westpointe Dev. Co. 4215 Washington Rd. McMurray, PA 15317	Washington Co. Canton Twp.	UNT to Chartiers Crk.
PAS10W045	Penn South Dev. Corp. 106 Trillium Rd. Venetia, PA 15367	Washington Co. Peters Twp.	UNT to Mingo Crk.

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

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##### Permits Issued

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

**Permit No. 0282442.** Amendment No. 2. Sewerage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. Construction of sanitary sewer modification located in McCandless Township, **Allegheny County** to serve the Babcock Boulevard Pump Station Receiving Sewer.

**Permit No. 0295408.** Sewerage, **Township of North Fayette**, 400 North Branch Road, Oakdale, PA 15071. Construction of sewer extension located in North Fayette Township, **Allegheny County** to serve the Pointe at North Fayette.

**Permit No. 0495401.** Sewerage, **Dan Matsook**, 990 Deer Lane Extension, Rochester, PA 15074. Construction of single residence sewage treatment plant located in Rochester Township, **Beaver County** to serve the Matsook S. R. STP.

**Permit No. 6395404.** Sewerage, **James and Michelle Smith**, 235 Chemin Saint Victoire, Saint Victoire, Quebec JOG1TO, Canada. Construction of single residence sewage treatment plant located in Amwell Township, **Washington County** to serve the Smith Residence.

**Permit No. 6596401.** Sewerage, **Bruce W. Huber, Jr.**, 2119 Kansas Avenue, White Oak, PA 15131. Construction of single residence sewage treatment plant located in Sewickley Township, **Westmoreland County** to serve the Bruce W. Huber, Jr. property.

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#### Plan revision approval granted December 1, 1995 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

*Location: Union Township, Lebanon County, Fisher Avenue, 3,500 feet west of Interstate 81.*

The approved plan revision provides for construction of a warehouse/distribution facility with a total anticipated sewage flow of 12,000 gallons per day to be treated by the Northern Lebanon County Authority Lickdale Sewer Treatment Plant. Sewage from the warehouse lot will be conveyed by way of a private pump station to the proposed Fisher Avenue low pressure force main. The project qualifies for a Clean Streams Law permit exemption under Act 40. A joint permit will be obtained to address mitigation of wetland related activities.

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

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

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

**1395503.** Public water supply. A permit was issued on January 22, 1996, to **Jim Thorpe Municipal Authority**, c/o Richard Steidle, Chair, 101 East Tenth Street, Jim Thorpe, PA 18229. This proposal involves the construction of a 1 million gallon concrete water storage tank, associated piping and clear well. It is located in Jim Thorpe Borough, **Carbon County**.

**2406411.** Public water supply. A permit was issued on January 23, 1996, to **Nature's Way Pure Water System, Inc.**, c/o Thomas Henning, VP, 250 Kennedy Boulevard, Pittston, PA 18640. This proposal involves installation of a 1,500 gpd bottling plant consisting of a carbon filter, water softener, distillation system and ozone disinfection unit. The water will be obtained from permitted PG&W public water supply. It is located in Pittston Township, **Luzerne County**.

**3396420.** Public water supply. A permit was issued on January 19, 1996, to **Great Spring Waters of America**, Perrier Group of America, Bottling Facility, c/o Robert Fisher, Director of Manufacturing, 405 Nestle Way, Breinigsville, PA 18031. This proposal involves bulk water hauling, source permitting, raw water and finished water storage, water processing/treatment, bottling plant, bulk water loading and warehouse facilities. This facility is located in Upper Macungie Township, **Lehigh County**.

**3594506.** Public water supply. A permit was issued on January 18, 1996, to **Log Road Water Company**, c/o Richard Britner, President, Box 189, Hamlin, PA 18427. This proposal involves the modification of the existing system to provide disinfection of the well water prior to distribution. It is located in Jefferson Township, **Lackawanna County**.

**5295505.** Public water supply. A permit was issued on January 19, 1996, to **Saville Rustin Water Company**, c/o Pat Fazio, 1103 Pine Ridge Drive, Bushkill, PA 18324. This proposal involves: the replacement of a water softening system for well no. 1 with a manganese green sand system prior to manganese removal. Corrosion control at well no. 2 was soda ash and well no. 3 will use polyphosphates for sequestering iron and manganese. This is located in Lehman Township, **Pike County**.

**6490506.** Public water supply. A permit was issued on January 18, 1996, to **Highland Fields Development**, c/o Brenda Davis, Owner, R. D. 2, Box 269A Hawley, PA 18428. This proposal involves the permitting of an existing public water supply system consisting of one well, distribution storage, disinfection facilities and a distribution system to serve 30 EDUs. It is located in Palmyra Township, **Wayne County**.

**6590508.** Public water supply. A permit was issued on January 24, 1996, to **Cherry Hill Mobile Home Court**, c/o Harold Mang, Owner, R. D. 2, Box 1900, Honesdale, PA 18431. This proposal involves the permitting of an existing public water supply system consisting of one well, distribution storage, disinfection facilities and a distribution system which serves 60 EDUs. It is located in Cherry Ridge Township, **Wayne County**.

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**Notice of the Submission of Final Reports on Attainment of Background and Statewide Health Standards (sections 302(e)(2) and 303(h)(2))**

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The following final reports were submitted to the Department of Environmental Protection under the Land

Recycling and Environmental Remediation Standards Act, the act of May 19, 1995 (P. L. 4, No. 2).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (the Act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports.

*Northeast Regional Field Office: Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**Graner Property Remediation Site**, Lowhill Township, **Lehigh County**. Douglas Sammak, Project Director with American Resource Consultants, Inc., P. O. Box 2227, Doylestown has submitted a Final Report (on behalf of Riding Brook, Inc.) concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted—see additional *Pennsylvania Bulletin* notice.

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

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

**Permit ID No. 603411. McCutcheon Enterprises, Inc.**, 250 Park Road, Apollo, PA 15613. Operation of multiple sites for agricultural utilization of sewage sludge in North Buffalo and West Franklin Townships, **Armstrong County**; Center Township, **Indiana County**; and Allegheny Township, **Westmoreland County**. The renewal and consolidation permit issued in the Regional Office on January 31, 1996.

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**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4001.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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

**A. 101397. Homestand Land Corporation,** Greentree Landfill, 635 Toby Road, Kersey, PA 15846, located in Fox Township, **Elk County**.

A permit modification to use and/or demonstrate various alternative daily cover materials in place of daily soil cover materials at the landfill was approved in the Regional Office on January 29, 1996:

1. 3M-Sanifoam and Rusmar AC-645 long duration foam are approved for use as daily cover.

2. Posi-Shell cover material is approved for a 60 day demonstration project.

3. The following residual waste codes are approved for a demonstration project:

• Slag	102
• Non-Petroleum Contaminated Soils	506
• Water Treatment Plant Sludge	201
• Sand Blast Abrasive and Residue	109
• Filter Media (Sand, Gravel, etc.)	307
• Deinking Sludge	211
• Dewatered Industrial Wastewater Treatment Plant Sludge	203
• Wood Incinerator Ash	007

Approval for wastes in Categories 2 and 3, above, are based on specific demonstration that individual wastes satisfy the performance standards for daily cover as specified in 25 Pa. Code § 273.232.

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

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

**A. 300822. Bethlehem Structural Products Corporation,** Subsidiary of Bethlehem Steel Corporation, 501 E. Third Street, Bethlehem, PA 18016. Revocation of permit for this Residual Waste 2 North Landfill, located in Bethlehem, **Northampton County**. This action was taken due to the applicant no longer having the intent to construct or operate this landfill. Permit was revoked in the Regional Office on January 29, 1996. In addition, a Bond Release request was received in the Regional Office on January 16, 1996. Upon releasing of the bond in the near future, a notice will appear in the *Pennsylvania Bulletin*, regarding this release.

**Closure certification under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for the closure of a hazardous waste treatment unit.**

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

**A. 069776185. Olin Electronics Materials Division,** 731 Engler Road, Nazareth, PA 18064. Closure Certification for an elementary neutralization unit and storage pad at this hazardous waste facility, located in Nazareth Borough, **Northampton County**. Closure was in accordance with the facility's previously approved closure plan. Closure Certification was granted by the Regional Office on December 12, 1995.

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

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

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **46-399-049B**

Source: Semiconductor Manufacturing Process

Issued: January 17, 1996

Company: **Allegro Micro Systems WG, Inc.**

Location: Upper Moreland

County: **Montgomery**

Permit: **15-318-016**

Source: Two Spray Booths

Issued: January 23, 1996

Company: **Dupont Company**

Location: Uwchlan

County: **Chester**

Permit: **46-318-039**

Source: Minor Facility for VOC

Issued: January 26, 1996

Company: **Ryder Truck Rental, Inc.**

Location: Upper Hanover

County: **Bucks**

Permit: **09-313-048A**

Source: Chemical Process System

Issued: January 26, 1996

Company: **Castrol Industrial, Inc.**

Location: Warminster

County: **Bucks**

**Operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 127.450 for Reasonably Available Control Technology.**

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

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-15-0015**

Source: Synthetic Minor NOx Facility

Company: **Sartomer Company, Inc.**

Location: West Chester

County: **Chester**

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

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**17-302-019A.** The Department intends to issue an operating permit to **Howes Leather Company, Inc.**

(P. O. Box 57, Curwensville, PA 16833) for the operation of a no. 2 fuel oil-fired boiler in Curwensville Borough, **Clearfield County**.

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

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**12-399-003F.** Construction of a sintering furnace and associated air cleaning device (stack afterburner) by **American Sintered Technologies, Inc.** (P. O. Box 149, Emporium, PA 15834) in Emporium Borough, **Cameron County**.

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

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

**07-312-025.** On January 31, 1996, the Department issued a plan approval to **Eldorado Properties Corporation** (P. O. Box 2621, Harrisburg, PA 17105) for bulk gasoline/distillate storage tanks controlled by internal floating roofs in Allegheny Township, **Blair County**. The source is subject to 40 CFR 60, Subpart Ka, Standards of Performance for New Stationary Sources.

**36-2012A.** On January 31, 1996, the Department issued a plan approval to **Quality Custom Kitchens, Inc.** (P. O. Box 189, New Holland, PA 17557) for the modification of a surface coating operation in Earl Township, **Lancaster County**.

**36-309-095.** On January 31, 1996, the Department issued a plan approval to **Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) for a bulk resin pneumatic conveyance system controlled by a fabric collector in the city of Lancaster, **Lancaster County**.

**36-310-023D.** On January 31, 1996, the Department issued a plan approval to **Compass Quarries, Inc.** (47 McIlvaine Road, Paradise, PA 17562) for a limestone milling plant in Paradise Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**67-320-026.** On January 31, 1996, the Department issued a plan approval to **GTY, Inc.** (2075 Loucks Road, York, PA 17404) for printing operations in West Manchester Township, **York County**. The source is subject to 40 CFR 60, Subpart FFF, Standards of Performance for New Stationary Sources.

*Regional Office: Southwest Regional Office, Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**03-318-013B.** On January 22, 1996, a plan approval was issued to **Eljer Manufacturing**, 1301 Eljer Way, Ford City, PA 16226 for a shuttle kiln at its facility located in Ford City Borough, **Armstrong County**.

**03-318-018.** On January 11, 1996, a plan approval was issued to **Carson Industries, Inc.**, 189 Foreman Road, Freeport, PA 16229 for spray painting operation and ink dip tanks at its facility located in Freeport Borough, **Armstrong County**.

**04-318-014.** On January 24, 1996, a plan approval was issued to **A & E Powdercoating, Inc.**, 618 18th Avenue, New Brighton, PA 15066 for a chiller for its vapor degreaser at its facility located in New Brighton Borough, **Beaver County**.

**11-307-039.** On January 26, 1995, a plan approval was issued to **BRW Steel Corporation**, 227 Franklin Street, Suite 300, Johnstown, PA 15901 for a continuous bloom/billet caster at its Johnstown Plant located in Franklin Borough, **Cambria County**.

**32-305-032B.** On January 24, 1996, a plan approval was issued to **Mears Enterprises, Inc.**, P. O. 157, Clymer, PA 15728 for a wet coal prep plant and rotary breaker and loadout facility at its Clymer Tipple located in Cherryhill Township, **Indiana County**.

**03-308-001.** On January 24, 1996, a plan approval expiration date was extended to August 1, 1996, for **Carson Industries, Inc.**, 189 Foreman Road, Freeport, PA 16229 for dust collectors for its aluminum grinding and sand casting operation at its facility located in Freeport Borough, **Armstrong County**.

**04-313-052.** On January 24, 1996, a plan approval expiration date was extended to May 31, 1996, for **ARCO Chemical Company**, 400 Frankfort Road, Monaca, PA 15061 for direct contact condensers for its bulk polymerization operation at its Beaver Valley Plant located in Potter Township, **Beaver County**.

**65-309-065.** On January 22, 1996, a plan approval expiration date was extended to August 1, 1996, for **IA Construction Corporation**, P. O. Box 348, Punxsutawney, PA 15767 for a baghouse for an asphalt plant at its Torrance Asphalt Concrete facility located in Derry Township, **Westmoreland County**.

**65-322-003.** On January 4, 1996, a plan approval expiration date was extended to November 16, 1996, for **Y & S Maintenance, Inc.**, R. D. 1, Box 716, Landfill Road, Scottdale, PA 15683 for an LFG Flare at its Greenridge Reclamation facility located in East Huntingdon Township, **Westmoreland County**.

**65-399-032.** On January 24, 1996, a plan approval expiration date was extended to June 1, 1996, for **Sony Chemicals Corporation of America**, 1001 Technology Drive, Mt. Pleasant, PA 15666 for a thermal oxidizer for its thermal transfer ribbon process at its Pittsburgh Manufacturing Center located in East Huntingdon Township, **Westmoreland County**.

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

**10-313-046.** On January 25, 1996, a plan approval was issued to **Callery Chemical Company, Mine Safety Appliances Company** (P. O. Box 429, Pittsburgh, PA 15230) for the installation of a scrubber/flare emission abatement system at 1420 Mars Evans City Road, Forward Township, **Butler County**.

**33-313-008.** On January 16, 1996, a plan approval was issued to **Penngraph, Inc.** (R. D. 1, P. O. Box 227, Brookville, PA 15825) for the construction of 3 bake ovens at Brookville, **Jefferson County**.

**25-318-121.** On January 17, 1996, a plan approval was issued to **Ridg-U-Rak, Inc.** (P. O. Box 150, North East, PA 16428) for the construction of a baking oven at 120 South Lake Street, North East, **Erie County**.

**10-399-016.** On January 23, 1996, a plan approval was issued to **ESM II, Incorporated** (P. O. Box 128, 1161

Pittsburgh Road, Valencia, PA 16059) for the installation of two cartridge collectors at Mars, **Butler County**.

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

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

Permit: **23-330-004**

Source: Cold Mix Bituminous Asphalt

Issued: January 17, 1996

Company: **Clean Water Resources, Inc.**

Location: Tincium

County: **Delaware**

Permit: **23-329-004**

Source: Emergency Generator

Issued: January 19, 1996

Company: **Boeing Defense & Space Group/  
Helicopters Division**

Location: Ridley

County: **Delaware**

Permit: **45-399-103**

Source: Granulating Process

Issued: January 25, 1996

Company: **Ciba Self-Medication, Inc.**

Location: Upper Dublin

County: **Montgomery**

Permit: **15-399-041**

Source: Two Electric Generators

Issued: January 26, 1996

Company: **Sanofi Winthrop, Inc.**

Location: East Whiteland

County: **Chester**

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

Permit: **09-318-069**

Source: Spray Paint Booth

Issued: January 15, 1996

Extended: May 15, 1996

Company: **Browning-Ferris, Inc.**

Location: Hilltown

County: **Bucks**

Permit: **46-399-082**

Source: Belt Filter Press

Issued: January 17, 1996

Extended: May 16, 1996

Company: **Upper Merion Municipal Utility Auth.**

Location: Upper Merion

County: **Montgomery**

Permit: **46-399-083**

Source: Belt Filter Press

Issued: January 17, 1996

Extended: May 16, 1996

Company: **Upper Merion Municipal Utility Auth.**

Location: Upper Merion

County: **Montgomery**

**Operating permits transferred under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate and operate air contamination sources or air cleaning devices.**

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**49-302-034.** The Department intends to issue an operating permit to **Mertz Greenhouses** (R. D. 2, Box 492, Northumberland, PA 17857) for the operation of two anthracite coal-fired boilers previously owned and operated by Boyd A. Mertz Greenhouses in Point Township, **Northumberland County**.

#### MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

#### Coal Permits Issued

**54851343R2. Buck Mountain Coal Company**, (P. O. Box 6, Tremont, PA 17981), renewal of an existing anthracite underground mine operation in Frailey Township, **Schuylkill County** affecting 4.6 acres, receiving stream—none. Renewal issued January 24, 1996.

**54830103C3. K & K Coal Company**, (133 Valley Furnace Avenue, Port Carbon, PA 17965), correction to an existing anthracite strip operation in Blythe Township, **Schuylkill County**, affecting 160 acres, receiving stream—unnamed tributary to E. Branch Schuylkill River. Correction issued January 26, 1996.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**03831305. Keystone Coal Mining Corporation**, (P. O. Box 729, Indiana, PA 15701), to revise the permit for the Jane bituminous deep mine in Plumcreek Township, **Armstrong County** for AMD sludge disposal, no additional discharge. Permit issued January 23, 1996.

**03820702. Brookport Resources Company**, (One Glade Park East, R. D. 8, Box 46, Kittanning, PA 16201), to renew the permit for the Little Germany Refuse Area in Pine Township, **Armstrong County**, no additional discharge. Permit issued January 24, 1996.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

#### Noncoal Permits Issued

**0179301A1C. Wilson C. Clapsaddle**, (1790 Baltimore Pike, Gettysburg, PA 17325), renewal of NPDES Permit #PA0122297 in Mt. Joy Township, **Adams County**, receiving stream unnamed tributary to Rock Creek. Renewal issued January 22, 1996.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*



*General Small Noncoal Authorizations Granted*

**58950806. Robert C. Coleman**, (Box 22, Susquehanna, PA 18847), commencement, operation and restoration of a small bluestone quarry operation in Oakland Township, **Susquehanna County** affecting 2.0 acres, receiving stream Lewis Creek. Authorization granted January 23, 1996.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

*Coal Mining Applications Returned*

**32951301. Marquise Mining Corporation**, (206 Green Street, Johnstown, PA 15905), to operate the Burrell bituminous deep mine in Burrell Township, **Indiana County** including crushing and screening, and breaker rock disposal, receiving stream Weirs Run. Application returned January 18, 1996.

The Department of Environmental Protection has taken the following actions on previously received Dam Safety and Encroachment 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, 400 Market Street Floor 2, 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 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 Certification*

*DEP Central Office, Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

*Environmental Assessment Approvals and Actions on 401 Certification*

**EA46-017CO.** Environmental Assessment. **Banbury Limited Partnership**, 209 Green Street, Souderton, PA 18964. To construct and maintain a nonjurisdictional dam (Basin 4) across a tributary to Skippack Creek (TSF) for the purpose of stormwater management at the proposed Banbury Estates subdivision located approximately 1,200 feet north of the intersection of Beck Road and Elroy Road (Telford, PA Quadrangle N: 6.80 inches; W: 11.35 inches) in Franconia Township, **Montgomery County**.

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

**E51-142.** Encroachment. **The Mills Limited Partnership**, 3000 K. Street, NW, Washington, DC 20007. To place fill material in 1.00 acre of wetlands (P.F.O.) associated with the expansion of the former Carrefour facility at Franklin Mills Mall. The project is located near the intersection of Woodhaven Road (L. R. 1029) and Knights Road (Beverly, PA-NJ Quadrangle N: 15.7 inches; W: 13.2 inches) in the City of Philadelphia, **Philadelphia County**. The permittee is providing 1.00 acre of wetland replacement.

*Northcentral Region: Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.*

**E14-276.** Encroachment. **Department of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a 2 span prestressed concrete box beam bridge with 2 clear normal spans of 38.9 feet each, a skew of 45° across Sinking Creek. The project is located on S. R. 144 Sect. A01 about 0.7 mile south of its intersection with S. R. 2008 (Centre Hall, PA Quadrangle N: 11.3 inches; W: 1.9 inches) in Potter Township, **Centre County**.

**E18-205.** Encroachment. **Porter Township Supervisors**, P. O. Box 57, Lamar, PA 16848. Remove the existing structure and construct and maintain a single span prestressed concrete box beam structure with a clear span of 43.4 feet and minimum underclearance of 2.2 feet at a 76° left skew in Cedar Run on T-321 in the Village of Parvin (Beech Creek, PA Quadrangle N: 10.60 inches; W: 2.20 inches) in Porter Township, **Clinton County**.

**E41-348.** Encroachment. **Moreland Township Supervisors**, R. R. 4, Box 184-1, Muncy, PA 17756. To remove the existing structure and to construct and maintain a 71 inch culvert in Broad Run. This project is located on township road T-509 about 800 feet west of its intersection with S. R. 2069 (Hughesville, PA Quadrangle N: 16.3 inches; W: 3.7 inches) in Moreland Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E46-721.** Encroachment. **Montgomery County Commissioners**, Montgomery County Courthouse, Norristown, PA 19404-0311. To remove an existing deteriorating three span I-beam bridge and to construct and maintain a two span prestressed concrete box beam bridge. The existing bridge is a 70-foot long, three span structure. The proposed bridge has two spans. Span 1 is 30 feet long with an underclearance of 4.2 feet and Span 2 is 30 feet long with an underclearance of 4.3 feet. County Bridge No. 107 is located across Swamp Creek (TSF) on Swamp Creek Road (T-352) (Sassamansville, PA Quadrangle N: 13.9 inches; W: 15.1 inches) in Douglass Township, **Montgomery County**.

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

**E40-428.** Encroachment. **John T. Timko**, 788 East Main Street, Weatherly, PA 18255. To construct and maintain a road crossing of a tributary to Big Wapwallopen Creek (locally known as Yeager Creek), consisting of

a 14.8-foot x 4.8-foot aluminum box culvert and the placement of fill in a de minimus area of wetlands less than or equal to 0.05 acre, for the purpose of providing access from Brandywyn Drive to a 16.2-acre single residential lot. The project is located on Lot 19 of the Fox Run Subdivision, approximately 0.5 mile southeast of the intersection of S. R. 2045 and S. R. 3010 (Freeland, PA Quadrangle N: 19.1 inches; W: 8.1 inches) in Wright Township, **Luzerne County**.

**E54-216.** Encroachment. **Darren E. Dreher**, 1044 Deiberts Valley Road, Schuylkill Haven, PA 17972. To maintain a 16 foot x 16 foot deck in the floodway of Red Creek for recreational purposes. This project is located at the rear of the property at 1044 Deiberts Valley Road (Township Road T-657), approximately 1,700 feet west of S. R. 2011 (Friedensburg, PA Quadrangle N: 21.5 inches; W: 0.55 inch) in South Manheim Township, **Schuylkill County**.

[Pa.B. Doc. No. 96-214. Filed for public inspection February 16, 1996, 9:00 a.m.]

### Draft Public Participation Policy

The Department of Environmental Protection (DEP) has proposed a draft public participation policy for comment in an effort to improve public access to information and decision-making in the Department.

DEP is committing itself to involve the public early and often in the process of developing regulations and policies, to seek a dialog with all sectors of society on its proposals and to recognize the public's right to substantive responses to all comments they submit. The new policy also commits the agency to provide the public with open access to information during the development process in order to build trust between the Department and the public.

The draft policy describes the specific tools DEP has available to provide opportunities for public participation, including advisory committees, advance notice of proposed rulemaking, notice of proposed rulemaking, advance notice of final rulemaking, public information meetings, public hearings and regulatory negotiation and stakeholder groups. Basic procedures are outlined for establishing public comment periods and how comments are considered and answered after they are received by DEP.

The policy also commits DEP to publish a regulatory agenda every 6 months to alert the public about regulations it is likely to send to the Environmental Quality Board for action. DEP will also publish an annual Sunset Review Schedule for reviewing regulations to determine whether they still effectively fulfill their original goals.

Draft and final copies of regulations and guidance are to be provided free of charge to the public. Early notice of draft regulations and policies and public information meetings and hearings will be provided through a variety of channels, including the weekly *Environmental Protection Update*, the World Wide Web site, local newspaper notices and other channels.

A copy of the new draft public participation policy is available from Barbara Sexton, DEP Regulatory Coordinator, P. O. Box 2063, Harrisburg, PA 17105-2063; telephone (717) 783-1303; fax (717) 783-8470; or e-mail Sexton.Barbara@a1.dep.state.pa.us. A copy is also posted on the DEP World Wide Web site at <http://www.dep.state.pa.us>

[www.dep.state.pa.us](http://www.dep.state.pa.us) (choose Public Participation Center/Advisory Committees/Citizens Advisory Council/DEP Adopts Principles).

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-215. Filed for public inspection February 16, 1996, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Sale of Unisys 2200/644ES Computer Equipment

The Department of General Services, State Surplus Property Division is offering for sale a Unisys Computer System. Model 2200/644ES located at the Harrisburg State Hospital. This computer will be sold in part or as a complete unit.

The computer system consists of:

Qty.	Description
1	2200/644EX 4x4x216MW SYSTEM, Model ES22644
4	Memory Expansion
16	Block Mux Channel (Expansion)
4	Commercial Block Multiplexor
4	IP Cabinet
2	IOP Interface
2	IOP Interface Expansion
4	IO Complex Cabinet
2	IP Feature
4	Console/PC
4	IOP Memory Interface
2	Memory
2	Console Controller
1	System Alarm Panel
1	System Clock Cabinet
2	System Support Controller
2	SSC Peripheral Cabinet
4	IP Performance Monitor
4	Host Lan Controller

Persons who would like to submit a bid on these items should call (717) 787-4085 for a bid form or send their name and address to the Department of General Services, State Surplus Property Division, 2221 Forster Street, Room G-48, Harrisburg, PA 17105. Requests for bid forms will be taken until the bid opening date of March 15, 1996, at 9:00 a.m.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 96-216. Filed for public inspection February 16, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Intent to Apply Uniform Standard to Both Skilled and Intermediate Care Patients in Long Term Care Facilities

For all long term care facility licensure surveys ending on or after January 1, 1996, the Department of Health

(Department) will apply the intermediate care standard to all patients in enforcing those licensure regulations which set forth different standards for both skilled and intermediate care.

The Department of Public Welfare's case-mix reimbursement regulations (25 Pa.B. 4477—4505), were effective as of January 1, 1996. Medical Assistance reimbursement methodology no longer distinguishes between skilled care and intermediate care but utilizes a case-mix adjustment based on the classification of residents into 44 separate groups known as Resource Utilization Groups (RUG-III). (25 Pa.B. 4505).

The Omnibus Budget and Reconciliation Act of 1987, P. L. 100-203, 42 U.S.C.A. §§ 1395i-3, 1396r (OBRA 1987) and subsequent amendments, eliminated the Federal distinction between skilled nursing facilities and intermediate care facilities. As a result, all long term care facilities participating in the Medicare and/or Medicaid programs are subject to the same Federal certification standards regardless of the level of services provided.

The Department of Health (Department) is in the process of reviewing its licensure regulations for long term care facilities in light of both the case-mix regulations and the changes to the Federal standards in the wake of OBRA 1987. As part of this process, the Department is considering amendments to some of its licensure regulations which would eliminate the distinction between licensure standards applied to skilled and intermediate care residents. Until such time as new regulations are published as final and take effect, the Department, in enforcing the licensure regulations at 28 Pa. Code §§ 211.2(b), (c), (e); 211.8(e); 211.9(e); 211.12(n); and 211.13(f), intends to apply the standard for intermediate care patients to all patients as set forth herein.

For those regulatory sections listed, the Department will exercise its prosecutorial discretion not to enforce the standard for skilled patients unless providers have not complied with the lesser intermediate standard. Should a long term care facility fail to comply with the standard for intermediate care patients in one or more of the above-listed regulatory sections, the stricter standards for skilled care will apply for enforcement purposes.

Application of the intermediate care standards in those regulations listed, to all patients, will not result in diminished quality of care in long term care facilities. The Department's survey review of quality indicators such as skin integrity, drug therapy, rehabilitative potential, nutritional adequacy, infection control, cognitive function and appropriate use of chemical or physical restraints will continue to reveal any problems with resident care.

Providers must continue to comply with State licensure regulations at 28 Pa. Code § 211.11, which require an interdisciplinary team of professionals, including physicians, to develop and implement a written plan of care to meet the needs of every patient. These plans of care are to be reviewed and updated according to change in patient status. Therefore, should a patient's status change, the plan of care and physician orders would have to be reviewed and adjusted as necessary. Further, most of Pennsylvania's long term care providers participate in the Medicare and Medicaid programs and are subject to Federal regulations which also require appropriate and timely assessments, care planning and treatment.

The Department's application of a uniform standard as described herein is not meant as a substantive change to the long term care licensure regulations (28 Pa. Code §§ 201.1—211.22) currently in effect. However, until fur-

ther notice, the Department will enforce the regulations at 28 Pa. Code §§ 211.2(b)(c)(e); 211.8(e); 211.9(e); 211.12(n); and 211.13(f) as follows:

#### § 211.2. Medical services.

(b) A patient shall be under the current care of a physician. A skilled care patient shall be seen by the attending physician at least every 30 days and an intermediate care patient at least every 60 days, or more often as necessary.

The Department will accept compliance with the 60 day time period for all patients. Individual patients must still be seen more often if necessary.

(c) A patient's total program of care, including medications, care and treatments, shall be reviewed during a visit by the attending physician at least once every 30 days for a skilled care patient and every 60 days for an intermediate care patient. Revisions shall be made as necessary. The physician shall indicate on the patient's medical record that the review has been made. Entries made by the physician on the medical record shall be dated and signed with the original signature of the physician. A physician's orders shall be renewed at least once every 30 days for skilled care patients and every 60 days for intermediate care patients.

The Department will accept compliance with the 60 day time period for all patients. Revision to the program of care must still be made more often if necessary.

Medicare and/or Medicaid participating providers must also continue to comply with the Federal regulation at 42 CFR 483.40(c)(1), which states that a physician, or physician designee as permitted in 42 CFR 483.40(e), must see a resident at least once every 30 days for the first 90 days of admission and at least once every 60 days thereafter.

(e) The attending physician shall be responsible for the medical evaluation of the patient and shall prescribe a planned regimen of total patient care. This regimen shall incorporate all of the components of the patient's care and shall designate the patient's appropriate level of care.

For licensure purposes, the physician will no longer be required to designate the patient's level of care but will be required to review the patient's total program of care as required by § 211.2(c). However, the patient's health care needs must support placement or continued stay in a long term care facility.

#### § 211.8. Use of restraints.

(e) The physician shall document the reason for the restraint order and shall review the need for the order by evaluating the patient. If the order is to be continued, the order shall be renewed for at least every 30 days for skilled patients and every 60 days for intermediate care patients by the physician in accordance with the patient's total program of care.

The Department will accept compliance with the 60 day renewal requirement for all patients.

#### § 211.9. Pharmaceutical services.

(e) Each patient shall have a written physician's order for each medication received. This includes both proprietary and nonproprietary medications. These physician's orders shall be on each patient's individual chart and shall be reviewed, renewed, signed and dated by the physician every 30 days for skilled patients and 60 days for intermediate care patients.

The Department will accept compliance with the 60 day requirement for all patients.

## § 211.12. Nursing services.

(n) A minimum number of general nursing care hours shall be provided for each 24-hour period. The total number of hours of general nursing care provided in each 24-hour period shall, when totalled for the entire facility, be a minimum of 2.7 hours of direct patient care for each skilled care patient and a minimum of 2.3 hours of direct patient care for each intermediate care patient. The total number of daily required hours shall be computed by multiplying the number of intermediate care patients by 2.3 hours and by multiplying the number of skilled care patients by 2.7 hours. The two figures shall be added; the sum shall be the minimum total number of hours of general nursing provided in each 24-hour period for the entire facility.

The Department will accept compliance with the requirement of 2.3 hours of general nursing care per each 24-hour period for each patient of the facility.

## § 211.13. Rehabilitative services.

(f) The patient's progress shall be reviewed regularly by the physician and the therapist. They shall reevaluate the plan of rehabilitative services as necessary, but at least every 30 days for skilled patients and every 60 days for intermediate care patients.

The Department will accept compliance with the 60 day requirement for all patients. Reevaluation of the plan for rehabilitative services must still be done more often if necessary.

Questions regarding the above may be directed to William A. Bordner, Director, Division of Nursing Care Facilities, P. O. Box 90, Harrisburg, PA 17108, (717) 787-1816.

Persons with a disability who require an alternative format (for example, large print, audio tape, braille) of this document should contact William Bordner so that he may make the necessary arrangements. Alternative formats may also be requested by using TDD: (717) 783-6514.

PETER J. JANNETTA, M.D.,  
Secretary

[Pa.B. Doc. No. 96-217. Filed for public inspection February 16, 1996, 9:00 a.m.]

### Notice of Beginning of Review; Certificates 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-2387-B:* Western Pennsylvania Hospital, 4800 Friendship Avenue, Pittsburgh, PA 15225. The project involves the establishment of a 30 bed hospital-based skilled nursing unit through the conversion of acute care beds, at an estimated cost of \$2,055,000.

*CON-95-A-2461-B:* Raytel Medical Corporation/MRI Diagnostics-Norristown, 1651 Markley Street, Norristown, PA 19401. The project involves adding an open MRI Unit, at an estimated cost of \$1,250,000.

*CON-95-I-0581-C:* Horizon Hospital System, 110 North Main Street, Greenville, Mercer County, PA 16125. The application is for a change in scope to a previously approved low-risk adult diagnostic cardiac catheterization service at Horizon Hospital System, Greenville Division. There will be no additional capital cost.

*CON-95-A-2574-B:* North Philadelphia Health System, Eighth Street at Girard Avenue, Philadelphia, PA 19122. The project involves establishment of a 55-bed hospital-based skilled nursing unit through conversion of beds at Girard Medical Center, at an estimated cost of \$250,000.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning February 17, 1996. Interested persons, as defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)), regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Western Pennsylvania Hospital public meeting will begin at 3 p.m., Friday, March 8, 1996. Raytel Medical Corporation public meeting will begin at 9 a.m. and Horizon Hospital System public meeting will begin at 3 p.m., Thursday, March 21, 1996. Public meeting for North Philadelphia Health System will begin at 11 a.m., Tuesday, April 9, 1996. Persons who need an accommodation due to a disability and want to attend a meeting, please contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

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

PETER J. JANNETTA, M.D.,  
Secretary

[Pa.B. Doc. No. 96-218. Filed for public inspection February 16, 1996, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Increase in the Food Stamp Heating Standard Utility Allowances (SUA) and Homeless Shelter Allowance; Decrease in the Nonheating SUA

Regulations at 55 Pa. Code § 501.7(a)(2), (3) and (4) establish the amounts for the heating SUA, nonheating SUA, telephone allowance and homeless shelter allowance for the Food Stamp Program and provide for the revision of these amounts by publication of a notice in the *Pennsylvania Bulletin*. These changes have been approved by the Food and Consumer Service of the U. S. Department of Agriculture and are effective October 1, 1995.

The heating SUA and the nonheating SUA allowances are established in accord with the requirements of 7 CFR

273.9(d)(6)(iii) and (iv). The Department of Public Welfare is increasing the heating SUA from \$272 to \$273 and decreasing the nonheating SUA from \$152 to \$151.

The telephone allowance is established in accord with the requirements of 7 CFR 273.9(d)(6)(v)(C). The Department of Public Welfare is leaving the telephone allowance at \$23.

The homeless shelter allowance is established in accord with the requirements of 7 CFR 273.9(d)(5)(i). The Department of Public Welfare is increasing the homeless shelter allowance from \$139 to \$143.

The Department of Public Welfare recommends these revisions for codification in 55 Pa. Code § 501.7(a)(2), (3) and (4).

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 India Wood at (717) 783-2212.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-107. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 96-219. Filed for public inspection February 16, 1996, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Retention of Engineering Firms

### Allegheny County Reference No. 08430AG1976

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately 19 inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services for the following five projects:

1. S. R. 0279, Section A26—Carson Street Ramps; complete replacement of decks on Ramps A and B from Fort Pitt Bridge to Carson Street, Allegheny County. Also includes utilities, lighting, painting, and minor approach work.
2. S. R. 0019, Section A16—West End Bridge Ramps to S. R. 65; widening of Ramp B to 65 SB from West End Bridge, Allegheny County. Construction of additional column and line of stringers.
3. S. R. 0019, Section A15—West End Bridge Lane Control; placement of overhead lane controls on West End Bridge and approaches to allow lane reversals, Allegheny County.
4. S. R. 0019, Section A11—West End Bypass; Resurfacing of West End Bypass from Banksville Road Interchange to West End Bridge, Allegheny County. Includes underpinning of rock overhang, construction of shoulder to be used as a fifth lane, drainage upgraded, replace existing barrier with movable barrier.

5. S. R. 0279, Section A25—Banksville Interchange; Widening of Ramps at Banksville Road Interchange with I-279, Allegheny County.

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. 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, painting, underpinning of rock overhang, barrier, utilities, lighting and lane control signalization.
- b. Understanding of Department's requirements, policies and specifications.
- c. Number of NICET certified inspectors in each payroll classification.
- d. Past performance.
- e. Number of available inspectors in each payroll classification.
- f. Workload.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	2 (2)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	11 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (1)

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 Manager 1	(TCM-1)	\$19.79
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 pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; one inspector certified in computer documentation on each project 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 TCM-1 and TCIS positions, giving their approval to use their name 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 Bob Collins, District 11-0, at (412) 429-4928.

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

**Statewide  
Reference No. 08430AG1977**

The Department of Transportation will retain an engineering firm for a Statewide open-end contract administered by the Bureau of Design to provide for various engineering services; engineering management services; development and implementation of training in highway, structures, right-of-way, contract management, consultant liaison, engineering computing, project management, photogrammetry/surveying, CADD, usage of PC software

and engineering application software; and other related work. The open-end contract will be for a period of 5 years with a maximum cost of \$1 million with projects being assigned on an "as-needed" basis.

The selected firm will be required to provide all necessary professional services through a team of highly qualified engineering, system engineering and public involvement professionals to assist the Department through the preliminary engineering and final design phases of project development and to ensure consistency and compliance with all applicable State and Federal laws, regulations and procedures.

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

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

- a. Project management team experience, knowledge of State and Federal laws, regulations, policies and procedures.
- b. Knowledge of the Department's project development process.
- c. Experience in preparing plans, specifications and estimates in accordance with established design criteria.
- d. Experience in engineering computing, engineering application software, CADD, usage of PC software and networking.
- e. Experience in implementation of engineering training programs.
- f. Past performance with the Department.

Technical questions concerning the requirements for this project should be directed to Charles W. Allwein, P.E., Bureau of Design, at (717) 783-9309.

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 4:30 p.m. of the thirteenth day.

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 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. 96-220. Filed for public inspection February 16, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Duquesne Light Company v. DEP; Doc. No. 95-240-G

The Department of Environmental Protection (Department) and Duquesne Light Company have agreed to a settlement of the above matter.

The Department issued NPDES Permit No. PA 0025615 to Duquesne Light Company (DLCo) authorizing the discharge of wastewater to the Ohio River and Peggs Run. DLCo appealed the imposition of a limitation for total residual chlorine (TRC) at Outfalls 013, 113 and 203 and a free available chlorine (FAC) limitation at Outfall 012.

The major provisions of the settlement are:

1. Modification of the TRC limit at Outfalls 113 and 203 (sewage treatment plant discharges) to monitor and report until September 30, 1988, and thereafter a monthly average limitation of 1.4 mg/l and an instantaneous maximum limitation of 3.3;

2. Deletion of the FAC limitations at Outfall 012.

Copies of the full agreement are in the possession of:

Zelda Curtiss, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262;

Donald C. Bluedorn, II, Babst, Calland, Clements & Zomnir, P.C., Two Gateway Center, Pittsburgh, PA 15222; and at the offices of the Environmental Hearing Board, and may be reviewed by any interested person on request during normal business hours.

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 20 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Service at 1 (800) 654-5984.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely filed with the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-221. Filed for public inspection February 16, 1996, 9:00 a.m.]

### Fairmont Products v. DEP; EHB Doc. No. 95-155-C

The Department of Environmental Protection and Fairmont Products have agreed to a settlement of the above matter.

On June 23, 1995, the Department of Environmental Protection (formerly called the Department of Environmental Resources) issued National Pollutant Discharge Elimination System Permit No. 0009571 (the permit) to

Fairmont, authorizing the discharge of noncontact cooling water from its facility in Belleville, PA to an unnamed tributary (UNT) to Little Kishacoquillas Creek, in Union Township, Mifflin County, PA.

On or about July 21, 1995, Fairmont filed an appeal of the issuance of the permit with the Environmental Hearing Board, EHB Docket No. 95-155-C.

Fairmont's appeal challenged a number of issues, including, but not limited to, the effluent limitations and monitoring requirements for each individual outfall, and the thermal discharge limitations for each individual outfall.

Fairmont previously submitted inaccurate flow information to the Department. As a result of new information submitted by Appellant, the Department has determined that the permit should be amended, as more fully set forth below.

The parties have agreed to a settlement, the major provisions of which include:

The Board orders, and Fairmont and the Department hereby agree as follows:

1. Within 60 days of execution of this Consent Order and Adjudication, Fairmont will present to the Department a request for a thermal variance under 25 Pa. Code § 97.82 and section 316 of the Clean Water Act, 33 U.S.C.A. § 1326, and a study plan to survey the receiving stream. The purpose of the study plan is to demonstrate that alternate thermal effluent limitations will not adversely impact the indigenous aquatic community in the receiving water body.

2. The study plan will consist of a thermal profile of the receiving stream, and a comprehensive biological survey of the creek. From early Spring 1996 until November 1996, Fairmont shall implement the study plan, as approved by the Department. Fairmont will conduct two aquatic field investigations to coincide with the critical periods for in-habitant aquatic biota, during the month of August 1996, and during the month of November 1996. These field investigations will consist of the following:

- a. Benthic macroinvertebrate sampling at each station;
- b. Fin fish sampling at each of the established stations;
- c. Thermal profile sampling at each station.

Additionally, Fairmont will conduct a benthic macroinvertebrate analysis in early spring 1996.

3. On or before January 31, 1997, Fairmont shall submit to the Department a final report concerning the proposed alternate thermal effluent limits.

Additionally, after the Environmental Hearing Board's execution of this Consent Order and Adjudication, Fairmont shall evaluate its housekeeping practices and/or its management of its heat discharge at the Belleville facility, to identify and characterize problems in controlling and limiting any wide variations in its heat discharge. On or before January 31, 1997, Fairmont shall also submit to the Department, for the Department's approval, its recommendations, if any, concerning modifications to its housekeeping practices and/or its management of the facility's heat discharge.

4. The Department will review Fairmont's report concerning the proposed alternate thermal effluent limits, and on or before January 31, 1997, the Department will notify Fairmont of the Department's determination whether Fairmont has successfully demonstrated that



such alternate thermal effluent limitations will not adversely impact the indigenous aquatic community in the receiving stream.

5. Upon the Department's determination that Fairmont has successfully demonstrated that alternate thermal effluent limitations will not adversely affect the indigenous aquatic community in the receiving stream, within 60 days of the Department's notice of that determination, the Department shall issue Fairmont a thermal variance under 25 Pa. Code § 97.82(a)(2) and section 316(a) of the Clean Water Act, 33 U.S.C.A. § 1326, and will issue a draft amended permit with the thermal variance.

Within 60 days of the Department's notice of its determination concerning the thermal variance, Fairmont shall also implement any modifications to its housekeeping practice and/or its management of its heat discharge, as approved by the Department.

6. Alternatively, upon the Department's determination that Fairmont has failed to successfully demonstrate that alternate thermal effluent limitations will not adversely affect the indigenous aquatic community in the receiving stream, Fairmont shall achieve compliance with the final effluent limitations, as described below, or terminate the discharge in accordance with the following schedule:

Feasibility study completion	May 31, 1997
Compliance with effluent limitations	July 31, 1997

7. Fairmont's NPDES Permit No. Pa. 0009571 is hereby modified as follows:

a. All of the pages of the Amended Permit are called Amendment No. 1.

b. Page 2, Part A, I, the Discharge Limitations chart for Interim Effluent Limitations is modified in accordance with the chart detailed in the Consent Order and Adjudication.

Page 2, Part A, I, (1), the discharge limitations for outfalls 001, 002, 003 and 004 were determined using a combined effluent discharge rate of .2 million gallons per day.

c. Page 2A, Part A, 1, the discharge limitations chart for final effluent limitations is in accordance with the chart detailed in the Consent Order and Adjudication.

d. Page 2A, Part A, I, (1), the discharge limitations for Outfalls 001, 002, 003 and 004 were determined using a combined effluent discharge rate of .2 million gallons per day.

e. Page 12, Part C.I.B. For the combined discharge from Outfalls 001, 002, 003 and 004, the permittee shall comply with the following thermal discharge limitations:

Period	Final Allowable	
	Interim Allowable Waste	Waste Temperature (°F)
Jan 1-31	97	97
Feb 1-29	86	86
Mar 1-31	110	110
Apr 1-30	110	110
May 1-31	79	79
Jun 1-30	75	75
Jul 1-31	73	73
Aug 1-31	72	72
Sep 1-30	70	67
Oct 1-31	70	57
Nov 1-30	70	55
Dec 1-31	95	95

Permittee shall comply with the interim allowable waste temperatures listed above until permittee has submitted to the Department's review the permittee's final report concerning the impact of the alternate thermal effluent limitations on the indigenous aquatic community in the receiving water body.

In the event that the Department determines that Fairmont has successfully demonstrated that the alternate thermal effluent limitations will not adversely affect the indigenous aquatic community in the receiving water body, the Department will issue a thermal variance under 25 Pa. Code § 97.82(a)(2) and section 316(a) of the Clean Water Act, 33 U.S.C.A. § 1236, and will base the thermal variance on the results of Fairmont's study.

In the event that the Department determines that Fairmont has failed to successfully demonstrate that the alternate thermal effluent limitations will not adversely affect the indigenous aquatic community in the receiving water body, then Fairmont shall achieve compliance with the final effluent limitations, in accordance with the schedule set forth in Part C.

f. Page 12, Part C, I. for the combined discharge from Outfalls 001, 002, 003 and 004, in order to demonstrate compliance with thermal discharge limitations, the permittee shall monitor at the following locations:

Parameter	Units	Monitoring Location
Waste discharge Temperature, $T_d$	°F	On UNT Little Kishacoquillas Creek 5 ft. Upstream of the Confluence of Little Kishacoquillas Creek
Upstream Temperature, $T_{up}$	°F	On Little Kishacoquillas Creek 25 ft. Upstream of the Confluence with UNT Little Kishacoquillas Creek
Downstream Temperature, $T_{down}$	°F	On Little Kishacoquillas Creek 30 ft. Downstream of the Confluence with UNT Little Kishacoquillas Creek

g. Page 15, Part C, the Compliance Schedule is as follows:

SCHEDULE OF COMPLIANCE

Fairmont Products shall submit a study plan to survey the receiving stream.	Within 60 days of the EHB's execution of this document.
Fairmont Products shall implement the study plan.	Spring 1996— November 30, 1996
Fairmont Products shall submit a final report concerning the proposed alternate thermal effluent limits.	January 31, 1997
Fairmont Products shall submit a report concerning its housekeeping practices and/or management of heat discharge to limit wide variations in heat discharge.	January 31, 1997
The Department will review the report concerning the proposed alternate thermal effluent limits and notify Fairmont Products of the Department's determination concerning the thermal variance.	March 31, 1997

The Department will review the report concerning Fairmont's housekeeping practices and/or its management of heat discharge to limit wide variations in heat discharge. March 31, 1997

In the event that the Department determines, under Paragraph f of the Consent Order and Adjudication entered between the Department and Fairmont Products, that Fairmont Products has failed to successfully demonstrate that the alternate thermal effluent limitations will not adversely affect the indigenous aquatic community in the receiving water body, then the permittee shall achieve compliance with the final effluent limitations or terminate this discharge in accordance with the following schedule:

- Feasibility study completion May 31, 1997
- Compliance with effluent limitations July 31, 1997

No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit to the Department a written notice of compliance or noncompliance with the specific schedule requirements(s). Each notice of noncompliance shall include the following information:

1. A short description of the noncompliance.
2. A description of any actions taken or proposed by the permittee to comply with the elapsed schedule requirement.
3. A description of any factors which tend to explain or mitigate the noncompliance.
4. An estimate of the date that compliance with the elapsed schedule requirement will be achieved and an

assessment of the probability that the next scheduled requirement will be met on time.

Copies of the full agreement are in the hands of:

Gary A. Peters, Esq., Howard & Howard Attorneys, P.C., 1400 North Woodward Avenue, Suite 101, Bloomfield Hills, MI 48304-2856;

Beth Liss Shuman, Esq., Department of Environmental Protection, 9th Floor Rachel Carson State Office Bldg., 400 Market Street, Harrisburg, PA 17101-2301;

and at the office of the Environmental Hearing Board, and may be reviewed by any interested party on request during normal business hours.

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, Post Office Box 8457, Harrisburg, PA 17105-8457.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement which becomes final if no objection is timely made.

GEORGE J. MILLER, Chairperson

[Pa.B. Doc. No. 96-222. Filed for public inspection February 16, 1996, 9:00 a.m.]

# FISH AND BOAT COMMISSION

## Additional Restrictions on Fish and Boat Commission Property

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code § 53.18, has established the following additional restrictions for Fish and Boat Commission property:

<i>County</i>	<i>Area</i>	<i>Additional Restrictions:</i>
Beaver	Hereford Manor Lakes	During the period April 12, 1996 to May 31, 1996, the use or possession of beer and alcoholic beverages is prohibited and open fires are prohibited.
Washington	Dutch Fork Lake	During the period April 12, 1996 to May 31, 1996, the use or possession of beer and alcoholic beverages is prohibited and open fires are prohibited.
Washington	Canonsburg Lake	During the period April 12, 1996 to May 31, 1996, the use or possession of beer and alcoholic beverages is prohibited and open fires are prohibited.

PETER A. COLANGELO, Executive Director

[Pa.B. Doc. No. 96-223. Filed for public inspection February 16, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Capital Blue Cross; Allentown Osteopathic Medical Center; Member Hospital Prospective Payment Agreement; Filing No. 96-D

By filing no. 96-D, Capital Blue Cross submits for the Department's review and approval a Member Hospital Prospective Payment Agreement with Allentown Osteopathic Medical Center.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This form filing consists of 37 pages.

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-224. Filed for public inspection February 16, 1996, 9:00 a.m.]

### Pennsylvania Blue Shield; Experience Rated OptiChoice Vision Contract Option (Form: OPTI-INBO); Filing No. 96010000

Pennsylvania Blue Shield submitted a new experience rated OptiChoice Vision Care Contract option as filing no. 96010000. This filing would create a vision care program wherein benefits would be payable only if rendered by an OptiChoice network provider.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg. This filing consists of 39 pages.

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-225. Filed for public inspection February 16, 1996, 9:00 a.m.]

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-95-334, dated January 4, 1996. The Commonwealth of Pennsylvania entered into a side letter of agreement with the American Federation of State, County and Municipal Employees; providing for an annual uniform allowance for employees in the classifications Motor Vehicle Program Inspector and Motor Vehicle Program Inspector Supervisor.

#### *Governor's Office*

Manual M315.1 Municipal Tax Rate Schedules—Revision No. 7, Dated January 2, 1996.

Management Directive No. 230.13—Commonwealth Corporate Card Program, Dated December 21, 1995.

Management Directive No. 240.11—Commonwealth Cellular Telephone Equipment and Services, Dated January 18, 1996.

Management Directive No. 530.3—State Employee Combined Appeal for New Employees and Employees on Inter-Agency Transfers, Amended January 18, 1996.

Management Directive No. 530.17—Partial and Full-Day Closings of State Offices, Amended December 28, 1995.

Administrative Circular No. 95-54—Delivery Point Bar coded Mail, Dated December 20, 1995.

Administrative Circular No. 95-55—Local Bid/Local Award for Commodity Purchases, Dated December 28, 1995.

Administrative Circular No. 96-1—Computation of Interest Penalties, Act 1982-266 Amended, Dated January 2, 1996.

Administrative Circular No. 96-2—Relocation—Governor's Office of the Budget, Budget Office, Dated January 2, 1996.

Administrative Circular No. 96-3—Fuel Receipts, Calendar Year 1995, Dated January 17, 1996.

Administrative Circular No. 96-4—Distribution of the 1996-97 Commonwealth Budget, Dated January 26, 1996.

Administrative Circular No. 96-5—Relocation—Governor's Office of the Budget, Legal Office, Dated January 26, 1996.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 96-226. Filed for public inspection February 16, 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

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Philadelphia County, Wine & Spirits Shoppe, #5187, 450 N. 60th Street, Philadelphia, PA 19151-4303.

*Lease Expiration:* November 30, 1996

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space bounded on the north by Girard Avenue, on the south by Market Street, on the west by Millbourne Avenue and on the east by 57th Street in the city of Philadelphia.

*Proposals due:* March 15, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794  
**Contact:** Robert Jolly, (215) 560-5310

Carbon County, Wine & Spirits Shoppe #1307, 49 W. Catawissa Street, Nesquehoning, PA 18240.

*Lease Expiration:* February 28, 1997.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,600 net useable square feet of new or existing retail commercial space within 1.5 miles of the intersection of U. S. Route 209 and PA Route 54, Nesquehoning Borough, Carbon County.

*Proposals due:* March 14, 1996 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Clinton County, Wine & Spirits Shoppe #1802, 536 Erie Avenue, Renovo, PA 17764-1018.

*Lease Expiration:* March 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,300 net useable square feet of new or existing retail commercial space within Renovo Borough, Clinton County.

*Proposals due:* March 14, 1996 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 96-227. Filed for public inspection February 16, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Fuel Cost Adjustment Statement; Doc. No. M-FACG-9522

This notice is to inform the public that the following company:

North East Heat and Light Company

has filed a statement of its revenues and expenses attributable to its use of the automatic adjustment clause (Fuel Cost Adjustment) for the 12 month period ending August 31, 1995.

The filing of this statement is required by section 1307(e) of the Public Utility Code, 66 Pa.C.S. § 1307(e).

The Pennsylvania Public Utility Commission has scheduled a hearing on Friday, March 1, 1996, at 10 a.m. in a Commission Hearing Room, Ground Floor, North Office Building, Harrisburg, PA, when and where all persons in interest may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-228. Filed for public inspection February 16, 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 March 11, 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 as common carriers for transportation of persons as described under each application.**

**A-00112699. Linda L. Pelton, t/d/b/a A-1 Altoona Taxi** (219 East Sixth Avenue, Altoona, Blair County, PA 16602)—persons upon call or demand, between points in the city of Altoona and the townships of Allegheny and Logan, all in Blair County. Application for temporary authority was also filed at A-00112699 for the rights as stated above. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**A-00112763. Eastern Medical Ambulance, Inc.**, a corporation of the State of Ohio, for the right to begin to transport, as a common carrier by motor vehicle, persons upon call or demand, between points in the borough of Greenville, Mercer County, and within an airline distance of 50 statute miles of the limits of the borough of Greenville, Mercer County.

### 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 March 4, 1996.

A-00112783 Watt's Mack Sales, Inc.  
 P. O. Box 707, New Alexandria, PA  
 15670

- A-00112784 Joe Gallagher  
303 North Stratton Street, Gettysburg,  
PA 17325; David H. Radcliff, 2216 Wal-  
nut Street, Harrisburg, PA 17103
- A-00112785 Watkins Motor Lines, Inc.  
P. O. Box 95002, Lakeland, FL 33804-  
5002; Andrew K. Light, Esquire, 1777  
Market Tower, 10 West Market Street,  
Indianapolis, IN 46204-2971
- A-00112786 J. P. Jenks, Inc.  
P. O. Box 370, Madison, OH 44057;  
David A. Turano, Esquire, Capitol  
Square Suite 2100, 65 East State Street,  
Columbus, OH 43215-4260
- A-00112787 Richard E. Smith,  
R. D. 2, Box 66, Reynoldsville, PA 15851;  
Dwight L. Koerber, Jr., 110 North Sec-  
ond Street, P. O. Box 1320, Clearfield,  
PA 16830
- A-00112791 EJH Contracting Co., Inc.  
R. D. 1, Box 457, Morrisdale, PA 16858;  
Dwight L. Koerber, Jr., P. O. Box 1320,  
Clearfield, PA 16830
- A-00112792 Scott D. Portzline, t/d/b/a Scott D.  
Portzline Piano Service  
3715 North Third Street, Harrisburg, PA  
17110
- A-00112793 CTX, Inc.  
12225 Stephens Road, Warren, MI  
48089
- A-00112794 Susan L. Brader, t/d/b/a S. Brader Express  
2153 Wasserass Road, Hellertown, PA  
18055
- A-00112795 M & M Transport, Inc.  
P. O. Box 396, Pomona, NJ 08240
- A-00112796 Richard C. Cribbs Drilling, Inc.  
R. R. 1, Box 224, Rural Valley, PA 16249
- A-00112797 Lee A. Bilger, Sr.  
R. R. 1, Box 78-A1, Shirleysburg, PA  
17260

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-229. Filed for public inspection February 16, 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 Thursday, March 7, 1996, for Project #96-031-001 (Weed Control Services). The Bid Document can be obtained from the Procurement Administrator, PRPA, 210 West Washington Square, 8th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be

available February 20, 1996. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations. There will be a mandatory prebid meeting on February 29, 1996, at 10 a.m. at PRPA, Operations Dept., Room 203, 3460 N. Delaware Avenue, Philadelphia, PA 19134.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-230. Filed for public inspection February 16, 1996, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

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

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

March 6, 1996	Paul Danko, Jr. (Purchase of Service—Leave of Absence)	1 p.m.
	Patsy Mingione (Purchase of Service— Unpaid Leave of Absence)	2:30 p.m.
March 20, 1996	Walter D. Poleski (Multiple Service)	1 p.m.
	Charles S. Hanna (Healthcare Premium Assistance)	2:30 p.m.

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

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

JAMES A. PERRY,  
*Secretary*

[Pa.B. Doc. No. 96-231. Filed for public inspection February 16, 1996, 9:00 a.m.]

## STATE HEALTH FACILITY HEARING BOARD

### Appeal of St. Clair Memorial Hospital of a Decision of the Department of Health under the Health Care Facilities Act

A hearing will be held to review a decision of the Department of Health, granting approval of Applicant Pittsburgh G. I. Surgical Center to establish a single specialty ambulatory surgical facility limited to endoscopy procedures with two operating rooms in Bethel Park, PA at a cost of \$1,178,616.

The hearing will commence on Wednesday, February 28, 1996, at 9:30 a.m. at the Holiday Inn—Pittsburgh Airport, 1406 Beers School Road, Pittsburgh, PA.

The hearing is subject to cancellation without further notice.

PAUL J. CAREY, JR.,  
*Chairperson*

[Pa.B. Doc. No. 96-232. Filed for public inspection February 16, 1996, 9:00 a.m.]

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## TURNPIKE COMMISSION

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Director of Purchases, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 93-005-RP56: Roadway rehabilitation and shoulder repairs between M. P. A-75.18 and M. P. A-89.96 on the PA Turnpike in Carbon and Luzerne Counties, PA.

Bid Opening: March 5, 1996, 11 a.m.

Bid Surety: 5%

Plans, specifications and Contract Documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$50 per set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: *Secretary/Treasurer's Office*. No refund will be made for any reason.

A prequalification certification and maximum capacity rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-233. Filed for public inspection February 16, 1996, 9:00 a.m.]

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# 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

- 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 \$10,000 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 x337**

### Commodities

**3610-01** Office copying machines, lease w/purchase option.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 10/01—09/30  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**3610-01 Supplement** Office copying machines, lease w/purchase option.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 10/01—09/30  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**3830-01** Cutting edges for plows and grades (DOT).

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**5665-03** Truck mounted attenuator (DOT)

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** 05/01—04/30  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**6515-17** Syringes and needles.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**6530-08** Ostomy supplies.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**6840-04** Deodorizer odor counteractant.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**7110-06** Furniture, systems and computer.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**7510-07** Folders, file.

**Department:** General Services  
**Location:** Commodity Warehouse, Harrisburg, Dauphin County, PA  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**7930-03** Compound, absorbent.

**Department:** General Services  
**Location:** Commodity Warehouse, Harrisburg, Dauphin County, PA  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**8920-01** Cereal.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0008-12** Envelopes.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0033-07** PA Game—Game News (GAME).

**Department:** Game Commission  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 08/01—07/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0038-02** Emergency printing.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0039-02** Emergency printing.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0044-02** Snapset forms.

**Department:** All Using Agencies  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**0053-02** Commission for Women/Women's News (OA).

**Department:** Office of Administration  
**Location:** Various locations throughout the Commonwealth  
**Duration:** 06/01—05/31  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**1535135** Tractors—5 each latest model lawn and garden tractor w/mower deck.

**Department:** Military Affairs  
**Location:** Annville, Lebanon County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**1536135** Food preparation and serving equipment—14 each; restaurant kitchen range.

**Department:** Military Affairs  
**Location:** Annville, Lebanon County, PA 17003-5002  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**1954215** Microfilming equipment—1 each optical disk-base electronic imaging system, 60 month installment purchase.

**Department:** Public Welfare  
**Location:** Polk Center, Polk, Venango County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**1963725** Computer equipment—purchase of 30 each—netprint net 1000E/N network print sharing devices.

**Department:** Public School Employees' Retirement System  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705



**2068155** Laboratory equipment and supplies—10 each 8" F/6 deep space explorer Dobsonian telescope with 25 MM Sirius eyepiece and related products.

**Department:** State System of Higher Education  
**Location:** West Chester University, West Chester, Chester County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2078115** Kitchen equipment—6 each heated servers to hold 18" x 26" trays.

**Department:** Corrections  
**Location:** State Correctional Institution Greene, Waynesburg, Greene County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2079155** Vehicles—truck—1 each; 1996 model cab and chassis, minimum 160' WB, 84 CA with aerial lift.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2141115** Chemicals and chemical products—various gallons; Cycloate, herbicide, paraquat dichloride, mcpa amine, herbicide (for small grains), bentazon, herbicide, lorsban, 15g insecticide, corn seed treatment.

**Department:** Corrections  
**Location:** Bellefonte, Centre County, PA 16823  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2178115** Plumbing, heating and sanitation equipment—3 each furnish only three (3) semi-instantaneous hot water heaters rated to heat 25 GPM of water from 40 degrees F to 120 degrees F when supplied with 1000 lbs./hr. saturated steam at 30 PSIG to the control valve.

**Department:** Corrections  
**Location:** State Correctional Institution Muncy, Muncy, Lycoming County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2197115** Food preparation and serving equipment—3 each; kettles, open top, hemispherical bottom, steam jacketed Lee style "d", model BFT, Philipsburg, PA or approved equal.

**Department:** Corrections  
**Location:** Bellefonte, Centre County, PA 16823  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2209305** Furniture—16 each Lane or approved equal, storage cases (cabinets) and trays.

**Department:** Historical and Museum Commission  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2222115** Plumbing, heating and sanitation equipment—100 each ELJER-111-0580, MISSOURI or approved equal toilet w/blow action, integral china seat, wall outlet 10 1/4 center back outlet 1 1/2" spud.

**Department:** Corrections  
**Location:** State Correctional Institution Graterford, Graterford, Montgomery County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2251225** Bituminous surface course—2300 sq. yd.; ID-3 in place.

**Department:** Fish and Boat Commission  
**Location:** Bloomsburg, Columbia County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2259155** Agricultural supplies—feed tubs—8 each 51" W, 8 each 42" W and 1 lot of tooling for each item above.

**Department:** State System of Higher Education  
**Location:** Penn State University, Dairy and Animal Science, University Park, Centre County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2276115** Household and commercial furnishings and appliances—2 each; washer, front loading, capacity 50 lb. cabinet—2 each; dryer, gas, front loading, 75 pound capacity.

**Department:** Cambridge Springs  
**Location:** Cambridge Springs, Crawford County, PA 16403-1238  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2281235** Agricultural supplies—733 tons—lime; pulverized limestone for soil neutralization, CAL-AG 86% calcium carbonate equivalent, 4% magnesium.

**Department:** Game Commission  
**Location:** Various locations  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2286115** Food preparation and serving equipment—12 each; Savory toaster, Model C-40VS/21878, vertical conveyor toaster or approved equal.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA 19426-0246  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2286115** Food preparation and serving equipment—12 each; Savory toaster, Model C-40VS/21878, vertical conveyor toaster or approved equal, must include 4" adjustable legs.

**Department:** Corrections  
**Location:** Graterford, Montgomery County, PA 19426-0246  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2287235** Agricultural supplies—fertilizer, granular: 499 bags 0-10-40; 2313 bags 10-20-20; 720 bags 0-20-20; 593 bags 0-15-30 all in 50 lb. new paper bags.

**Department:** Game Commission  
**Location:** Various locations  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2288115** Food preparation and serving equipment—6 each; fully insulated warmer cabinet; high strength aluminum with wheels.

**Department:** Corrections  
**Location:** Houtzdale, Clearfield County, PA 16698-1000  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2292225** Ships, small crafts, pontoons and floating docks—1 each; OMC Stratos Model 200C, center console package boat—1 each; 225 horsepower Evinrude Model 225TX outboard engine, with trim and tilt feature—1 each; EZ loader custom aluminum trailer with dual axles, brakes on both axles, to fit above boat.

**Department:** Fish and Boat Commission  
**Location:** Harrisburg, Dauphin County, PA 17106-7000  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

**2301255** Pistols—79 each semi-automatic, 9MM Smith & Wesson Model 6906 (no substitute).

**Department:** Probation and Parole  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1995-96  
**Contact:** Vendor Services, (717) 787-2199 or (717) 787-4705

## SERVICES

### Barber Services—01

**Inquiry No. 30047A** Hair stylist. Contract for hair styling services by a State licensed operator. These services to be provided for approximately 200 individuals at Western Center. Interested vendors to contact facility for details.

**Department:** Public Welfare  
**Location:** Western Center, 333 Curry Hill Road, Canonsburg, PA 15317  
**Duration:** 07/01/96—06/30/98  
**Contact:** Ken Wilson, Purchasing Agent, (412) 873-3256

## Telecommunications Services and Equipment—03

**SP-251484** Electronic service maintenance and/or repair to color television sets (approximately 80 sets located throughout the hospital). Successful contractor shall maintain, adjust, repair and/or replace components/parts necessary to ensure proper operation of the sets. Wernersville State Hospital will provide a repair room with a work bench and this room will also serve as a pickup/delivery point for sets removed from hospital for repair. All labor shall be performed by a qualified electronics television technician. Contractor shall provide all labor, tools, equipment and parts required to repair sets. Complete detailed specifications may be obtained from the hospital.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422, Wernersville, Berks County, PA 19565-0300  
**Duration:** August 1, 1996 through July 31, 1999  
**Contact:** Helen M. Kerschner, Purchasing Agent, (610) 670-4128

**946** The contractor shall provide repair services, including replacement parts, for the two-way radio systems at the State Correctional Institution, Schuylkill County, Ryan Township, Frackville, PA. Most components being Motorola, General Electric, and Midland manufactured.

**Department:** Corrections  
**Location:** State Correctional Institution at Frackville, 1111 Altamont Boulevard, Frackville, PA 17931  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Mary Lou Neverosky, Purchasing Agent, (717) 874-4516

**Tele No. 1** Contractor shall provide and install an All Call telephone system to the State Correctional Institution Graterford. This system must be compatible with existing NEAX 2400 System in place. The system's capacity will have 50 each conference stations, 3 remote answer access lines and 2 access lines for either automatic, manual or combined automatic and manual access.

**Department:** Corrections  
**Location:** State Correctional Institution Graterford, Box 246, off Route 29, Graterford, PA 19426  
**Duration:** 2 years  
**Contact:** Levi Hosband, (610) 489-4151

**CRE-0165** The contractor shall provide maintenance and servicing (labor and parts/materials), plus administrative and handling fees, as required, for various two-way radio equipment (low and high band)—to include but not limited to, portable units, mobile units, stationary units and pagers. Additional requirements and provisions contained on bid proposal which is on file in agency purchasing department.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630  
**Duration:** July 1, 1996 through June 30, 1999  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**CRE-0169** The contractor shall provide services to the NEC NEAX 2400 telephone system at the State Correctional Institution at Cresson as follows: moves, changes, adds and deletes to existing system. Vendor to provide all parts, supplies, labor and travel expenses incurred in rate quoted as part of the move, change, add or delete. Vendor must be a certified NEC Service Center.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630  
**Duration:** July 1, 1996 through June 30, 1998 (two years)  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**50010 000 96 AS-52** Provide contract services for the maintenance and repair of the CCTV System in the State Archives Building. There will be a pre-bid meeting on March 4, 1996 at 3:30 p.m. at the site. For directions call project manager Galen Brown at (717) 783-9930. Bids are due on Monday, March 18, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, The State Museum of PA and Archives, corner of 3rd and Foster Streets, Harrisburg, PA 17108  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Judi McClain or Galen Brown, (717) 772-2401

## Construction—04

**Contract No. FDC-015-137** Pave Forest District No. 15 Office Road and Parking Area. Work consists of: place and compact approximately 585 tons of B.C.B.C., 220 tons of ID-2 Wearing, 160 tons of 2 RC Shoulders, and place approximately 2,658 S. Y. of Bituminous Prime Coat.

**Department:** Conservation and Natural Resources  
**Location:** Sweden Township, Potter County  
**Duration:** 30 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FDC-133-140** Rehabilitation of Road at Bald Eagle State Park. Work consists of patching potholes (2 ton of bituminous material), and providing and placing approximately 27,000 S. Y. of Bituminous Surface Treatment.

**Department:** Conservation and Natural Resources  
**Location:** Howard Township, Centre County  
**Duration:** 30 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FDC-210-144** Rehabilitate Bike Trail and Park Road at Moraine State Park. Work consists of maintenance and protection of traffic; double application of Bituminous Seal Coat (13,000 S. Y.); Slurry Seal (33,000 S. Y.); and Conditioning Existing Surface (crack sealing and pothole patching).

**Department:** Conservation and Natural Resources  
**Location:** Worth Township, Butler County  
**Duration:** 90 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FDC-213-142** Full Depth Road Reclamation at Raccoon Creek State Park. Work consists of providing and placing approximately 670 L. F. of HDPE pipe (18"—36" diameter); provide and place 3,800 ton of subbase; approximately 9,100 S. Y. of pulverizing, grading, prime coat and double application of Bituminous Seal Coat.

**Department:** Conservation and Natural Resources  
**Location:** Hanover Township, Beaver County  
**Duration:** 90 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**Contract No. FDC-220-112** Bituminous concrete paving at three Vista Parking Lots; repair damaged sections of the multipurpose trail; place bituminous materials on sections of the trail; place bituminous seal coat on all cart ways at Beach No. 6 and No. 10 parking areas. All work is located in Presque Isle State Park.

**Department:** Conservation and Natural Resources  
**Location:** Adjacent to the City of Erie, Erie County  
**Duration:** 90 days after Notice to Proceed  
**Contact:** Construction Management, (717) 787-5055

**Project No. 56** Mansfield University of the State System of Higher Education, an equal opportunity employer, invites contractors to request bid documents for the fitness and recreation center Project No. 56. Contracts include: general construction, sitework, masonry, structural steel, roofing/waterproofing, painting, gym flooring, racquet ball courts, elevator, plumbing, HVAC, and electrical. There is a pre-bid meeting on February 21, 1996, and bid proposals are due on March 14, 1996. For further information or to request contract documents, contractors may contact Reynolds Construction Management, Inc., 3300 North Third Street, P. O. Box 5238, Harrisburg, PA 17110. (717) 238-5737.

**Department:** State System of Higher Education  
**Location:** Mansfield University, Mansfield, PA 16933  
**Duration:** Indeterminate 1995-96  
**Contact:** Todd Buzard, (717) 238-5737.

**080882** Berks County, S. R. 78-96L (Biennial Highway Lighting Maintenance); Lehigh and Northampton Counties, GP 5-96-LM2 (Lighting Maintenance Contract).

**Department:** Transportation  
**Location:** District 5-0  
**Duration:** FY 1995/1996  
**Contact:** V. C. Shah, P.E., (717) 787-5914

**00695 000 95 AS-1** The work of this project includes the regrading of the site immediately surrounding the Tuscarora Academy to produce positive draining away from the building and carpentry repairs related to water penetration of the building envelope. All work must be in accordance with the Secretary of the Interior's Standards for Historic Preservation and in strict accordance with the contract documents. A mandatory pre-bid meeting will be held at the site on March 7, 1996 at 11:00 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the pre-bid meeting. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA, 17108-1026. Attention: Judi McClain. Bids are due on Monday, March 18, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Tuscarora Academy, P. O. Box 193, Mifflin, PA 17058  
**Duration:** April 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or John Callan, RA, (717) 772-2401

**00676 032 95 AS-1** Masonry restoration work, including new stone chimney caps. Restoration carpentry, including removal of deteriorated wood components and replacement with new components, Dutchman repairs to existing woodwork, repairs to wood dormer siding, and other items indicated. Flashing and sheet metal work, including repairs to existing sheet metal roofing and removal of portions of deteriorated built-in gutter and construction of new replicate built-in gutter. Joint sealants work including joint sealants in conjunction with new flashings and repairs to existing woodwork. Exterior painting, including painting of all exterior woodwork and sheet metal roofing. A mandatory pre-bid meeting will be held at the site on March 8, 1996 at 2:30 p.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi McClain. Bids are due on Friday, Marcy 22, 1996 at 2:45 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** April 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Tom Potter, RA, (717) 772-2401

**00676 041 94 AS-1** The work requires the furnishing of all labor, materials, tools and equipment, and the performance of all operations and services necessary to perform and complete masonry and carpentry restoration; wood shingle roofing repairs, flashing repairs and exterior painting at the McConkey Ferry Inn, Washington Crossing Historic Park, Washington Crossing, PA. A mandatory pre-bid meeting will be held at the site on March 8, 1996 at 1:30 p.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions, please contact the site at (215) 493-4076. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026. Attention: Judi McClain. Bids are due on Friday, March 22, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Washington Crossing Historic Park, P. O. Box 103, Washington Crossing, PA 18977  
**Duration:** Indeterminate 1995-96  
**Contact:** Judi McClain or Kent Steinbrunner, (717) 772-2401

## HVAC—05

**SP 160136** Air conditioning for South Mountain Workshop—East Workshop—Installation of two (2) Janitrol 4 ton (10 SEER) condensing units; West Workshop—Installation of two (2) Janitrol 3 ton (10 SEER) condensing units; and Porch—Installation of Janitrol 4 ton (10 SEER) high efficiency condensing unit. Shall include all parts, materials, electric and labor.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Wernersville, PA 19565  
**Duration:** March 1, 1996 through June 30, 1996  
**Contact:** Helen M. Kerschner, Purchasing Agent, (610) 670-4128

**Project No. DGS 1578-21** Project Title: Air Conditioning Ductwork—Mokyche Dormitory. Brief description: Install new air conditioning and ductwork in two-story dormitory building. Install existing air conditioning unit and electrical power transformer furnished by the Using Agency, outside on grade. Install new underground duct bank and new electrical service for the air conditioning unit. Mechanical and electrical construction. 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, March 6, 1996 at 2:00 p.m.

**Department:** General Services  
**Location:** Elizabethtown Training Academy, Elizabethtown, Lancaster County, PA  
**Duration:** 145 calendar days from date of award  
**Contact:** Bidding Unit, (717) 787-6556

**UP-147** Slippery Rock University is accepting sealed bids for Renovations to Patterson Hall. The project entails the removal and replacement of the dorm room HVAC system and the installation of a new electrical service for the building. The bid package can be obtained by submitting a \$100.00 non-refundable check to Pascoe Engineering Consultants, 222 North Beaver Street, New Castle, PA 16101. Telephone (412) 652-6648. Plans will be made available at the University for viewing by contacting Andy Wilson, Project Manager, Facilities and Planning Division, (412) 738-2964. The time and dates for the pre-bid conference and bid opening will be in the bid package. The bid package is expected to be available on February 9, 1996. Mark Project UP-147 on the outside of the envelope.

**Department:** State System of Higher Education  
**Location:** Slippery Rock University of PA, Slippery Rock, Butler County, PA 16057  
**Duration:** 100 days  
**Contact:** J. F. Revesz, (412) 738-2255

**Project No. 102** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 38 Barbour Street, Bradford, McKean County, PA 17101  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 101** Provide emergency and routine repair work for heating system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 201 Pine Street, Berwick, Columbia County, PA 17003  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 100** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 201 Pine Street, Berwick, Columbia County, PA 17003  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**00700 026 95 SMS-PCC Re-bid** Electrical upgrade at the Steam Barn: 1) extension of power feeders to new mechanical equipment, 2) lighting fixtures and controls, 3) convenience outlets. For directions please contact the site at (717) 569-0401. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA, 17108-1026 Attention: Judi McClain. Bids are due on Friday, March 15, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Landis Valley Museum, 2451 Kissel Hill Road, Lancaster, PA 17601  
**Duration:** March 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or John Fugelson, PCC, (717) 772-2401

**00671 000 95 AS 3 Re-bid** New main electrical service to the George Rapp house, the Economite Church Manse, and Harmonie Associates building on or near Old Economy Village, Ambridge, PA. Including new junction boxes, wires, conduit, panels, coordination with Duquesne Light Company. A site visit to the site is suggested. Contractors can call Mr. Raymond Shepherd, Site Administrator at (412) 266-4500, to arrange your site visit. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA, 17108-1026 Attention: Judi McClain. Bids are due on Monday, March 11, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Old Economy Village, 14th and Church Streets, Ambridge, PA 15003  
**Duration:** July 1, 1995 to June 30, 1996  
**Contact:** Judi McClain or Tom Potter, RA, (717) 772-2401

**Elevator and Maintenance Services—06**

**CRE-0167** The contractor shall provide full preventative maintenance, repair and inspection services as required to the institution's four (4) freight elevators. Services to be performed by fully qualified elevator mechanics—additional requirements and provisions contained on bid proposal on file in agency's purchasing department.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630  
**Duration:** July 1, 1996 through June 30, 1999  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**Consulting Services—07**

**SWIF-3-96** Workers' Compensation Claim Investigation Services (Out-of-State): conduct Workers' Compensation Out-of-State claim investigations, upon written request by the State Workmen's Insurance Fund, on injured employees of SWIF policyholders to aid in determination of entitlement to Workers' Compensation benefits. These claimants are located out-of-State where they may have been injured or are residing.

**Department:** Labor and Industry  
**Location:** State Workmen's Insurance Fund, Out-of-State  
**Duration:** Two years with one one-year renewal option  
**Contact:** Brian J. Finnerty, Administrative Manager, (717) 963-3130

**SWIF-2-96** Workers' Compensation Audit Services: provide workers' compensation audits as required for both in-state and out-of-state policies to ensure that the State Workmen's Insurance Fund (SWIF) receives the proper amount of premium based on an accurate review/analysis of a policyholder's payroll and distribution of job classifications. A mandatory pre-proposal conference will be held on March 5, 1996 at 1:30 p.m. at the State Workmen's Insurance Fund, 100 Lackawanna Avenue, State Office Building, Scranton, PA 18503.

**Department:** Labor and Industry  
**Location:** State Workmen's Insurance Fund, Statewide by geographical areas  
**Duration:** Two years with one one-year renewal option  
**Contact:** Brian J. Finnerty, Administrative Manager, (717) 963-3130

**SWIF-1-96** Investment Advisory Services: provide investment consulting services for the State Workmen's Insurance Fund including review of insurance liabilities as provided by SWIF appointed actuaries and professional consultants; monitor, evaluate and recommend specific strategies, styles and managers to assist SWIF in achieving a reasonable level of investment performance; develop and monitor investment policy and the investment managers with the constraints and framework to guide the investment strategy and process; develop and monitor performance benchmarks necessary to measure relative investment returns; assist in the ongoing analysis and relationship of insurance financials (liquidity, reserves, surplus) and investment strategies (core and specialties).

**Department:** Labor and Industry  
**Location:** State Workmen's Insurance Fund, 1714 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, Dauphin County, PA 17120  
**Duration:** One year with three one-year renewal options  
**Contact:** George D. Bull, Project Manager, (717) 783-2271

**RFP96-03** Advertising services—Kutztown University is seeking interested firms to submit proposals for consideration to represent Kutztown University as the Advertising Agency of Record. The agency should be able to provide the necessary services for effective print, radio, television, and outdoor advertising as well as classified advertising for position openings. RFP's are available February 19, 1996 and requests for packages should be faxed to: G. Frankhouser, Purchasing Agent, Kutztown University, (610) 683-4674; or mailed to Kutztown University, Attn: G. Frankhouser, Purchasing Department, P. O. Box 730, Kutztown, PA 19530. There will be a pre-bid meeting on February 28, 1996 at 10:00 a.m. in the Public Relations Department, Administration Building. All questions regarding the RFP must be directed to Richard A. Morrison, Director of Public Relations, by phone (610) 683-4113 or fax (610) 683-4676, prior to the proposal due date and time. All proposals are due March 8, 1996 no later than 2:00 p.m. in the Purchasing Department, Administration Building. Responses received after this due date and time will be returned unopened.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** One year (Fiscal 7/1—6/30); renewable  
**Contact:** G. Frankhouser, (610) 683-4663

**RFP95-008** The Department of State intends to release a Request for Proposal (RFP) to reengineer some of the business processing and records management functions of the Department. The project will include system design and development, equipment installation and staff training at our offices in the North Office Building and 116 and 124 Pine Street, Harrisburg. The Department anticipates releasing copies of the RFP sometime after February 23, 1996. Copies of the RFP may be obtained by mailing or faxing a letter of interest to Mark D. Warring at the following location.

**Department:** State  
**Location:** 302 North Office Building, Harrisburg, PA 17120  
**Duration:** 2—3 years  
**Contact:** Mark D. Warring, (717) 783-9201, fax (717) 783-2244

**Demolition and Renovation—09**

**Contract No. FDC-020-62** Work is located in the Forest District No. 20 near the Village of Hills Grove. Demolition of existing steel/masonry structure; construct a single span prestressed concrete spread box beam bridge with reinforced concrete deck, wing walls, abutments, and structure mounted bridge rail; and resurfacing approximately 225 L. F. of roadway.

**Department:** Conservation and Natural Resources  
**Location:** Hills Grove Township, Sullivan County  
**Duration:** Complete all work by August 30, 1996  
**Contact:** Construction Management, (717) 787-5055

**Medical Services—10**

**01-96** Certified Sex Therapist—person must be a certified sex therapist and a member of the American Association of Sex Education Council and Therapists. Approximately 225 hours per year; approximately 15 individuals. Details can be obtained from the Purchasing Department.

**Department:** Public Welfare  
**Location:** White Haven Center Institution, White Haven, Luzerne County, PA 18661  
**Duration:** 9/1/96 to 8/31/2001  
**Contact:** Sandra A. Repak, Purchasing Agent, (717) 442-4232

**DM-128 Dental Prostheses** To provide and deliver dental prostheses to the State Correctional Institution at Coal Township, PA.

**Department:** Corrections  
**Location:** State Correctional Institution, 1 Kelley Drive, Coal Township, PA 17866  
**Duration:** July 1, 1996 through June 30, 1999  
**Contact:** Gail A. Brennan, (717) 644-7890

**MLS-96** Vendor to provide complete medical laboratory services, including pick-up and delivery, all supplies, and the services of a phlebotomist.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** 7/1/96 through 6/30/97  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**POD-96** Vendor to provide Podiatry services to all referred residents of the Southeastern PA Veterans Center.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** July 1, 1996—June 30, 1999  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**320-218236** Provide supplemental LPNs for the care of residents at this facility. (LPNs with Meds).

**Department:** Military Affairs  
**Location:** PA Soldiers and Sailors Home, 560 East 3rd Street, P. O. Box 6239, Erie, PA 16512-6239  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Jeanette Gualtieri, (814) 878-4930

**Inquiry No. 30040A Medical Monitoring Asbestos** To procure medical services from a qualified provider for the purpose of carrying out examinations and obtaining a medical evaluation of the employee's ability to utilize respirator protective equipment and to occasionally work in an environment where exposure to low levels of asbestos fibers may occur. Services are to be provided within a 50 mile radius of the facility to insure that travel expenses incurred by the facility are reasonable. Interested vendors to contract facility for details.

**Department:** Public Welfare  
**Location:** Western Center, 333 Curry Hill Road, Canonsburg, PA 15317  
**Duration:** 7/1/96—6/30/99  
**Contact:** Ken Wilson, Purchasing Agent, (412) 873-3256

## Engineering Services—11

**08430AG1976** To provide construction inspection services for S. R. 0279, Section A26, Carson Street Ramps; S. R. 0019, Section A15, West End Bridge Lane Control; S. R. 0019, Section A16, West End Bridge Ramp to S. R. 65 Southbound; S. R. 0019, Section All, West End Bypass; and S. R. 0279, Section A25, Banksville Interchange; all in Allegheny County.

**Department:** Transportation  
**Location:** Engineering District 11-0  
**Duration:** Seventeen (17) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG1977** A Statewide Open-end contract to provide for engineering services, engineering management services; development and implementation of training in highway structures, right-of-way, contract management, consultant liaison, engineering computing, project management, photogrammetry/surveying, CADD, usage of PC software and engineering application software; and other related work.

**Department:** Transportation  
**Location:** Central Office  
**Duration:** Five (5) years  
**Contact:** Consultant Agreement Division, (717) 783-9309

## Firefighting, Safety and Rescue Services—12

**Project No. DGS A 251-246** Project Title: Upgrade Fire Alarm and Intercom Systems. Brief description: Install new addressable fire alarm system in 8-0 engineering and 8-5 maintenance buildings. Electric construction. 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: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, March 6, 1996 at 2:00 p.m. Pre-bid conference has been scheduled for Tuesday, February 13, 1996 at 10:00 a.m. in Conference Room D, at the PennDOT Building, 2140 Herr Street, District 8-0, Harrisburg, PA. Contact John Schultz (717) 787-8759. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference.

**Department:** General Services  
**Location:** PennDOT 8-0 district Office, Harrisburg, Dauphin County, PA  
**Duration:** 150 calendar days from date of award  
**Contact:** Bidding Unit, (717) 787-6556

**CRE-0170** The contractor shall supply all parts, labor, materials to service automatic fire suppression systems, including hydro-testing, at this facility. Systems are: Kiddie Sentinel HDR 25DC—bake and main stoves, Safety First ARS30A cylinders and Kiddie Aqua Blue System—to be installed Summer of 1996. Bid proposal on file in agency purchasing department prior to bid opening.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630  
**Duration:** July 1, 1996 to June 30, 1999 (three years)  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**00721 000 96 AS-50** Contract services to be provided at Drake Well Museum under the stated contract annual payment shall be to provide labor, tools, testing equipment superintendence and all associated service to maintain, or cause to be maintained, during the term of contract at the premises described per specifications and drawings. Provide contract services for the maintenance and repair of the installed Fire and Security Protection System. Pre-bid meeting to be held March 6, 1996 at 1:00 p.m. at the site. For directions please contact the site at (814) 827-2797. Bids are due on Friday, March 22, 1996 at 2:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Drake Well Museum, R. D. 3, Box 7, Titusville, PA 16354  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Judi McClain or Galen Brown, (717) 772-2401

**00681 000 96 AS-53** Provide labor, tools, testing equipment, superintendence and all associated services to maintain during the term of the contract at the premises described herein, the subscriber-owned Fire and Security Systems. Make periodic inspections, provide services as requested by the subscriber, make such repairs, replacements and adjustments for the full and proper system operation and maintain the system in good working order, in accord with the best methods and conditions of the trades, and these Specifications. Provide emergency services and purchase equipment strictly in accord with these Specifications. Provide contract services for the maintenance and repair of the installed Fire and Security Protection System. Pre-bid meeting to be held March 4, 1996 at 10:30 a.m. at the site. For directions, contact the site at (814) 466-6263. Bids are due on Tuesday, March 19, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Pennsylvania Military Museum, P. O. Box 160A, Boalsburg, PA 16827  
**Duration:** Indeterminate 1995-96  
**Contact:** Judi McClain or Galen Brown, (717) 772-2401

**03958 001 96 AS-50** Provide contract services for the maintenance and repair of the installed Fire and Security Protection System, for (3) three years. Contract services to be provided at Fort Pitt Museum under the stated contract annual payment shall be to provide labor, tools, testing equipment superintendence and all associated service to maintain, or cause to be maintained, during the term of contract at the premises described per specifications and drawings. Pre-bid meeting to be held March 5, 1996 at 1:30 at the site. For directions you may contact the site at (412) 266-4500. Bids are due on Friday, March 22, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Fort Pitt Museum, Point State Park, 101 Commonwealth Place, Pittsburgh, PA 16501-1804  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Judi McClain or Galen Brown, (717) 772-2401

**99999 000 94 AS-1** Provide explosion control system at entrance to comply with BOCA 417.5.1. Provide a smoke detection system to comply with L & I 59.52. Lower (3) manual pull stations from existing 60 inches AFF to comply with BOCA and L & I (42"—44" AFF). Provide (13) emergency lights in exit access corridor and provide system to comply with L & I 59.61 and BOCA 917 and 1047. Provide (7) exit signs, illuminated with emergency power to comply with L & I 59.63 and BOCA 1023.3. A mandatory site visit and sign in is required between February 20—March 8, 1996. Questions on the project will only be accepted until March 8, 1996 by the project manager, Gina Douty at (717) 772-4992. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Thursday, March 21, 1996 at 2:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Commonwealth Conservation Center, Publications Building, 908 Market Street, Third Floor, Harrisburg, PA 17108  
**Duration:** March 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Gina M. Douty, (717) 772-2401

**945** Testing and inspection of the Kidde Fire Alarm System on an annual basis.

**Department:** Corrections  
**Location:** State Correctional Institution at Frackville, 1111 Altamont Boulevard, Frackville, PA 17931  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Mary Lou Neverosky, Purchasing Agent, (717) 874-4516

## Food Services—13

**4164** Milk—various deliveries for the period beginning July 1, 1996 through June 30, 1997.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 7/1/96—6/30/97  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

**250** Ice cream mix. Unflavored 10% butterfat minimum. 5 gallon containers—approximately 150 gallons each week. Approximately 7500 gallons total.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution Rockview, Route 26, Box A, Bellefonte, Centre County, PA 16823  
**Duration:** July 1, 1996 through June 31, 1997  
**Contact:** Cheryl Snook, Purchasing Agent II, (814) 355-4874

**251** Carrots (for processing). U. S. No. 1 or equal. All carrots to be topped, washed and delivered in self-unloading trucks. Size: 1—1/2" to 2—1/2" diameter—approximately 120 tons. Size: 2-1/2" to 4" diameter—approximately 120 tons.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution Rockview, Route 26, Box A, Bellefonte, Centre County, PA 16823  
**Duration:** August 26, 1996 through December 31, 1996  
**Contact:** Cheryl Snook, Purchasing Agent II, (814) 355-4874

**252** Beans (for processing). Round type, U. S. No. 1 or equal. To be delivered in self-unloading, open-sided trailers. Approximately 22 tons per delivery. Snap beans, green, white seeded—approximately 66 tons. Wax beans, yellow—approximately 66 tons.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution Rockview, Route 26, Box A, Bellefonte, Centre County, PA 16823  
**Duration:** July 2, 1996 through September 30, 1996  
**Contact:** Cheryl Snook, Purchasing Agent II, (814) 355-4874

**6500-040** Butter and margarine: one pound block and ready-pats. Items will be bid on a quarterly basis. Bid specifications and delivery dates available from institutional purchasing office.

**Department:** Corrections  
**Location:** State Correctional Institution Retreat, R. D. 3, Box 500, Hunlock Creek, PA 18621  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Barbara Swiatek, Purchasing Agent, (717) 735-8754, ext. 260

**D-8123** The contractor shall provide ice cream and ice cream products for the inmates of State Correctional Institution Waynesburg on a weekly basis.

**Department:** Corrections  
**Location:** State Correctional Institution Waynesburg, R. D. 1, Box 67, Waynesburg, PA 15370  
**Duration:** 3/1/96 through 2/28/97  
**Contact:** Judith Cook, Purchasing Agent, (412) 627-6185, ext. 4009

**FIQ-08** Frozen items (vegetables, juices, meat entrees, specialty sandwich breads, breads, pastries, etc.). To be delivered only at request of facility (on weekly basis). Contact facility for quantities/specifications.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** April, May, June, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**M-861** 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:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, Cambria County, PA 15905  
**Duration:** April, May, June, 1996  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

**5862** Miscellaneous foods for April, May, and June, 1996. Specifications and delivery dates available upon request from Agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April, May, and June, 1996  
**Contact:** Jack W. Heinze, Purchasing Agent, (717) 772-7435

**5864** Poultry and poultry products for April, May, and June, 1996. Specifications and delivery dates available upon request from Agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April, May, and June, 1996  
**Contact:** Jack W. Heinze, Purchasing Agent, (717) 772-7435

**5865** Meat and meat products for April, May, and June, 1996. Specifications and delivery dates available upon request from Agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April, May, and June, 1996  
**Contact:** Jack W. Heinze, Purchasing Agent, (717) 772-7435

**5866** Fruits and vegetables, fresh for the month of April, 1996. Bid to be on a monthly basis. Specifications and delivery dates available upon request from Agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April, 1996  
**Contact:** Jack W. Heinze, Purchasing Agent, (717) 772-7435

**5869** Prepared vegetables, fresh for the month of April, 1996. Bid to be on a monthly basis. Specifications and delivery dates available upon request from Agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300  
**Duration:** April, 1996  
**Contact:** Jack W. Heinze, Purchasing Agent, (717) 772-7435

## Fuel-Related Services—14

**Project No. 9662** Boiler replacement.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 894 Diamond Park, Meadville, Crawford County, PA  
**Duration:** 1 April 1996—30 September 1996  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 9663** Boiler replacement.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 22 South 23rd Street, Philadelphia, Philadelphia County, PA  
**Duration:** 1 April 1996—30 September 1996  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. DGS A 251-219** Project Title: Underground Storage Tank Construction. Brief description: remove existing fuel system and install new system including two new underground storage tanks leak detection system and dispensing system with overhead canopy. Underground storage tank construction. 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: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, March 6, 1996 at 11:00 a.m.

**Department:** General Services  
**Location:** PennDOT Maintenance Building, Trevoise, Bucks County, PA  
**Duration:** 120 calendar days from date of award  
**Contact:** Bidding Unit, (717) 787-6556

## Janitorial Services—15

**814164** Provide labor, supervision, materials, and equipment necessary to perform janitorial services at Capital City Airport, New Cumberland, PA. A certified check, bank cashier's check, trust company treasurer's check, or bid bond in the amount of at least 10% of the bid price must be submitted with the proposal. The successful bidder will be required to furnish a performance bond or an irrevocable bank letter of credit in the amount of 25% of the total contract. The bond must be issued by a surety company authorized to do business in Pennsylvania.

**Department:** Transportation  
**Location:** Aviation, Capital City Airport, New Cumberland, PA 17070  
**Duration:** April 1, 1996 through March 31, 1997  
**Contact:** Curt Summers, (717) 948-3927

**JC-1-96** Provide janitorial services on premises (2600 sq. ft.) occupied by the Department of Labor and Industry, R. D. 3, Route 6, Tunkhannock, PA. Requires nightly, weekly, monthly, quarterly and semi-annual services.

**Department:** Labor and Industry  
**Location:** R. D. 3, Route 6, Tunkhannock, Wyoming County, PA  
**Duration:** 10/1/96 to 9/30/98  
**Contact:** Rebecca A. Yoskoski, (717) 654-4631

**Landscaping Services—16**

**03060201004** Grass mowing and trimming on 10 acres at Pennsbury Manor, a State Historic Site in Morrisville, Bucks County.

**Department:** Historical and Museum Commission  
**Location:** Pennsbury Manor, 400 Penn. Mem. Road, Morrisville, PA 19067  
**Duration:** 7/1/96—6/30/97  
**Contact:** Charles Thomforde, (215) 946-0400

**0420 SPPC** Work will consist of furnishing and applying seed, soil supplements and mulch to areas disturbed through excavation associated with maintenance activities throughout Lackawanna County.

**Department:** Transportation  
**Location:** Maintenance, Lackawanna County  
**Duration:** 04/15/96 to 03/14/97  
**Contact:** Donna Collins, (717) 963-3000

**FM-108** Furnish all labor, equipment and materials to cut and trim and maintain grass area, trimming of shrubs and fertilization at the PA State Police, Trevoise Station and Exam Point, 3970 New Street, Bensalem, PA 19020. Remove clippings, trimmings and debris from premises. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Trevoise Station and Exam Point, 3970 New Street, Bensalem, PA 19020  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-116** Furnish all labor, materials and equipment to provide for fertilization, insect and weed control and crown vetch control services to the PA State Police Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, Dauphin County, PA 17110  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-115** Furnish all labor, materials and equipment to cut, trim and maintain grass area and fertilization at the PA State Police Girard Station, 5950 Meadville Road, Girard, PA 16417. Supply all equipment to perform service and remove all clippings, trimmings and debris from premises. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Girard Station, 5950 Meadville Road, Girard, PA 16417  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-114** Furnish all labor, materials and equipment to cut, trim and maintain grass area including trim shrubs one time per fiscal year at the PA State Police Lancaster Headquarters, 2099 Lincoln Highway East, Lancaster, PA 17602-3384. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Lancaster Headquarters, 2099 Lincoln Highway East, Lancaster, PA 17602-3384  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-113** Furnish all labor, materials and equipment to cut, trim and maintain grass area, trimming of shrubs and fertilization at the PA State Police Kittanning Station, R. D. 8, Box 49, Kittanning, PA 16201. Supply all equipment to perform service and remove all clippings, trimmings and debris from premises. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Kittanning Station, R. D. 8, Box 49, Kittanning, PA 16201  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-112** Furnish all labor, materials and equipment to cut, trim, and maintain grass area and fertilization at the PA State Police, Erie Headquarters and Crime Lab, 4320 Iroquois Avenue, Erie, PA 16511-2196. Supply all equipment to perform services and remove all clippings, trimmings and debris from premises. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Erie Headquarters and Crime Lab, 4320 Iroquois Avenue, Erie, PA 16511-2196  
**Duration:** 07/01/96 to 06/30/99  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**FM-109** Furnish all labor, materials and equipment to cut, trim and maintain grass area, trimming of shrubs and fertilization at the PA State Police, Northwest Training Center, 195 Valley View Drive, R. D. 3, Box 785-D, Meadville, PA 16335. Remove clippings, trimmings and debris from premises. Detailed work schedule and bid specifications must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Northwest Training Center, 195 Valley View Drive, Meadville, PA 16335  
**Duration:** 07/01/96 to 06/30/97  
**Contact:** Joan Berkoski or Deshawn Lewis, (717) 783-5484

**Maintenance and Repair Services—20**

**Project No. 9666** Exterior steel door replacement.

**Department:** Military Affairs  
**Location:** PAARNG Armory, P. O. Box 510, Lock Haven, Clinton County, PA  
**Duration:** 1 April 1996—30 September 1996  
**Contact:** Emma Schroff, (717) 861-8518

**00671 000 95 AS-1** The work of this project will include the renovation and alterations to the men's and women's toilet rooms in the summer kitchen. A requirement of bidding is that all bidders must visit the site and sign an attendance sheet certifying that they have examined the site of the work. The PA Historical and Museum Commission will receive bids until 3:00 p.m., Wednesday, March 19, 1996 in Room 526 on the Fifth Floor of The State Museum Building for accessibility improvements at Flagship Niagara. For directions, please contact the site at (412) 266-4500. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Tuesday, March 19, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Old Economy Village, 14th and Church Streets, Ambridge, PA 15003  
**Duration:** April 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Tom Potter, RA, (717) 772-2401

**00703 039 95 AS-1** The work requires the furnishing of all labor, materials, tools and equipment, and the performance of all operations and services necessary to repair and paint exterior surfaces of the Episcopal Church, Eckley Miner's Village, Luzerne County, PA. A mandatory pre-bid meeting will be held at the site on February 28, 1996 at 10:30 a.m., for all firms interested in submitting bids for the project. Bids will not be accepted from firms who do not attend the mandatory pre-bid meeting. For directions to site, please contact the site at (717) 636-2070. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Friday, March 15, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Eckley Miners Village, R. R. 2, Box 236, Weatherly, PA 18255  
**Duration:** March 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Kent Steinbrunner, (717) 772-2401

**00717 001 95 AS-1** Work to include replacing existing roof with new at the visitor center of the Museum of Anthracite Mining in Ashland, PA. A mandatory site visit and sign in is required between February 20—March 8, 1996. Questions on the project will only be accepted until March 8, 1996 by the project manager, Gina Douty at (717) 772-4992. No bids will be accepted by any contractors who do not make the mandatory site visit. For directions please contact the site at (717) 875-4708. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Thursday, March 21, 1996 at 2:30 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Museum of Anthracite Mining, 17th and Pine Streets, Ashland, PA 17921  
**Duration:** March 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Gina M. Douty, (717) 772-2401

**00718 002 94 AS-1** Installation of new regrading and subsurface drainage piping and geotextile fabric to keep water from approaching the Miller Log House and outbuildings. Fertilizing and seeding of regraded areas. A site visit is suggested. If you would like to make a site visit at the Somerset Historical Center, you may contact the Site Administrator David Dunn at (814) 455-6077. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Tuesday, March 12, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Somerset Historical Center, R. D. 2, Box 238, Route 985 North, Somerset, PA 15501  
**Duration:** April 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or John Callan, RA, (717) 772-2401

**02953 000 95 AS-2** All work to include, but not limited to, removal and closure of the underground storage tank at the Brandywine Battlefield, in a manner acceptable to all relevant State and Federal agencies. Installation of clean fill materials and soil to infill the volume previously occupied by the removed tank and planting of grass seed at the Brandywine Battlefield, in Delaware County. A mandatory site visit and sign in is required for all firms interested in submitting bids for the project. You must contact the site at (610) 459-3342 to set up the required site visit, and sign in. Bids will not be accepted from firms who do not make the mandatory site visit. All interested bidders should submit a request for the purchase of the bid package in writing, along with a \$25.00 check (non-refundable) made payable to PHMC and mailed to: PA Historical and Museum Commission, P. O. Box 1026, Room 526, Harrisburg, PA 17108-1026 Attention: Judi McClain. Bids are due on Monday, March 4, 1996 at 3:00 p.m. Bid opening will be held in Room 526 of The State Museum of PA, corner of 3rd and North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** Bureau of Historic Sites and Museums, Brandywine Battlefield Park, Box 202, Chadds Ford, PA 19317  
**Duration:** April 1, 1996 to August 30, 1996  
**Contact:** Judi McClain or Tom Potter, RA, (717) 772-2401

**Project No. 103** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 504 Cavalry Road, Carlisle, Cumberland County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 104** Provide emergency and routine repair work for heating system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 1010 Lincoln Way West, Chambersburg, Franklin County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 105** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 205 East Washington Street, Corry, Erie County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 106** Provide emergency and routine repair work for heating system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 271 Washington Street, East Stroudsburg, Monroe County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 107** Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 301 Tenth Street, Ford City, Armstrong County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 108** Provide emergency and routine repair work for heating system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 301 Tenth Street, Ford City, Armstrong County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 109** Provide emergency and routine repair work for plumbing system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, R. D. 1, Box 103, Friedens, Somerset County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 110** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, R. D. 1, Box 103, Friedens, Somerset County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 111** Provide emergency and routine repair work for electrical system. The contractor must respond to the call within four (4) hours of receiving a call either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty on parts where applicable, and further agree to guarantee workmanship and replacement parts, provided by his firm for a 90-day period. Bid Proposal forms used to submit bids are available from the State Armory Board.

**Department:** Military Affairs  
**Location:** PAARNG Armory, 51 West Clearview Road, Hanover, York County, PA  
**Duration:** 1 July 1996—30 June 1999  
**Contact:** Emma Schroff, (717) 861-8518

**SC95010** Furnish and install three fabric patio canopies (stationary awnings). To receive specifications send written request to Joseph Libus at the Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503.

**Department:** Military Affairs  
**Location:** Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** March 1, 1996 through June 30, 1996  
**Contact:** Joseph Libus, Purchasing Agent, (717) 961-4318

**Project No. DGS A 970-84** Project Title: Roof Replacement. Brief description: replace high and low roofs and cover deteriorating coping stone with metal cover. General construction. 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: Commonwealth of Pennsylvania, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, March 6, 1996 at 11:00 a.m.

**Department:** General Services  
**Location:** Friedens National Guard Armory Building, Friedens, Somerset County, PA  
**Duration:** 120 calendar days from date of award  
**Contact:** Bidding Unit, (717) 787-6556

**MI-666** Project Title: Breidenstine Hall—Ceiling Replacement. Scope of work: remove and dispose of existing suspended ceiling and grid. Provide and install new ceiling and grid system. Disconnect and reinstall lighting, HVAC, etc., to complete the job. Plans cost: \$15.00.

**Department:** State System of Higher Education  
**Location:** Breidenstine, Millersville University, Millersville, Lancaster County, PA 17551-0302  
**Duration:** 30 days from notice to proceed  
**Contact:** Bernadette Wendler, Dilworth Building, fax # (717) 479-3846



**Photography Services—23**

**1996-1** 1. Film badges—regular monthly service monitoring X-ray, Beta and Gamma. 2. Film badges—regular monthly service monitoring X-ray, Beta, Gamma and Neutron. 3. Cancellation and re-issue charges per badge as required periodically and initial setup charges for new personnel as required. 4. Charges for damaged and/or lost holders at termination of service contract.

**Department:** Transportation  
**Location:** 1118 State Street, Harrisburg, PA 17120  
**Duration:** 07/01/96 to 06/30/98  
**Contact:** Jeannie Platt, (717) 783-6717

**Sanitation—24**

**944** The contractor shall provide services to vacuum pump waste from sludge holding tank located at the Waste Water Treatment Plant at the State Correctional Institution, Schuylkill County, Ryan Township, Frackville, PA and dispose of the sludge at a DEP approved dumping site.

**Department:** Corrections  
**Location:** State Correctional Institution at Frackville, 1111 Altamont Boulevard, Frackville, PA 17931  
**Duration:** July 1, 1996 to June 30, 1999  
**Contact:** Mary Lou Neverosky, Purchasing Agent, (717) 874-4516

**WR-96** Vendor to remove compacted and uncompacted waste material from the grounds of the Southeastern PA Veterans Center.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** July 1, 1996 through June 30, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**260060** To provide rubbish/trash removal and recycling services for Mayview State Hospital. Material removal, container sizes, locations and specific service requirements may be obtained from the hospital. Please call Purchasing at Mayview State Hospital for copies of Bid Specifications (412) 257-6215.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 07-01-1996—06-30-2001  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

**Data Processing Services—27**

**030** The Pennsylvania Historical and Museum Commission is soliciting proposals for an enterprise network to connect workstations throughout the Commission, including remote historic sites. Functionality desired includes communication with the Commonwealth Wide Area Network, terminal emulation (transaction processing) to the Central Management Information Center (CMIC) and the Pennsylvania Department of Education (PDE). Proposals should include hardware, software, wiring, network support and training. Cost proposals should be for 60-month installment purchase.

**Department:** Historical and Museum Commission  
**Location:** State Museum Building, North and Third Streets, Harrisburg, PA 17108 and Historic Sites  
**Duration:** 60 months  
**Contact:** Larry L. Freeman, (717) 772-2840

**Pest Control Services—28**

**CRE-0171** The contractor shall provide pest control extermination services to the State Correctional Institution at Cresson. Contractor to visit all buildings at least once every three weeks. Service to be provided within a twenty-four hour response time. Approximately 18 visits are being estimated for each contract period. It is recommended that interested contractors visit institution for scope of services to be provided. Bid information on file within agency's purchasing department.

**Department:** Corrections  
**Location:** State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630  
**Duration:** July 1, 1996 through June 30, 1999  
**Contact:** Barbara A. Lloyd, Purchasing Agent, (814) 886-8181, ext. 166

**Mechanical Maintenance and Repairs—33**

**SP 251485** Electric motor repair service—successful contractor shall supply all labor and parts necessary to repair electric motors, as requested by WSH. Contractor shall be responsible for and bear the cost of transportation to and from contractor's place of business. Detailed specifications can be obtained from the hospital.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422, Wernersville, Berks County, PA 19565-0300  
**Duration:** July 1, 1996 through June 30, 1999  
**Contact:** Helen M. Kerschner, Purchasing Agent, (610) 670-4128

**Real Estate Services—35**

**868A** Lease Office Space to The Commonwealth of Pennsylvania. Proposals are invited to provide the Board of Probation and Parole with 7,800 useable square feet of new or existing office space in Erie, Erie County, PA, with minimum parking for twenty-five (25) vehicles, within the following boundaries: within the City limits of Erie. The office must be situated within three (3) blocks of a public transportation system. Proposals due: March 4, 1996. Solicitation No.: 092179.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman, (717) 787-4394

**869A** Lease Office Space to The Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Labor and Industry with 8,807 useable square feet of new or existing office space, in Dauphin County, PA, with minimum parking for twenty-five (25) vehicles, within the following boundaries: within the corporate limits of Harrisburg. In areas where street or public parking is not available an additional thirty-five (35) parking spaces are required. The office must be situated within three (3) blocks of a public transportation system. Proposals due: April 8, 1996. Solicitation No.: 092137.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or John A. Hocker, (717) 787-4394

**867A** Lease Office Space to The Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Revenue with 3,460 useable square feet of new or existing office space in Cambria County, PA with minimum parking for nine (9) vehicles, within the following boundaries: North: Jackson/Taylor Township Lines and Route 53; South: Cambria/Somerset County Line; East: Route 160, Richland and Adams Township Lines; West: Cambria/Westmoreland County Line. Proposals due: April 1, 1996. Solicitation No.: 092174.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1995-96  
**Contact:** Doris Deckman or Edward P. Meyer, (717) 787-4394

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## Mine Reclamation—38

**OSM 54(3629)105.1** Backfill Strip Pits, Heckscherville South. Involves an estimated 11,600 c. y. of grading and 1.7 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$19 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Cass Township, Schuylkill County  
**Duration:** 50 days after Notice to Proceed  
**Contact:** Construction Contract Unit, (717) 783-7994

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**BF 359-101.1** Abandoned Mine Land Reclamation, Starford Coal Corporation site. Involves an estimated 461,000 c. y. of grading, 2,400 s. y. of rock lining and 40 acres of seeding. Eighty-nine percent (89%) of this project is financed by the Federal Government. Federal funds available for this program total \$19.0 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Blacklick and Cambria Townships, Cambria County  
**Duration:** 240 days after Notice to Proceed  
**Contact:** Construction Contract Unit, (717) 783-7994

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**OSM 26(1000)101.1** Abandoned Mine Land Reclamation, Whitsett North. Involves an estimated 48,000 c. y. of grading, 6 inch thick impervious soil lining, 12 inch thick soil cover and 8 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$19 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Perry Township, Fayette County  
**Duration:** 210 days after Notice to Proceed  
**Contact:** Construction Contract Unit, (717) 783-7994

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**OSM 35(3752)201.1** (Rebid) Backfill Strip Pits, North Eynon. Involves an estimated 3,100,000 c. y. of grading, 11,280 c. y. of Rock Rip Rap, 26,200 c. y. of wetland replacement and 243 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$19 million for Pennsylvania's 1995 AML Grant.

**Department:** Environmental Protection  
**Location:** Archbald Borough, Lackawanna County  
**Duration:** 1080 days after Notice to Proceed  
**Contact:** Construction Contract Unit, (717) 783-7994

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## Drilling Services—39

**FC-040H** Contract is for Rehabilitation of Well No. 3 at Corry Fish Culture Station, Wayne Township, Erie County, Pennsylvania.

**Department:** Fish and Boat Commission  
**Location:** 450 Robinson Lane, Bellefonte, PA 16823-9620; Corry Fish Culture Station, Wayne Township, Erie, Erie County, PA  
**Duration:** 60 days after receipt of order  
**Contact:** Amos C. Ferguson, (814) 359-5105

[Pa.B. Doc. No. 96-234. Filed for public inspection February 16, 1996, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p>01. <b>BARBER SERVICES</b><br/>general</p> <p>02. <b>PERSONNEL/CLERICAL SERVICES</b><br/>transcribing, telephone answering, radio dispatch, secretarial, temporary help employment agency</p> <p>03. <b>TELECOMMUNICATIONS SERVICES AND EQUIPMENT</b><br/>mobile radios, P. A. systems, televisions, radios and telephones: equipment and repair</p> <p>04. <b>CONSTRUCTION</b><br/>alterations, miscellaneous, roofing, building, flooring, remodeling, asphalt and concrete, paving, highway projects, stream rehabilitation projects</p> <p>05. <b>HVAC</b><br/>air conditioning and heating, water conditioner, miscellaneous repair, refrigeration services, furnace and steam plant</p> <p>06. <b>ELEVATOR MAINTENANCE SERVICES</b><br/>elevator maintenance</p> <p>07. <b>CONSULTING SERVICES</b><br/>miscellaneous, training, workshops, education, research, testing service, technical assistance legal, certified public accountant, management, public relations, bilingual services, planning, financial planning, environmental research</p> <p>08. <b>COURT REPORTING SERVICES</b><br/>hearing</p> <p>09. <b>DEMOLITION AND RENOVATION</b><br/>structure, equipment</p> <p>10. <b>MEDICAL SERVICES</b><br/>medicine and drugs, general, consultant, laboratory, optical, mortuary, dental, ambulance, health care, veterinarian</p> <p>11. <b>ENGINEERING SERVICES</b><br/>miscellaneous, geologic, civil, mechanical, electrical, surveying, solar</p> <p>12. <b>FIREFIGHTING, SAFETY AND RESCUE SERVICES</b><br/>guard, burglar alarm, private investigator, armed courier, miscellaneous equipment</p> <p>13. <b>FOOD SERVICES</b><br/>commodities, surplus food processing, employment opportunities, etc.</p> <p>14. <b>FUEL-RELATED SERVICES</b><br/>installation of fuel tanks, pumping stations, pipe lines for fuel, includes utility related services</p> <p>15. <b>JANITORIAL SERVICES</b><br/>includes general, commercial maintenance, sweeping, cleaning, property maintenance</p> <p>16. <b>LANDSCAPING SERVICES</b><br/>general, pruning, tropical plants, design, harvesting crops</p> <p>17. <b>LAUNDRY AND DRY CLEANING SERVICES</b><br/>linen, laundry</p> <p>18. <b>LODGING/MEETING FACILITIES</b><br/>rooms and service, meals, room and board</p> <p>19. <b>MAIL SERVICES</b><br/>delivery, labeling, stuffing</p> | <p>20. <b>MAINTENANCE AND REPAIR SERVICES</b><br/>installation and/or repair of windows, doors, siding, fencing, walls, tanks, recapping tires, plumbing, electrical, equipment maintenance, painting and restoration, carpeting services, welding, drilling, excavating</p> <p>21. <b>MOVING SERVICES</b><br/>moving, car rental, storage, hauling, flying, bus, freight, travel service</p> <p>22. <b>MUSICAL SERVICES</b><br/>tuning and repair of musical instruments, use of instructors</p> <p>23. <b>PHOTOGRAPHY SERVICES</b><br/>general, aerial, lab development, consultant, blueprint reproduction art studios and schematic, advertising, graphic arts</p> <p>24. <b>SANITATION</b><br/>sanitation, recycling</p> <p>25. <b>SUBSCRIPTION SERVICES</b><br/>textbook educational material, testing material, miscellaneous, newsletter, miscellaneous printing, advertising</p> <p>26. <b>UPHOLSTERING SERVICES</b><br/>repair, refinishing, restoration</p> <p>27. <b>DATA PROCESSING SERVICES</b><br/>computer, keypunch, programming, analysis miscellaneous, equipment rental</p> <p>28. <b>PEST CONTROL SERVICES</b><br/>pest control, termite control, biological pest control</p> <p>29. <b>RELIGIOUS SERVICES</b><br/>contracting various clergy for hospitals, centers, etc.</p> <p>30. <b>AUCTIONEER SERVICES</b><br/>assistance in the sale of motor vehicles, equipment, etc.</p> <p>31. <b>CHILD CARE SERVICES</b><br/>Statewide child care services</p> <p>32. <b>INSURANCE SERVICES</b><br/>miscellaneous brokerage insurance services</p> <p>33. <b>MECHANICAL MAINTENANCE AND REPAIRS</b><br/>installation of handicap equipment into vehicles, homes, etc.</p> <p>34. <b>RAILROAD SERVICES</b><br/>transporting of goods by rail</p> <p>35. <b>REAL ESTATE SERVICES</b><br/>acquisition, disposition, leasing and appraisals of real estate</p> <p>36. <b>SHOE REPAIRS</b><br/>repair of shoes, braces and prosthetics</p> <p>37. <b>RENTALS/LEASES</b><br/>of medical equipment, construction equipment, movies, canvas tents, laboratory equipment, vehicles, storage facilities, office space</p> <p>38. <b>MINE RECLAMATION</b><br/>backfilling mine openings, extinguishing abandoned mine fires, flushing of mine voids, acid mine drainage abatement, regrading surface mines</p> <p>39. <b>DRILLING SERVICES</b><br/>well drilling, core drilling and exploratory drilling</p> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
1243205-03-1	02/05/96	B & C Auto Parts Warehouse	8,448.00	1888155-01	02/02/96	Independent Sales Consortium	7,512.00
1312155-01	02/02/96	Doyle Equipment Co.	75,586.00	1893135-01	02/02/96	United Restaurant Equip., Inc.	16,107.00
1531215-01	02/02/96	Bellco Drug Corporation	80,082.19	1893135-02	02/02/96	General Sales Co., Inc.	6,975.00
1642215-01	01/30/96	Independent Drug Co.	7,798.35	1901215-01	02/02/96	Warner Lambert Company	6,185.64
1657125-01	01/30/96	Grantville Assoc.	8,030.40	1902215-01	02/02/96	Artromick International, Inc.	9,818.40
1661195-01	02/02/96	Storage Technology	25,000.00	1917115-01	02/05/96	Brandon Associates, Inc.	20,384.00
1661195-02	02/02/96	Data Connect Enterprise, Inc.	10,850.00	1939305-01	02/05/96	Gravely Tractors and Equipment	5,594.00
1675215-01	02/05/96	Eagle Marketing Group	8,600.00	1941075-01	02/02/96	Optical Apparatus Co., Inc.	8,212.84
1701215-01	02/05/96	Sandoz Pharmaceuticals Corporation	53,055.00	1953215-01	02/02/96	C. H. Waltz Sons, Inc.	7,250.00
1713235-01	01/31/96	Phillips Ford Sales	641,545.00	1956305-01	02/02/96	E-Town Dodge	27,781.00
1735215-01	02/05/96	Jacobsen Associates	8,948.17	1965045-01	02/02/96	Ketchum Manufacturing Company	8,288.00
1738115-01	02/02/96	NBS/Card Technology Corp.	19,744.00	1966185-01	02/02/96	Integrated System Group, Inc.	11,280.00
1791155-01	02/05/96	Optical Apparatus Co., Inc.	46,782.10	1974305-01	02/05/96	Wood-Mizer Products, Inc.	15,657.00
1795045-01	02/02/96	Standard Forms, Inc.	3,558.00	1981215-01	02/05/96	Singer Equipment Co.	9,150.00
1801135-01	02/02/96	Gartronics, Inc.	10,405.00	1986215-01	02/02/96	Presenters Supply Co.	8,302.80
1803355-01	02/05/96	Rozman Brothers, Inc.	7,000.00	2016235-01	02/02/96	C. H. Waltz & Sons, Inc.	5,695.00
1805205-01	02/02/96	Hollingers Lawn and Garden Equip.	18,210.00	2021355-01	02/05/96	Harrisburg Marine Center	7,977.00
1847215-01	02/02/96	Clark Food Service	5,933.00	2023215-01	02/02/96	Golden State Medical Supply	5,153.58
1868305-01	02/05/96	Gravely Tractors and Equipment	6,995.00	2026075-01	02/02/96	Moore Business Forms, Inc.	6,550.00
1879135-01	01/30/96	R. E. Michel Co., Inc.	3,970.00	2032215-01	02/02/96	Sandoz Pharmaceuticals Corporation	10,090.00
1886205-01	02/02/96	PHI Technologies, Inc.	8,200.00	2043155-01	02/05/96	Chem-Tainer Industries, Inc.	5,175.00
				2091215-01	02/02/96	Abbott Labs	18,024.12

## STATE CONTRACTS INFORMATION

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Requisition or Contract #	Awarded On	To	In the Amount Of	Requisition or Contract #	Awarded On	To	In the Amount Of
2109215-01	02/02/96	Harnel Pharmaceutical Company	5,847.46	8216740-01	02/02/96	Hotpack Corporation	8,650.00
2116215-01	02/02/96	J-O-M Pharmaceutical Services	22,226.40	8229710-01	02/02/96	Arborchem Products Co.	12,997.50
2150045-01	02/02/96	W. W. Grainger, Inc.	1,818.55	8502700-01	02/05/96	Jemko Petroleum Equipment	54,300.00
7313250-01	02/02/96	Dugan Tractor, Inc.	4,489.00	8502770-01	01/30/96	American De-cal and Mfg. Co.	63,675.00
8020910-01	02/02/96	J & L Systems Limited	8,072.00	8502790-01	02/05/96	Eastern Shore Concrete Products	12,594.00
8084860-01	01/30/96	Triangle Printing	45,300.00	8502800-01	02/05/96	Monarch Road Machinery Co.	22,698.00
8145260-01	02/02/96	Boyd Instruments and Supply Co., Inc.	9,995.00	8502810-01	02/02/96	Globe Electric Co., Inc.	23,388.00
8159260-01	02/02/96	Keystone Precision Instruments, Inc.	9,200.00			GARY E. CROWELL, <i>Secretary</i>	

[Pa.B. Doc. No. 96-235. Filed for public inspection February 16, 1996, 9:00 a.m.]