

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 21, 1997.

BANKING INSTITUTIONS Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-17-97	JeffBanks, Inc., Haverford, to acquire 100% of the voting shares of United Valley Bancorp, Inc., Philadelphia	Haverford	Approved Effective 1-21-97

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-17-97	Jefferson Bank, Haverford and United Valley Bank, Philadelphia surviving institution— Jefferson Bank, Haverford	Haverford	Approved Effective 1-21-97

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-25-96	BT Management Trust Company Johnstown Cambria County	550 Central Avenue Johnstown Cambria County	Opened
1-13-97	The Peoples State Bank East Berlin Adams County	600 Carlisle Road Hanover York County	Opened
1-14-97	First Lehigh Bank Walnutport Northampton County	1620 Pond Road Allentown Lehigh County	Approved
1-14-97	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Clemens Food Market Route 413 and Doublewoods Road Langhorne Bucks County	Approved
1-14-97	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Clemens Food Market Ridge and Butler Pikes Conshohocken Montgomery County	Approved
1-14-97	Sun Bank Selinsgrove Snyder County	Old Route 11 and 15 and Corner of Rte. 17 Liverpool Perry County	Approved
1-15-97	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 1000 Easton Road Cheltenham Montgomery County	Approved
1-15-97	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 2510 Moreland Road Willow Grove Montgomery County	Approved
1-15-97	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 700 York Avenue Warminster Bucks County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-15-97	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 840 Cottman Avenue Philadelphia Philadelphia County	Approved
1-17-97	First Republic Bank Philadelphia Philadelphia County	1408 Old York Road Abington Montgomery County	Approved
1-17-97	First Republic Bank Philadelphia Philadelphia County	Germantown Pike and Swede Road East Norriton Twp. Montgomery County	Approved
1-17-97	First Star Savings Bank Bethlehem Lehigh County	11 North Main St. Alburtis Lehigh County	Approved

SAVINGS ASSOCIATIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Savings Association</i>	<i>Location</i>	<i>Action</i>
1-17-97	Tioga Franklin Savings Association, Philadelphia, and Wayne Junction Savings Association, Ambler surviving institution— Tioga Franklin Savings Association, Philadelphia	Philadelphia	Filed

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 97-146. Filed for public inspection January 31, 1997, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council; Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will be held on Monday, February 10, 1997. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Glenda Miller directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 97-147. Filed for public inspection January 31, 1997, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

PA 0027103. Amendment No 1. Sewage, **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016-0999.

This application is for amendment of an NPDES permit to discharge treated sewage from Delcora's Western Regional Treatment Plant in City of Chester, **Delaware County**. This is an existing discharge to (001-014) Delaware River Zone 4, (015-018) Ridley Creek and (019-026) Chester Creek.

This permit is being amended in order to extend the due date of Delcora's CSO Long Term Control Plan. The date is being extended to June 23, 1997. All other conditions and requirements of the permit, as issued on July 21, 1993 remain in effect.

PA 0054321. Industrial waste, **Exxon Company**, USA, 140 South Village Avenue, Suite 200, Lionfield Building, Exton, PA 19341.

This application is for renewal of an NPDES permit to discharge treated groundwater from a groundwater remediation system in Lower Gwynedd Township, **Montgomery County**. This is an existing discharge to Trewellyn Creek.

The receiving stream is classified for warm water fish, trout stocking, 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 0.002 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>
Benzene	0.001	0.002	0.0025
Total BETX	0.1	0.2	0.25
Ethylbenzene	monitor/report	monitor/report	
Toluene	monitor/report	monitor/report	
Total Xylenes	monitor/report	monitor/report	
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0050148. Amendment No. 1. Sewage, **Warwick Township Water and Sewer Authority**, 1985 York Road, Jamison, PA 18929.

This application is for amendment of an NPDES permit to discharge treated sewage from Fish Creek STP in Warwick Township, **Bucks County**. This is an existing discharge to Fish Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.6 mgd from issuance through completion of new STP are as follows:

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<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N) (5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	3.0		6.0
Nitrate and Nitrate (as N) (7-1 to 10-31)	9.5		19.0
Phosphorus (as P)	2.0		4.0
Total Residual Chlorine	0.04*		0.12*
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		

*Limits effective from June 7, 1998.

The proposed effluent limits for Outfall 001, based on an average flow of 0.85 mgd from completion of new STP lasting through expiration are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N) (5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	3.0		6.0
Nitrate and Nitrate (as N) (7-1 to 10-31)	9.5		19.0
Phosphorus (as P)	2.0		4.0
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		

The EPA waiver is in effect.

PA 0054097. Industrial waste, **Summerfield Hotel Corporation**, 20 Morehall Road, Malvern, PA 19355.

This application is for renewal of an NPDES permit to discharge swimming pool backwash from Summerfield Suite located at 20 Morehall Road in East Whiteland Township, **Chester County**. This is an existing discharge to Little Valley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1,200 gallons/month are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Dissolved Solids	1,000	2,000	2,500
Total Suspended Solids	30	60	75
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	monitor/report	monitor/report	monitor/report
Total Residual Chlorine (Issuance through year 2)	1.0	2.0	2.5
(year 3 through expiration)	0.5	1.0	1.2

Other Conditions:

Conditions for future permit modification.

The EPA waiver is in effect.

PA 0054950. Amendment No. 2. Industrial waste, SIC: 2017, **Wampler-Longacre Turkey, Inc.**, Route 113 and Allentown Road, Franconia, PA 18924.

This is an amendment of an NPDES permit to discharge process waste water from Wampler Longacre Turkey, Inc. wastewater treatment plant and stormwater in Franconia Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Indian Creek.

The receiving stream is classified for warm water fish, trout stocking, 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 300,000 gpd 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 ₅			
(5-1 to 10-31)	10	20	25
(11-1 to 4-30)	20	40	50
Suspended Solids	10	20	25
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Total Dissolved Solids	monitor/report	monitor/report	monitor/report
Total Residual Chlorine	monitor/report		
Color			100 PC Units
Ammonia (as N)			
(5-1 to 10-31)	3.0	6.0	7.5
(11-1 to 4-30)	9.0	18.0	22.5
NO ₂ and NO ₃	10	20	25
Phosphorus (as P)			
(4-1 to 10-31)	2.0	4.0	5.0
Fecal Coliforms	200 lbs./100 ml		
Temperature			110°F
Hardness (as CaCO ₃)	monitor/report	monitor/report	monitor/report
Osmotic Pressure			100 MOS/kg
Total Mercury	monitor/report		
Total Silver	monitor/report		
Total Copper	monitor/report		
Total Zinc	0.25	0.50	0.63
Phenols	0.005	0.01	0.013

The proposed limits for stormwater discharge from Outfall 001 are:

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

Other Conditions.

Test Methods.

Groundwater Monitoring of NPWA wells.

The EPA waiver is not in effect.

PA 0053783. Amendment No. 1. Sewage, **Avon Grove School District**, 375 Kelton and Jennersville Roads, West Grove, PA 19390.

This application is for amendment of an NPDES permit to include an additional outfall to discharge groundwater collected through the underground drainage system. The drainage system is provided to limit water level around the sewage treatment plant, and prevent flotation of the treatment tanks. The plant is located at 375 Kelton/Jennersville Roads in New London Township, **Chester County**. This is a new discharge to a swale to an unnamed tributary to west branch of White Clay Creek.

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

The proposed effluent limits for Outfall 002 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	monitor/report	monitor/report
Suspended Solids	monitor/report	monitor/report
Ammonia (as N)	monitor/report	monitor/report
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliforms	monitor/report	monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	monitor/report	monitor/report
pH	monitor/report	monitor/report

The EPA waiver is in effect.

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

PA 0031437. Sewage, **Edinboro Mobile Home Village**, 13041 Capp Road, Box 1, Edinboro, PA 16412-1888.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Conneauttee Creek in Washington Township, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Franklin General Authority on French Creek located at Franklin, approximately 45 miles below the point of discharge.

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

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	5	10
(11-1 to 4-30)	15	30
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5	1.2
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

PA 0062120. Industrial waste, SIC: 4941, **Pennsylvania-American Water Company**, c/o David V. Modeer, Vice President, 20 East Union Street, Wilkes-Barre, PA 18701-1397.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into Leggett's Creek in South Abington Township, **Lackawanna County**.

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

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.419 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0	
Total Aluminum	1.1	2.2	2.75
Total Iron	2.0	4.0	
Total Manganese	1.0	2.0	
pH	6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0062588. Industrial waste, SIC: 4941, **Pennsylvania-American Water Company**, (Ceasetown Water Treatment Plant), c/o David V. Modeer, Vice President, 20 East Union Street, Wilkes-Barre, PA 18701-1397.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into Pikes Creek in Jackson Township, **Luzerne County**.

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

Effluent requirements considered during the evaluation were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.306 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0	
Total Aluminum	1.8	3.6	4.5
Total Iron	2.0	4.0	
Total Manganese	1.0	2.0	
pH	6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0062898. Industrial waste, SIC: 4941, **Pennsylvania-American Water Company**, (Watres Water Treatment Plant), c/o David V. Modeer, Vice President, 20 East Union Street, Wilkes-Barre, PA 18701-1397.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into Deep Creek in Plains Township, **Luzerne County**.

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

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.034 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0	
Total Aluminum	2.0	4.0	5.0
Total Iron	2.0	4.0	
Total Manganese	1.0	2.0	
pH	6.0—9.0 standard units at all times		

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 0085871. Industrial waste, SIC: 4941, **Mount Joy Borough Authority** (Carmany Road Water Treatment Plant), 21 East Main Street, Mount Joy, PA 17552.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of Donegal Creek, in East Donegal Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Osmotic Pressure		535 mos/kg	665 mos/kg
pH (s.u.)	6.0—9.0		

The EPA waiver is in effect.

PA 0026735. Sewage, SIC: 4952, **Swatara Township Authority**, R. D. 3, Box 19, Hummelstown, PA 17036.

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

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Middletown Borough on Swatara Creek located in 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 6.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40		50
Total Suspended Solids	30	45		60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N				
(5-1 to 10-31)	6.0			12.0
(11-1 to 4-30)	18.0			36.0
Total Phosphorus	2.0			4.0
Total Residual Chlorine	0.5			1.6
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	9,000/100 ml as a geometric average			

The permit is being amended to revise the Total Residual Chlorine limits as a result of the completion of a site-specific chlorine demand study.

The EPA waiver is not in effect.

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

PA 0114855. Industrial waste, SIC: 5171, **Montour Oil Service Company**, 112 Broad Street, Montoursville, PA 17754.

This proposed action is for renewal of an NPDES permit to discharge treated stormwater runoff from a petroleum marketing terminal to an unnamed tributary to Limestone Run in Lewisburg Borough, **Union County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Water Authority located approximately 10 river miles downstream.

The proposed effluent limits for Outfall 001 are:

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

Other Conditions:

- (1) Treatment facilities must be "API approved oil/water separator."
- (2) Design requirements for sizing treatment units.
- (3) Minimum inspection requirements.
- (4) Disposal of oil and solids.
- (5) Recordkeeping.
- (6) Preparedness, Prevention and Contingency (PPC) Plan.
- (7) No discharge of tank bottom water.
- (8) No discharge of sewage, wash water, boiler blowdown or other wastewaters.
- (9) Additional requirements for discharges of hydrostatic tank test water.

The EPA waiver is in effect.

PA 0209449. SIC: 3399, **Sinter Metals, Inc.**, R. R. 2, Box 47, Emporium, PA 15834.

This proposed action is for issuance of an NPDES permit for a new discharge of treated industrial wastewater to the Driftwood Branch of Sinnemahoning Creek and West Creek in Emporium Borough, **Cameron County**.

The receiving streams are classified for the following uses: Driftwood Branch—trout stocked fishery and aquatic life, water supply and recreation. West Creek—high quality cold water fishery and aquatic life, water supply and recreation.

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

Outfall 001 (NCCW) and 003 (Stormwater) combined discharge point:

The proposed effluent limits, based on a design flow of 0.033 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15.0	30.0
Temperature*	monitor	
pH	6.0—9.0 std units	

*Outfall 001 only.

Outfall 002 (Stormwater):

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15.0	30.0
pH	6.0—9.0 std units	

The EPA waiver is in effect.

PA 0209457. Industrial waste, SIC: 2499, **Masonite**, Division of International Paper Co., P. O. Box 311, Towanda, PA 18848.

This proposed action is for issuance of an NPDES permit for a new discharge of treated industrial wastewater to a Stormwater Drainage Channel to Laning Creek in Wysox Township, **Bradford County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.06 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
TSS	100	150	200
Total Iron	4.4	6.6	8.8
Total Zinc	0.22	0.33	0.44
Oil and Grease	15	20	30
TDS	report	report	
pH	within the range of 6.0—9.0		

The EPA waiver is in effect.

PA 0209465. SIC: 2011, **Taylor Packing Company, Inc.**, P. O. Box 188, Wyalusing, PA 18853.

This proposed action is for issuance of an NPDES permit for a new discharge of backwash from the ion exchange treatment unit to Wyalusing Creek in Wyalusing Township, **Bradford County**.

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

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.0022 mgd, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (mgd)	report	report		
pH (std units)	within the range 6.0—9.0			
Total Suspended Solids			30	60
Total Iron			2	4
Total Aluminum			4	8
Total Manganese			1	2
Total Barium			monitor	monitor
Total Dissolved Solids			monitor	monitor

Other Conditions:

Each daily discharge from the detention tank shall be controlled for slow release at least over an 8 hour period.

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0032964	Cowans Gap State Park HC 17266 Ft. Loudon, PA 17224	Fulton Todd Twp.	S. Branch of Little Aughwick Creek	TRC

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

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

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

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

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

NPDES Permit PAS10-O-062. Stormwater. **Frey Brothers Inc.**, 372 Puseyville Road, Quarryville, PA 17566 has applied to discharge stormwater from a construction activity located in East Drumore Township, **Lancaster County**, to UNT to the west branch of Octoraro Creek.

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

NPDES Permit PAS10U065. Stormwater. **Rondel Development Company**, 3200 Farmersville Road, Bethlehem, PA 18017 has applied to discharge stormwater from construction activity located in Plainfield Township, **Northampton County**, to Bushkill Creek.

NPDES Permit PAS10U066. Stormwater. **JAMD Inc.**, 101 Timberlane Drive, Bangor, PA 18013 has applied to discharge stormwater from a construction activity located in Washington Township, **Northampton County**, to Little Martins Creek.

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the name, address and telephone number of the protester, identification of the plan or application to

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

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

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

A. 4096403. Sewerage. Mountaintop Area Joint Sanitary Authority. 290 Morio Drive, Mountaintop, PA 18707. Application to make improvements to the existing wastewater treatment plant for the purpose of a rerate. The sewage treatment plant is located in Dorrance Township, **Luzerne County**. Application received in the Regional Office December 11, 1996.

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

Bureau of Water Supply Management, Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105. Contact: Godfrey C. Maduka, (717) 787-9037.

A. 9996445. Naturalle Springs, Inc., 1616 Industrial Road, Greeneville, TN 37743; Stephen P. McCabe, General Manager. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand names: Glacier Clear Spring Water, Food Lion Drinking Water, Food Lion Distilled Water, Food Club Distilled Water, Food Club Spring Water, Great Value Distilled Water, Great Value Spring Water, Great Value Drinking Water and Silver Rock Distilled Water.

Northcentral Field Operations: Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.

A. 1996502. Boone Nursing Home, Inc., R. R. 1, Box 340, Millville, PA 17846, Scott Township, **Columbia County**. The permit application submitted for approval for construction of pumping facilities, storage and well at a new nursing home facility has been issued.

A. 1496501. Spring Township Water Authority, 1309 Blanchard Street, Bellefonte, PA 16823, Spring Township, **Centre County**. The permit application for operation of a 500,000 gallon finished water storage reservoir has been issued.

A. 0897501. Taylor Packing Company, Inc., P. O. Box 188, Wyalusing, PA 18853, Wyalusing Township, **Bradford County**. The proposed scope of work would include the construction of an ion exchange unit and accessories to treat barium from Taylor Well No. 9. Also, Taylor Well No. 12 would be treated for barium, in the future, if economically feasible. The removal of barium

from Well No. 9 would enable Taylor Packing to draw a greater quantity of water from that source. Taylor Packing is a nontransient noncommunity water system. No changes in the present water system are expected. Currently, only Well No. 9 is proposed to be treated for barium.

Acknowledgement of Notices of Intent to Remediate

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Department 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 Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

Pennsylvania Power & Light Company (PP&L)—distribution pole #59960S47145 (Applewood Drive), South Whitehall Township, **Lehigh County**. PP&L, 2 North Ninth Street, Allentown, PA has submitted a Notice of Intent to Remediate site soils suspected of being contaminated with PCBs (polychlorinated biphenyls). The applicant intends to remediate the site to meet the Statewide health standard.

Southeast Regional Office: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-5950.

PP&L Former Pennsburg SES, Pennsburg Borough, **Montgomery County**. Walter M. Novitsky, Senior Scientist-Consulting, Pennsylvania Power & Light Co., Two N. Ninth St., Allentown, PA 18101-1179, has submit-

ted a Notice of Intent to Remediate site soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standards.

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

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

Permit I.D. No. 101247. Keystone Sanitary Landfill, Inc., P. O. Box 249, Dunmore, PA 18512. A Major Permit Modification, requesting an equivalency review for an alternate daily cover and utilization of processed demolition material, foundry sand and contaminated soils as daily cover material for this municipal waste landfill, located in Dunmore and Throop Boroughs, **Lackawanna County**. The major permit modification was received in the Regional Office on January 3, 1997 and was found to be complete on January 10, 1997.

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

A. 101656. Accurate Recycling Corporation, 300 East Baltimore Pike, Lansdowne, PA 19050. Received new application for the above construction and demolition waste transfer facility located in Lansdowne Borough, **Delaware County**. Application received in the Southeast Regional Office January 2, 1997.

A. 300176. Lukens Steel Company, 50 South First Avenue, Coatesville, PA 19320. Received application for permit renewal and modification for the Lukens Steel Company residual waste landfill located in East Fallowfield Township, **Chester County**. Application renewal received in the Southeast Regional Office January 3, 1997.

Applications submitted 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.

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

A. 301305. Calgon Carbon Corporation, P. O. Box 717, Pittsburgh, PA 15230-0717. Neville Island Transfer Facility, 3000 Grand Avenue, Pittsburgh, PA 15225. Application for a residual waste transfer facility in Neville Township, **Allegheny County**. Received in the Regional Office on January 10, 1997.

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

A. 603452. Robert and Levi Mumma Farms, Land Resource Recycling Management, (1296 High Street, Pottstown, PA 19464). Application for operation of an agricultural utilization of sewage sludge site in West Cornwall Township, **Lebanon County**. Application determined to be administratively complete in the Regional Office January 10, 1997.

A. 101655. Concord Recycling, York Waste Disposal, Inc., (P. O. Box 1401, York, PA 17405). Application for operation of a municipal waste processing facility in

Springettsbury Township, **York County**. Application determined to be administratively complete in the Regional Office January 6, 1997.

Operating Permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

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

The Department intends to issue an Air Quality Operating Permit for the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **13-318-001A**
Source: Paint Spray Booths W/Filters
Company: **Vic's Time Incorporated**
Location: Palmerton Borough
County: **Carbon**

Permit: **35-318-022A**
Source: 3 Paint Spray Booths W/Panel Fltr.
Company: **Gentex Corporation**
Location: Fell Township
County: **Lackawanna**

Permit: **35-318-048A**
Source: Fabric and Vinyl Coating Operation
Company: **Gentex Corporation**
Location: Fell Township
County: **Lackawanna**

Permit: **35-318-053**
Source: Helmet Finishing Operation
Company: **Gentex Corporation**
Location: Fell Township
County: **Lackawanna**

Permit: **35-399-002**
Source: Aluminized Cloth Curing Oven
Company: **Gentex Corporation**
Location: Fell Township
County: **Lackawanna**

Permit: **39-309-046B**
Source: Kiln #3 / Tire Fuel / Baghouse
Company: **Lafarge Corporation**
Location: Whitehall Township
County: **Lehigh**

Permit: **40-305-019**
Source: Coal Drying & Packing W/Baghouse
Company: **Lang Filter Media**
Location: City of Hazleton
County: **Luzerne**

Permit: **40-399-010D**
Source: 12 Epitaxial Reactors W/Scrubbers
Company: **Harris Semiconductor Incorporated**
Location: Wright Township
County: **Luzerne**

Permit: **54-302-059**
Source: 3-355HP Bryan Gas/Oil Boilers
Company: **U S Department of Justice**
Location: Minersville Borough
County: **Schuylkill**

Permit: **54-305-011A**
Source: Coal Refuse Prep W/Spray and Baghouse
Company: **Schuylkill Energy Resources**
Location: Mahanoy Township
County: **Schuylkill**

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

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

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

Permit: **46-323-017**
 Source: Furniture Cleaning Process
 Company: **Knoll Group**
 Location: East Greenville
 County: **Montgomery**

Permit: **OP-09-0005**
 Source: NOx and VOC Facility
 Company: **3M**
 Location: Bristol
 County: **Bucks**

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

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

06-3015. Construction of an electrostatic dip coating operation by **Construction Fasteners, Inc.** (P. O. Box 6326, Wyomissing, PA 19610) in Exeter Township, **Berks County**.

21-317-056A. Modification of an existing flour mill by **ADM Milling Company** (P. O. Box 3100, Shiremans-town, PA 17011) in Camp Hill Borough, **Cumberland County**.

36-3018. Construction of a landfill gas recycling facility by **Allegheny Energy Resources, Inc.** (20 Stanwix Street, Suite 600, Pittsburgh, PA 15222) in Caernarvon Township, **Lancaster County**.

36-304-059A. Installation of an iron-melting Ajax furnace and two Wheelabrator fabric filters by **Donsco, Inc.** (Mt. Joy Plant, South Jacob Street, Mt. Joy, PA 17552) in Mount Joy, **Lancaster County**.

36-318-001B. Modification of the No. 4 coating line by **Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) in Lancaster, **Lancaster County**.

Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

49-318-031A. Modification of a wood furniture finishing operation (increase in allowable volatile organic compound emissions) by the **Pennsylvania Department of Corrections** (P. O. Box 598, Camp Hill, PA 17001-0598) at the Coal Township SCI in Coal Township, **Northumberland County**.

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

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

07-323-004. The Department intends to issue an Air Quality Operating Permit to **Consolidated Rail Corporation** (200 4th Avenue, Juniata, Altoona, PA 16601-6702) for a locomotive grit blast booth controlled by a fabric filter in Logan Township, **Blair County**.

36-318-159. The Department intends to issue an Air Quality Operating Permit to **Goodhart Sons, Inc.** (2515 Horseshoe Road, Lancaster, PA 17605) for a spray paint booth in Upper Leacock Township, **Lancaster County**.

Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

63-309-058. The Department intends to issue an Air Quality Operating Permit to **Therm-O-Rock East, Inc.**, (Pine Street, P. O. Box 429, New Eagle, PA 15067) for a baghouse on the blending and bagging operation at its Plant 2 located in Donora Borough, **Washington County**.

11-307-030A. The Department intends to issue an Air Quality Operating Permit to **Johnstown America Corporation**, (17 Johns Street, Johnstown, PA 15907) for a shot blast process at its Franklin Plant located in Franklin Borough, **Cambria County**.

PA-63-028A. The Department intends to issue an Air Quality Operating Permit to **Cerdec Corporation**, (P. O. Box 519, Washington, PA 15301) for a Torit Collector and Venturi Scrubber on the flux furnaces and ribbon blender at its Drakenfeld Products facility located in Canton Township, **Washington County**.

PA-65-621A. The Department intends to issue an Air Quality Operating Permit to **Kennametal, Inc.**, (P. O. Box 231, Latrobe, PA 15650) for a baghouse on the titanium carbide powder production process at its Kingston Plant located in Derry Township, **Westmoreland County**.

26-318-017. The Department intends to issue an Air Quality Operating Permit to **Hutterian Brethren in PA, Inc.**, (P. O. Box 240, Farmington, PA 15437) for a water wash filtration system on the spray booth at its Community Playthings facility located in Wharton Township, **Fayette County**.

11-318-008A. The Department intends to issue an Air Quality Operating Permit to **Johnstown America Corporation**, (17 Johns Street, Johnstown, PA 15907) for a painting booth at its Franklin Plant located in Franklin Borough, **Cambria County**.

TV-56-232. The Department intends to issue an Air Quality Title V Operating Permit application from **Resource Conservation Corporation**, (R R 1, Box 305, Cairnbrook, PA 15924) for a sanitary landfill at its Shade Township Waste Management Facility located in Shade Township, **Somerset County**.

Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

8-399-020B. The Department intends to issue an operating permit to **OSRAM Sylvania, Inc.** (Hawes Street, Towanda, PA 18848-0504) for the operation of a reaction vessel (cobalt chemical CP-4) and associated air cleaning devices (two packed bed scrubbers) in Towanda Borough, **Bradford County**.

OP-53-0004A. The Department intends to issue an operating permit to **CNG Transmission Corporation** (P. O. Box 2450, Clarksburg, WV 26301-2450) for the

operation of six natural gas-fired reciprocating engines at the Ellisburg Compressor Station in Genesee Township, **Potter County**.

OP-14-0007. The Department intends to issue an operating permit to **Cerro Metal Products Company** (P. O. Box 388, Bellefonte, PA 16823) for the operation of various brass melting furnaces, boilers, billet furnaces, pickling tanks, and the like in Spring Township, **Centre County**. This operating permit will establish a "synthetic minor" with respect to the Department's Reasonably Available Control Technology (RACT) regulations.

14-310-017I. The Department intends to issue an operating permit to **Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804) for the operation of stone crushing and conveying equipment and associated air cleaning device (a water spray dust suppression system) in Spring Township, **Centre County**. This equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

49-305-027B. The Department intends to issue an operating permit to **Anthraxite Industries, Inc.** (P. O. Box 112, Sunbury, PA 17801-0112) for the operation of a bulk coke/graphite storage silo and associated air cleaning device (a fabric collector) in Upper Augusta Township, **Northumberland County**.

49-305-030. The Department intends to issue an operating permit to **Wilbur White Coal Company, Inc.** (R. D. 2, Box 2683A, Pottsville, PA 17901) for the operation of a coal refuse processing plant in Little Mahanoy Township, **Northumberland County**. This plant is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

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.

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

37-309-051. The Department intends to issue an Air Quality Operating Permit to **Medusa-Crescent, Inc.** (2001 Portland Park, Wampum, PA 16157) for the operation of a cement kiln dust storage in Wampum, **Lawrence County**.

37-310-009. The Department intends to issue an Air Quality Operating Permit to **ESSROC Materials, Inc.** (P. O. Box 5250, Poland, OH 44514) for the operation of a screen tower in Bessemer Borough, **Lawrence County**.

33-318-006. The Department intends to issue an Air Quality Operating Permit to **Trail King Ind Inc. Ti-Brook** (P. O. Box 300, Brookville, PA 15825) for the operation of a paint booth in Brookville, **Jefferson County**.

24-327-003. The Department intends to issue an Air Quality Operating Permit to **US Resistor** (P. O. Box 1059, St. Marys, PA 15857) for the operation of a degreaser/cleaner in St. Marys, **Elk County**.

Applications received for Minor Source Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 327-3637.

NMOP-41-026. The Department received a Minor Source Air Quality Operating Permit application from **Alcan Cable** (409 Reighard Ave., Williamsport, PA 17701) for a nonferrous wire drawing and insulating operation at its facility located in Williamsport, **Lycoming County**.

NMOP-14-011. The Department received a Minor Source Air Quality Operating Permit application from **Atotech USA Inc.** (500 Science Park Road, State College, PA 16803) for an equipment manufacturing for the electronics industry at its facility located in Ferguson Twp., **Centre County**.

NMOP-41-021. The Department received a Minor Source Air Quality Operating Permit application from **Carlos R. Leffler, Inc.** (625 Linden Street, Richland, PA 17087) for a bulk terminal at its facility located in Armstrong Twp., **Lycoming County**.

NMOP-41-029. The Department received a Minor Source Air Quality Operating Permit application from **Chemcoat, Inc.** (P. O. Box 188, Montoursville, PA 17754-01880) for a paint manufacturing process at its facility located in Loyalsock Twp., **Lycoming County**.

NMOP-17-011. The Department received a Minor Source Air Quality Operating Permit application from **CNG Transmission Corp.** (P. O. Box 2450, West Main Street, Clarksburg, WV 26302-2450) for a natural gas compressor station at its Home Camp station located in Union, **Clearfield County**.

NMOP-17-010. The Department received a Minor Source Air Quality Operating Permit application from **Equimeter, Inc.** (P. O. Box 528, Dubois, PA 15801) for the production of fluid meters and counting devices at its facility located in Dubois, **Clearfield County**.

NMOP-49-023. The Department received a Minor Source Air Quality Operating Permit application from **Fleetwood Enterprises, Inc.** (Reed Industrial Park, P. O. Box 106, Paxinos, PA 17860) for a surface coating operation at its facility located in Shamokin Twp., **Northumberland County**.

NMOP-18-010. The Department received a Minor Source Air Quality Operating Permit application from **Glenn O. Hawbaker, Inc.** (450 East College Ave., Bellefonte, PA 16823) for a limestone screening and sizing operation at its facility located in Mill Hall, **Clinton County**.

NMOP-17-014. The Department received a Minor Source Air Quality Operating Permit application from **Keystone Oil & Gas, Inc.** (One Williamsburg Place, Suite 110, Warrendale, PA 15086) for a natural gas compression station at its facility located in Burnside Twp., **Clearfield County**.

NMOP-41-028. The Department received a Minor Source Air Quality Operating Permit application from **Koppers Industries, Inc.** (P. O. Box 189, Montgomery, PA 17752-0189) for a wood treatment operation at its facility located in Montgomery, **Clinton County**.

NMOP-59-009. The Department received a Minor Source Air Quality Operating Permit application from **Mansfield University** (Brooks Maintenance Building, Mansfield University, Mansfield, PA 16933) for the operation of commercial boilers at its facility located in Mansfield, **Tioga County**.

NMOP-60-013. The Department received a Minor Source Air Quality Operating Permit application from **Moore Business Forms** (Industrial Parkway, Lewisburg,

PA 17837) for a form printing operation at its facility located in Lewisburg, **Union County**.

NMOP-53-009. The Department received a Minor Source Air Quality Operating Permit application from **Morgan Advanced Materials and Technology, Inc.** (East Second Street, Coudersport, PA 16915) for a carbon products operation at its facility located in Eulalia Twp., **Potter County**.

NMOP-12-004. The Department received a Minor Source Air Quality Operating Permit application from **Motor Coils Manufacturing Co.** (55 Pine Street, P. O. Box 311, Emporium, PA 15834) for coating of electric motor and generator coils at its facility located in Emporium, **Cameron County**.

NMOP-53-010. The Department received a Minor Source Air Quality Operating Permit application from **National Fuel Gas Supply Corporation** (P. O. Box 2081, Erie, PA 16512) for a natural gas compressor station at its Costello station located in Portage, **Potter County**.

NMOP-08-010. The Department received a Minor Source Air Quality Operating Permit application from **Osram Sylvania, Inc.** (Hawes Street, Towanda, PA 18848) for the production of chemical and metallurgical products at its facility located in Towanda, **Bradford County**.

NMOP-53-009. The Department received a Minor Source Air Quality Operating Permit application from **Pure Carbon Company** (East Second Street, Coudersport, PA 16915) for a carbon pyrolysis operation at its facility located in Eulalia Twp., **Potter County**.

NMOP-41-030. The Department received a Minor Source Air Quality Operating Permit application from **Radiant Steel Products Company** (205 Locust Street, Williamsport, PA 17701) for a metal fabrication and coating operation at its facility located in Williamsport, **Lycoming County**.

NMOP-08-008. The Department received a Minor Source Air Quality Operating Permit application from **Robert Packer Hospital** (Robert Packer Hospital, Sayre, PA 18840) for the operation of commercial boilers at its facility located in Sayre Boro, **Bradford County**.

NMOP-12-003. The Department received a Minor Source Air Quality Operating Permit application from **Sinter Metals, Inc.** (R. R. 2, Box 47, Emporium, PA 15834-9740) for a sintering operation at its facility located in Emporium, **Cameron County**.

NMOP-41-027. The Department received a Minor Source Air Quality Operating Permit application from **Susquehanna Health System** (Muncy Valley, 1100 Grampian Blvd., Williamsport, PA 17701) for the operation of commercial boilers at its facility located in Muncy Creek Twp., **Lycoming County**.

NMOP-08-009. The Department received a Minor Source Air Quality Operating Permit application from **Tennessee Gas Pipeline** (1010 Milam Street, Houston, TX 77252-2511) for a natural gas compressor station at its 317 station located in Troy, **Bradford County**.

NMOP-47-007. The Department received a Minor Source Air Quality Operating Permit application from **TRW, Inc.** (601 East Market Street, Danville, PA 17821) for a miscellaneous industrial and commercial machinery at its facility located in Danville, **Montour County**.

NMOP-41-032. The Department received a Minor Source Air Quality Operating Permit application from

U. S. Department of Justice (P. O. Box 1000, Montgomery, PA 17752) for the operation of commercial boilers at its Allenwood Federal Prison Camp facility located in Brady Twp., **Lycoming County**.

NMOP-19-010. The Department received a Minor Source Air Quality Operating Permit application from **Wise Foods, Inc.** (228 Rasely Street, Berwick, PA 18603) for a snack chip manufacturing at its facility located in Berwick, **Columbia County**.

Notice of Intent to Issue State Only

Operating Permit # OP 04-685

Under 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Dravo Lime Company (3600 One Oliver Plaza, Pittsburgh, PA 15222) for the Lime Transfer Facility operating in Potter Township, Beaver County.

Permit conditions cover all equipment located at the facility, including a Wilson Articulated Conveyor with integrally mounted fan, dust collector and diesel engine, and a GM Detroit diesel generator set. Maximum annual allowable emissions (after control) are established at less than 20 tons of NO_x, 10 tons of CO, 3 tons of SO_x and 3 tons of PM₁₀.

Copies of the application, DEP's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit # OP 04-685).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000. For additional information contact Donald F. Rinald, Air Pollution Control Engineer II, Air Quality at the same address.

Operating Permit # OP-03-050

Under 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Creekside Mushrooms, Ltd., (One Moonlight Drive, Worthington, PA 16262-9730) for the facility operating in West Franklin Township, Armstrong County.

Permit conditions cover all equipment located at the facility, including a Burnham 300 BHP Boiler, a Superior 600 BHP Boiler, a Kewaunee 600 BHP Boiler, a Burnham 110 BHP Waste Heat Boiler and a Raymond MA-4005 Soil Sterilizer. Maximum allowable annual emissions (after control) are established at 46 ton NO_x, 12 Tons CO, 1 ton SO_x and 30 Tons of PM₁₀.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit # OP 03-050).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000. For additional information contact Donald F. Rinald, Air Quality Control Engineer II, Air Quality at the same address.

Reasonably Available Control Technology; Public Hearing

The Department of Environmental Protection (DEP) will hold a public hearing on February 24 at 10 a.m. in the Second Floor Conference Room, DEP Headquarters, 400 Waterfront Dr., Pittsburgh, PA to receive public comment on the following RACT plans:

Corning Consumer Products, Charleroi, Washington County

Revisions to the RACT Proposal and Application for Emission Reduction Credits (ERCs) submitted by Corning Consumer Products for its plant in Charleroi, Washington County. The revisions change allowable emission rates, and add some small (<5 MMBTU/hr) sources to Corning's RACT Operating Permit.

People's Natural Gas Valley Compressor Station, Cowanshannock Township, Armstrong County.

People's Natural Gas Girty Compressor Station, South Bend Township, Armstrong County.

People's Natural Gas Rager Mountain Compressor Station, Jackson Township, Cambria County.

The RACT approvals for Peoples Natural Gas Girty, Valley and Rager Mountain Compressor Stations were amended and contain changes for emission limits during start-up and shut-down. This will have no effect on overall emissions.

Consolidated Natural Gas Transmission Corporation Oakford Station, Salem Township, Westmoreland County.

The proposed revisions to the RACT Operating Permit issued to Consolidated Natural Gas Transmission Corporation (CNG) for its Oakford Station in Salem Township, Westmoreland County increase allowable CO emission rates for 12 engines.

Koppel Steel Corporation, Ambridge, Beaver County

The DEP intends to issue a RACT Operating Permit for Koppel Steel's Ambridge facility. Koppel proposed operating at low excess air (10 percent) for the rotary hearth furnace, an annual adjustment or tune-up on the quench furnace, temper furnace, off mill normalize furnace, for the 5" upsetter furnace and gas space heaters—the installation, maintenance and operation of the source in accordance with the manufacturer's specifications.

BASF Corporation, Monaca, Beaver County

The proposed RACT Operating Permit establishes the continued operation of the thermal oxidizer unit (with an enclosed flare as backup) and the leak detection and repair (LDAR) program as RACT for this facility.

Consolidated Natural Gas Transmission Corporation, South Bend Township, Armstrong County

The proposed revision to the RACT Operating Permit issued to Consolidated Natural Gas Transmission Corporation for presumptive source requirements in its South Bend Township station.

Those wishing to present testimony during the hearing should contact Community Relations Coordinator Betsy Mallison at (412) 442-4182 by February 21 to register.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Betsy Mallison or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those who are unable to attend the hearing, but still wish to comment, should provide written comments to Joseph Pezze, Regional Air Pollution Control Engineer, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Comments must be submitted by Tuesday, March 25, 1997.

Copies of the RACT proposal, ERC Application and proposed plan approvals are available for review from 8 a.m. to 4 p.m. in the Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made by calling (412) 442-4000.

Approval of Reasonably Available Control Technology (RACT) plan for Masonite, Division of International Paper.

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for several air contamination sources at a facility owned and operated by Masonite, Division of International Paper in Wysox Township, Bradford County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT approval for the facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will be incorporated into an operating permit for the facility and will be submitted to the U. S. Environ-

mental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The sources for which a RACT determination is being made are two combination wood/natural gas-fired boilers. The following is a summary of the preliminary RACT determination for these boilers.

Source

- Union Iron Works 82.4 million BTU per hour boiler (Boiler no. 1)
- E. Keeler MKB 161 million BTU per hour boiler (Boiler no. 2)

The facility incorporates additional nitrogen oxides and volatile organic compound sources for which RACT determinations will be made at a later date.

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on March 6, 1997, at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but still wish to comment should provide written comments to William P. Parsons, Acting Air Quality Environmental Program Manager, DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by March 21, 1997.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

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

RACT Limitations

nitrogen oxides emissions (NO_x, expressed as NO₂) shall not exceed .2 pound per million BTU of heat input and 74.1 tons in any 12 consecutive month period and volatile organic compound emissions shall not exceed .04 pound per million BTU of heat input and 14.3 tons in any 12 consecutive month period.

nitrogen oxides emissions (NO_x, expressed as NO_x) shall not exceed .25 pound per million BTU of heat input and 116.1 tons in any 12 consecutive month period and volatile organic compound emissions shall not exceed .05 pound per million BTU of heat input and 24.0 tons in any 12 consecutive month period.

Southwest Regional Office: Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PA-30-072B. Consol Pennsylvania Coal Company (1800 Washington Road, Pittsburgh, PA 15241) for a coal preparation plant at its Bailey Preparation Plant facility located in Richhill Township, **Greene County**.

PA-65-788C. Sony Electronics, Inc. (1001 Technology Drive, Mt. Pleasant, PA 15666) for Cup Kewanee Boiler no. 3 at its Pittsburgh Manufacturing Center facility located in Mt. Pleasant Township, **Westmoreland County**.

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

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

Permit: **39-309-054**

Source: Cement Silos/Group (S) W/Baghouse

Received: January 14, 1997

Company: **Lafarge Corporation**

Location: Whitehall Township

County: **Lehigh**

Permit: **39-312-044**

Source: Truck Unload Rack W/Carbon System

Received: January 9, 1997

Company: **Mobil Oil Corporation**

Location: City of Allentown

County: **Lehigh**

Permit: **48-310-029**

Source: Stone Crushing Plant/Water Sprays

Received: January 8, 1997

Company: **Eastern Industries Incorporated**

Location: Lower Nazareth Township

County: **Northampton**

Permit: **48-322-001A**

Source: Two Landfill Gas Flairs

Received: January 8, 1997

Company: **Grand Central Sanitary Landfill**

Location: Plainfield Township

County: **Northampton**

Permit: **48-399-038A**
 Source: Film Extrusion Lines W/ Esp
 Received: December 30, 1996
 Company: **Filmtech Corporation**
 Location: Williams Township
 County: **Northampton**

Notice of Plan Approval Application Minor Source

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (DEP), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protest 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, Engineering Services Chief, (814) 332-6940.

Northwest Regional Office: Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.

20-301-029. The Department received a plan approval application for post-construction of an incinerator rated at 115 lb/hr for type "O" waste by **Channellock, Inc.**, Plant no. 1 (1306 S. Main St., Meadville, PA 16335), in Meadville, **Crawford County**.

10-310-010. The Department received a plan approval application for construction of a limestone crushing/processing facility by **North Washington Limestone, Inc.**, (P. O. Box 305, Calico Rd., W. Sunbury, PA 16061) at the Baird Quarry in Washington Township, **Butler County**.

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 Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to 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 Applications Received

32970101. Fossil Fuel, Inc. (R. D. 2, Box 73, Marion Center, PA 15759), commencement, operation and restoration of bituminous strip-auger mine in Grant Township, **Indiana County**, affecting 24.5 acres, receiving stream unnamed tributaries to Little Mahoning Creek, application received January 8, 1997.

56860101. Permit Renewal, **Croner, Inc.** (629 Main Street No. 6, Berlin, PA 15530), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 156.8 acres, receiving stream unnamed tributary to Buffalo Creek, application received January 14, 1997.

56850109. Permit Renewal, **Croner, Inc.** (629 Main Street No. 6, Berlin, PA 15530), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 81.2 acres, receiving stream an unnamed tributary of Buffalo Creek, application received January 14, 1997.

Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.

26970101. Patterson Coal Company (R. D. 2, Box 335, Smithfield, PA 15478). Application received for commencement, operation and reclamation of a bituminous surface mine located in German and Georges Townships, **Fayette County**, proposed to affect 32.0 acres. Receiving streams unnamed tributary to north and south branches of Browns Run, Browns Run to the Monongahela River. Application received January 7, 1997.

63860101R. Robinson Coal Company (P. O. Box 9347, Neville Island, PA 15225). Renewal application received for continued reclamation of a bituminous surface mine located in Robinson Township, **Washington County**. Receiving streams north branch of Robinson's Run and an unnamed tributary to Little Raccoon Run watersheds. Renewal application received January 9, 1997.

02910102R. Robinson Coal Company (P. O. Box 9347, Neville Island, PA 15225). Renewal application received for continued reclamation of a bituminous surface mine located in North Fayette and Robinson Townships, **Allegheny** and **Washington Counties**. Receiving streams unnamed tributary to Little Raccoon Run and the north branch Robinson Run watersheds. Renewal application received January 9, 1997.

Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.

56831601. Reitz Coal Company, (509 15th St., Windber, PA 15963), to renew the permit for the Reitz No. 11 Preparation Plant in Shade Township, **Somerset County** and related NPDES permit, no additional discharge. Application received January 13, 1997.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Received

8176SM1A1C. McAvoy Vitriified Brick Company, (P. O. Box 468, Phoenixville, PA 19460), correction to an existing quarry operation to change the "Post Mining Land Use," in Schuylkill Township, **Chester County** affecting 21.5 acres, receiving stream Pickering Creek. Application received January 8, 1997.

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

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

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

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

E13-100. Encroachment. Jim Thorpe Borough, 101 East Tenth Street, Jim Thorpe, PA 18229. To construct and maintain a 36 inch diameter H.D.P.E. Stormwater outfall structure including a R7 riprap lined energy dissipator and approximately 40 linear feet of R6 riprap lined trapezoidal channel along the left bank of Robertson Run. The project is associated with the Jim Thorpe Landfill Stormwater Improvements and is located approximately 0.7 mile north of the intersection of S. R. 0209 and S. R. 0903 (Christmans, PA Quadrangle N: 0.5 inch; W: 16.0 inches) in Jim Thorpe Borough, **Carbon County** (Philadelphia District, Army Corps of Engineers).

E13-101. Encroachment. Pennsylvania Power and Light Company, 2 North 9th Street N-4, Allentown, PA 18101-1179. To place fill in 0.25 acre of wetlands (Wetland I) to widen an existing service road. The project, known as East Palmerton-Wagner 138/69 11, is located within an existing PP&L right-of-way on the southeastern side of T516 approximately 1.4 miles northeast of the intersection of T516 and T473 (Pohopoco Mountains, PA Quadrangle N: 10.4 inches; W: 13.6 inches) in Penn Forest Township, **Carbon County** (Philadelphia District, Army Corps of Engineers).

E39-324. Encroachment. City of Allentown, 435 Hamilton Street, Allentown, PA 18101-1699. To rehabilitate and maintain the existing 5-span steel plate girder bridge having a total length of 400 feet, 10 inches with an underclearance of approximately 42 feet over Little Lehigh Creek with work consisting of widening the superstructure 3.25 feet to accommodate an additional sidewalk, expanding the pier caps and abutments to accommodate the widened superstructure and the placement of R6 riprap for scour protection at pier no. 3 and 4. The project locally known as Ward Street Bridge is located at the intersection of 15th Street and Little Lehigh Creek (Allentown East, PA Quadrangle N: 16.5 inches; W: 14.9 inches) in the City of Allentown, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

E02-1175. Encroachment. County of Allegheny, 501 County Office Building, Pittsburgh, PA 15219-2904. To remove existing bridge known as Davis Run Bridge No. 1 and to construct and maintain a box culvert having a span of 10 feet with an underclearance of 8.0 feet in Davis Run (WWF) located on Beaver Road, approximately 100 feet north from the intersection of Beaver Road, McKown Street and Davis Lane (Ambridge, PA Quadrangle N: 6.2 inches; W: 6.8 inches) in Osborne Borough, **Allegheny County**.

E02-1176. Encroachment. Hickory Green Development, 7055 Clubview Drive, Bridgeville, PA 15017. To relocate and maintain approximately 605 feet of the channel of Coal Run (WWF) for the purpose of expanding the Hickory on the Green Development along the north

side of Lots 405 and 406 (Canonsburg, PA Quadrangle N: 16.75 inches; W: 0.5 inch) in South Fayette Township, **Allegheny County**.

E02-1177. Encroachment. **Leetsdale Industrial Corporation**, 100 Hickory Grade Road, Bridgeville, PA 15017. To construct and maintain a barge loading facility in and along the right bank of the Ohio River (WWF) near Mile Marker 15.0, approximately 2,000 feet downstream from Ferry Street (Ambridge, PA Quadrangle N: 11.5 inches; W: 13.0 inches) in Leetsdale Borough, **Allegheny County**.

E11-248. Encroachment. **Dept. of Transportation**, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove existing bridge known as Lambs Bridge and to construct and maintain a 5-span prestressed concrete I-beam and adjacent box beam bridge with a length of 388.0 feet and an underclearance of 37.0 feet to carry SR 3024 Section 003, Segment 0190, Offset 0241 over South Fork Little Conemaugh River (CWF); and to place and maintain fill in a deminimus area of emergent wetlands equal to or less than 0.05 acre. The project is located along SR 3024 at the south end of the Village of Soukesburg (Geistown, PA Quadrangle N: 18.0 inches; W: 4.8 inches) in Adams and Croyle Township, **Cambria County**.

E26-234. Encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove existing Western Maryland Railroad Bridge superstructure and to construct and maintain a pedestrian bridge over the Youghiogheny River (HQ-CWF) located in Ohiopyle State Park, just downstream of the SR 381 (Ohiopyle, PA Quadrangle N: 22.0 inches; W: 0.75 inch) in Ohiopyle Borough, **Fayette County**.

Northcentral Regional Office: Soils and Waterways Section, 208 W. Third St., Suite 101, Williamsport, PA 17701, telephone (717) 327-3574.

E08-311. Encroachment. **Towanda Country Club**, R. R. 6, Box 6180, Towanda, PA 18848. To remove a vegetated gravel bar, 175 feet by 30 feet, and to restore, protect with riprap, and maintain an eroded stream bank 250 feet long in Laning Creek. This project is located next to the eighteenth hole of the golf course about 1,500 feet west of Laning Creek Road (Towanda, PA Quadrangle N: 3.75 inches; W: 6.75 inches) in Wysox Township, **Bradford County**. Estimated stream disturbance is 250 feet; stream classification is WWF.

E14-301. Encroachment. **Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. Remove the existing structure and to construct and maintain a single span composite prestressed concrete spread box beam bridge with a clear span of 50.0-foot and minimum underclearance of 5.0 feet a 76-degree skew on Spring Creek on SR 3012, approximately 1,800 feet west of the roadway intersection of SR 3012 and SR 3011 (State College, PA Quadrangle N: 13.0 inches; W: 11.5 inches) in College Township, **Centre County**.

E18-229. Encroachment. **Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a six span steel girder bridge with a total clear span of 1,157 feet and minimum underclearance of 39.9 feet across the west branch Susquehanna River. This project is located on Route 150 about 1 mile east of Jay Street (Lock Haven, PA Quadrangle N: 2.5 inches; W: 10.1 inches) in the City of Lock Haven, Castenea and Woodward Townships, **Clinton County**. Estimated stream disturbance is 200 feet of stream and temporarily impact 0.6 acre of wetland; stream classification is WWF.

E18-230. Encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove an existing structure and to construct and maintain a precast reinforced concrete box culvert, depressed 12 inches below the streambed, with cast in place wingwalls. The waterway opening will have a normal span of 14 feet and an inlet underclearance of 4 feet 3 inches, R-8 rock is to be used for scour protection. The culvert will be located under Sandy Run Road (Pfoutz Valley Road) in Paddy Run approximately 2.5 miles north of Hensel Fork Road (Tamarack, PA Quadrangle N: 10.8 inches; W: 7.8 inches) in Leidy Township, **Clinton County**. Estimated stream disturbance is 105 feet of waterway and less than 0.05 acre of wetland; stream classification is Exceptional Value.

E19-162. Encroachment. **Merritt Rimshaw**, 105 St. Johns Dr., Drifton, PA 18221. To construct and maintain a low flow culvert crossing for a private driveway consisting of three 66 inch diameter concrete pipes with a length of 32 feet in Scotch Run. The project is located next to an old railroad grade about 2,500 feet northeast of Mifflin Cross Roads (Shuman, PA Quadrangle N: 18.25 inches; W: 8.25 inches) in Beaver Township, **Columbia County**. Estimated stream disturbance is 40 feet; stream classification is CWF.

E55-142. Encroachment. **Snyder County Commissioners**, c/o Robert H. Reigle, Snyder County Courthouse, P. O. Box 217, Middleburg, PA 17842. To remove the existing structure and to construct and maintain a two span prestressed adjacent concrete box beam bridge that will carry T-344 across the north branch of Mahantango Creek. The proposed two span bridge shall be constructed with a total clear span of 117.0 feet, an average underclearance of 8.0 feet and a clear roadway width of 22.0 feet. The project is located along the western right-of-way of SR 0104 approximately 1,000.0 feet west of the intersection of T-344 and SR 0104 (Dalmatia, PA Quadrangle N: 7.9 inches; W: 15.9 inches) in Chapman Township, **Snyder County**. Estimated stream disturbance is 174.4 linear feet of waterway and 0.05 acre of wetlands; stream classification is Trout Stock Fishery.

E59-335. Encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span concrete plank beam bridge with a clear span of 19-foot 11-inches and underclearance of 6.0-foot over Fahnestock Run on SR 3001 approximately 1.0 mile south of the village of Leetonia (Cedar Run, PA Quadrangle N: 14.5 inches; W: 13.4 inches) in Elk Township, **Tioga County**.

E59-336. Encroachment. **Jackson Township Supervisors**, P. O. Box 48, Millerton, PA 16936. To construct and maintain a corrugated metal pipe arch with a span of 103 inches, a rise of 71 inches and a length of 60 feet, plus the associated approach fill located at the intersection of T-703 and T-709 (Jackson Summit, PA Quadrangle N: 10.8 inches; W: 4.1 inches) in Jackson Township, **Tioga County**. Estimated stream disturbance is approximately 80 linear feet of Mutton Lane Creek; stream classification is WWF and approximately 4,900 square feet of PEM Groundwater Depressional Wetlands.

ACTIONS

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 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. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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.

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

Permits Issued

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

NPDES Permit No. PA 0102261. Sewage. **Crestview Apartments—John and Marianne Murcko**, 422 Sharon—New Castle Road, Farrell, PA 16121 is authorized to discharge from a facility located in South Pymatuning Township, **Mercer County** to receiving waters named Dry Swale-McCullough Run.

NPDES Permit No. PA 0001791. Amendment No. 2. Industrial waste. **Osram Sylvania, Inc.**, 816 Lexington Ave., Warren, PA 16365 is authorized to discharge from a facility located in City of Warren, **Warren County** to receiving waters named Allegheny River.

NPDES Permit No. PA 0222127. Sewage. **Glade Run United Presbyterian Church**, 1091 Pittsburgh Road, Valencia, PA 16059 is authorized to discharge from a facility located in Middlesex Township, **Butler County** to an unnamed tributary to Glade Run.

NPDES Permit No. PA 0030104. Sewage. **Department of Public Welfare—Polk Center**, P. O. Box 94, Polk, PA 16342 is authorized to discharge from a facility located in Polk Borough, **Venango County** to receiving waters named Little Sandy Creek.

NPDES Permit No. PA 0102661. Amendment No. 1. Sewage. **DCNR—Jamestown Boat Livery**, Pymatuning State Park, 2600 Williamsfield Road, Jamestown, PA 16134 is authorized to discharge from a facility located in West Shenango Township, **Crawford County** to receiving waters named Pymatuning Reservoir.

NPDES Permit No. PA 0033014. Amendment No. 1. Sewage. **DCNR—Linesville Boat Livery**, Pymatuning State Park, 2600 Williamsfield Road, Jamestown, PA 16134 is authorized to discharge from a facility located in Pine Township, **Crawford County** to receiving waters named Pymatuning Reservoir.

Northcentral Regional Office: Regional Water Management Program Manager; 208 West Third Street, Suite 101, Williamsport, PA 17701.

NPDES PAG 044919. Sewerage. **Michael P. and Gail E. O'Brien**, 140 Northway Road Extension, Williamsport, PA 17701. Approval of NPDES general permit application for single family residence located at Hepburn Township, **Lycoming County**.

NPDES PA0111058. Sewerage. **Truck Stops of America Inc.**, 24601 Center Ridge Road, Westlake, OH 44145-5634. Applicant was granted renewal of their NPDES permit to discharge treated wastewater to unnamed tributary to Fishing Creek (HQ-CWF). Location is Porter Township, **Clinton County**.

NPDES PA0110604. Sewerage. **Loyalsock Township Board of Supervisors**, 2501 East Third Street, Williamsport, PA 17701. Has been authorized to discharge from facility located at Bradiwood Subdivision, Loyalsock Township, **Lycoming County**.

NPDES PAG044920. Sewerage. **John P. and Kristene A. Reibsome**, 240 Tower Drive, Danville, PA 17821. Renewal was granted for a single residence treatment system. Location in Montour Township, **Columbia County**.

NPDES PAG044917. Sewerage. **Terry Myers**, 483 Sunshine Blvd., Bellefonte, PA 16833. Application was approved to discharge treated sewage from a single family residence located in Huston Township, **Centre County**.

NPDES PA0113034. Sewerage. **John L. Thomas**, President, Beaver Lake Sewer Company, Cambra, PA 18611. Has been authorized to discharge from facility located at Penn Township, **Lycoming County** to receiving waters named Beaver Run.

PAG044922. Sewerage. **George and Patricia Richards**, P. O. Box 291, Madera, PA 16661-0291. Approval has been given to discharge treated effluent to Alexander Run, located in Bigler Township, **Clearfield County**.

NPDES PA0209422. Industrial waste. **Williams Oil Company Inc.**, P. O. Box 207, Towanda, PA 18848. The Department has accepted and approved the New Industrial Waste discharge application. The facility is located in North Towanda Township, **Bradford County**.

NPDES PA0010421. Industrial waste, Amendment 2. **White Deer Warehousing & Distribution Center, Inc.**, 401 Broad Street, Montoursville, PA 17754. The applicant has requested transfer of their permits. Transfer is from West Company Inc. to White Deer Warehousing & Distribution Center, Inc. Change in ownership was indicated and request was granted.

NPDES PA0002640. Industrial waste. **Hugh Caskey**, TYK Refractories Company, P. O. Box 187, Irvona, PA 16656. Has renewed their existing wastewater discharge to North Witmer Run located in Irvona Borough, **Clearfield County**.

NPDES PA0111848. Industrial waste. **Safety Light Corporation**, 4150A Old Berwick Road, Bloomsburg, PA 17815. Has been authorized to discharge from a facility located at South Centre Township, **Columbia County** to receiving waters named north branch Susquehanna River.

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

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

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

Butler County Conservation District, District Manager, 122 McCune Drive, Butler, PA 16001-6501, telephone (412) 284-5270.

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

Clearfield County Conservation District, District Manager, 650 Leonard Street, Clearfield, PA 16830, telephone (814) 765-2629.

Columbia County Conservation District, District Manager, 1127a Old Berwick Rd., Bloomsburg, PA 17815, telephone (717) 784-1310.

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

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

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

Lycoming County Conservation District, District Manager, 240 W. 3rd Street, P. O. Box 68, Williamsport, PA 17703, telephone (717) 326-5858.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10C105	James Saunders 39 Cornerstone Dr. Mohrsville, PA 19541	Berks Co. Centre Twp.	UNT to Irish Crk.
PAR100651	Tyrone Area School 1317 Lincoln Ave. Tyrone, PA 18686	Blair Co. Snyder Twp.	Schell Run
PAR100653	Brinton Simington 1226 Pleasant Vly. Blvd. Altoona, PA 16602	Blair Co. Logan Twp.	Sandy Run
PAR10E059	DEP, Knox District Mining Office P. O. Box 669 Knox, PA 16232	Butler Co. Venango Twp.	Slippery Rock Crk.
PAR101032	Croyle Twp. Supervisors 439 Plummer Rd. Sidman, PA 15595	Cambria Co. Croyle Twp.	S. Fork of Ltl. Conemaugh Rvr.
PAR101732	Laurel Manufacturing 1 Tom Mix Dr. DuBois, PA 15801	Clearfield Co. City of Dubois	Beaver Run
PAR101733	Decatur Twp. R. R. 1, Box 526 Osceola, PA 16666	Clearfield Co. Decatur Twp.	Moshannon Crk.
PAR102126	Robert and Shirley Young Mark and Diane Young 2nd and Fair Sts. Mifflinville, PA 18631	Columbia Co. Mifflin Twp.	Ten Mile Run
PAR10-O-083-1	Horst & Hoffman Assocs. 1050 Sylvan Rd. Lancaster, PA 17601	Lancaster Co. Mount Joy Twp.	UNT to Donegal Crk.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10-O-236	Ruth Groff 207 W. Bethesda Church Rd. Holtwood, PA 17532	Lancaster Co. Martic Twp.	UNT to Muddy Rn.
PAR10-O-237	New Covenant Mennonite Church 128 Royer Rd. Ephrata, PA 17522	Lancaster Co. Earl Twp.	UNT to Conestoga River
PAR10Q086	Best Buy Stores, LP P. O. Box 9312 Minneapolis, MN	Lehigh Co. Whitehall Twp.	Jordan Crk.
PAR10R103	Integrated Power Designs Inc. 300 Stewart Rd. Hanover Township, PA 18702	Luzerne Co. Hanover Twp.	Solomons Crk.
PAR103920	Walter Neidig R. R. 4, P. O. Box 275 Muncy, PA	Lycoming Co. Muncy Creek Twp.	Wolf Run
PAR10U063	Vera Cruz Realty Inc. 6072 Vera Cruz Rd. Emmaus, PA 18049	Northampton Co. L. Nazareth Twp.	Shoeneck Crk.
PAR10U066	Nazareth Area Schools 8 Center Sq. Nazareth, PA 18064	Northampton Co. U. Nazareth Twp.	Shoeneck Crk.
PAR10W083	DEP-BAMR, & Maud Mining P. O. Box 149 Ebensburg, PA 15931 and P. O. Box 453 Falls Creek, PA 15840	Washington Co. Somerset Twp.	Pigeon Crk.
PAR10Y240	Dover Area School Dist. School Lane Dover, PA	York Co. Dover Twp.	UNT to Ltl. Conewago Crk.

NOI Received and Final Actions Under NPDES General Permits

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

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

<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>
PAG048418	PAG-4	William Picciotto 354 Sieg Hill Rd. West Middlesex, PA 16159	Mercer Shenango Twp.	Unnamed Tributary to Shenango River	
PAG048419	PAG-4	Roger L. Struthers 218 Haas Rd. Fredonia, PA 16124	Mercer Delaware Twp.	Unnamed Tributary to Lawango Run	

Southcentral Regional Office: Water Management Program Manager, One Ararat Blvd., Harrisburg, PA 17110-9333, telephone (717) 657-4590.

<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>
PAR603512	3	Gunzerhauser's Auto Parts 28th Division Hwy. Narvon, PA 17555	Lancaster Salisbury Twp.	UNT to Conestoga River	5015
PAR233532	3	Graham Packaging Co. 420 Emig Road York, PA 17402	York Manchester Twp.	UNT to Codorus Creek	3085
PAR233531	3	Graham Packaging Co. 500 Windsor Rd. York, PA 17403	York Spring Garden Twp.	UNT to Mill Creek	3085

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

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

WQM Permit No. 4370403-T3. Sewerage. **Crestview Apartments—John and Marianne Murcko**, 422 Sharon—New Castle Road, Farrell, PA 16121. This project is for the transfer of a small flow treatment facility in South Pymatuning Township, **Mercer County**.

WQM Permit No. 6196402. Sewerage. **Fort Charles Young**, VisionQuest National Ltd., P. O. Box 168, Franklin, PA 16323. This project is for plans to replace existing malfunctioning sand mounds with a package aeration treatment facility in Sandycreek Township, **Venango County**.

WQM Permit No. 4396415. Sewerage, **William Picciotto**, SRSTP, 354 Sieg Hill Rd., West Middlesex, PA 16159. Construction of William Picciotto SRSTP located in Shenango Township, **Mercer County**.

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

Part II Permits Issued

Permit No. 0696410. Sewerage. **Karen Harakal**, 1685 Route 143, Lenhartsville, PA 19543-9404. Construction of single family sewage treatment facilities in Greenwich Township, **Berks County**.

Permit No. 6796412. Sewerage. **Jacobus Borough Sewer Authority**, 126 North Main Street (Rear), Jacobus, PA 17407. Construction of sewers and appurtenances and pump station in Jacobus Borough, **York County**.

Permit No. 2196405. Sewerage. **Carlisle Borough Sewer System Authority**, 53 West South Street, Carlisle, PA 17013. Construction of pump station for Graystone Subdivision, Carlisle Borough, **Cumberland County**.

Permit No. 6791411. Amendment No. 1. Sewerage. **Spring Garden Township**, 558 S. Ogontz Street, York, PA 17403. Modification of construction of sewers and appurtenances for Wilmac Corporation—Regents' Glen, Inc., Spring Garden Township, **York County**.

Permit No. 3688201. Amendment No. 1. Industrial waste. **Spring Glen Fresh Foods, Inc.**, 314 Spring Glen Drive, P. O. Box 518, Ephrata, PA 17522. Modifications to the construction of industrial waste treatment facilities in Ephrata Township, **Lancaster County**.

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

WQM No. 1896401. Sewerage. **Clinton County Economic Partnership**, 151 Susquehanna Avenue, Lock Haven, PA 17745-0506. Approval to construct and maintain force main and pump station to serve Renovo Industrial Park, located at Renovo Borough, **Clinton County**.

WQM No. 4196406. Sewerage. **Michael O'Brien**, 140 Northway Road Extension, Williamsport, PA 17701. Approval to construct a wastewater treatment facility for single residence located at Hepburn Township, **Lycoming County**.

WQM No. 1496415. Sewerage. **Terry Myers**, 483 Sunshine Blvd., Bellefonte, PA 16823. Approval to construct a

wastewater treatment facility for single residence located at Huston Township, **Centre County**.

WQM No. 0896401. Sewerage. **Louis Hychko**, Route 6, P. O. Box 363, Wyalusing, PA 18853. Approval was granted to extend the sewers to a proposed restaurant and motel complex. Facility is located at Wyalusing Township, **Bradford County**.

WQM No. 5795402. Sewerage. **Guthrie Health Care System**, Guthrie Square, Sayre, PA 18840. The Department granted approval to repair a malfunction system. The facility is located at Elkland Township, **Sullivan County**.

WQM No. 1796407. Sewerage. **George and Patricia Richards**, P. O. Box 291, Madera, PA 16661-0291. Approval to construct a single residence sewage treatment facility located at Bigler Township, **Clearfield County**.

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

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

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

The approved plan revision, (granted December 13, 1996) Susquehanna Marketplace, consists of construction of a multiple building commercial facility that will include restaurants, stores and a hotel on an existing lot. The anticipated sewage flow of 60,000 gallons per day will be conveyed via Susquehanna Township east branch Paxton Creek Interceptor to the City of Harrisburg Advanced Wastewater Treatment Facility. The development is located on the southeast corner of Valley Road (S. R. 3026) and Progress Avenue (S. R. 3015), Susquehanna Township, Dauphin County.

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

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

The approved plan revision (granted December 10, 1996) consists of four residential lots (three single family, one 120-unit townhouse lot). The total sewage flow of 29,750 gallons per day will be conveyed via Susquehanna Township east branch Paxton Creek Interceptor to the City of Harrisburg Advanced Wastewater Treatment Facility. The development is located at the northern terminus of Interstate Drive, Susquehanna Township, Dauphin County.

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

Location: Country Side Estates development by Gregory Dempsie. 0.8 mile southwest of the intersection of Township 424 and State Route 1011, on the south side of T424. Frankstown Township, Blair County.

Project Description: Approval of a revision (granted January 13, 1997) to the Official Sewage Plan of Frankstown Township, Blair County. Project involves construction of a sewer extension to serve 60 residential lots. The project is tributary to the Frankstown Township DeGol Interceptor, with ultimate treatment at the Canoe Creek State Park Treatment Facility.

Any required NPDES permits or WQM permits must be obtained in the name of the owner.

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

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

Permit No. 0696503. Public water supply. **Hamburg Municipal Authority**, Windsor Township, **Berks County**, (Lynda G. Albright, Authority Secretary, Hamburg Municipal Authority, 61 North Third Street, Hamburg, PA 19526), the construction of a new wellhouse, modification of the existing pump, addition of a shallow tray aerator to remove radon, gas chlorination and pH adjusting chemicals. All other facilities will be kept.

Submission of Final Reports on Attainment of Background and Statewide Health Standards (Sections 302(e)(2) and 303(h)(2))

The following final reports were submitted to the Department of Environmental Protection under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection 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 1 (800) 654-5984.

The Department has received the following final reports:

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

Former Petrilla Fuel Company, City of Bethlehem, **Northampton County**. Pennoni Associates, Inc./EnviroTEL Division, 1000 Nutt Road, Phoenixville, PA has submitted a Final Report (on behalf of its client, the Bethlehem Economic Development Corporation, 10 East Church Street, Bethlehem, PA) concerning the remediation of site soils and groundwater contaminated with petroleum hydrocarbon compounds. The report is intended to document remediation of the site to meet the Statewide health standard.

Northcentral Regional Office: Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, telephone (717) 321-6525.

Andritz Sprout-Bauer, Inc.—Building 70, Muncy Creek Township, **Lycoming County**. Andritz Sprout-Bauer, Inc., Sherman Street, Muncy, PA 17756 has submitted a Final Report addressing soil contaminated with BTEX, PHCs and solvents. The report is intended to document remediation of the site to meet the Background Standard.

Krajack Tank Lines, Inc., Leroy Township, **Bradford County**. Krajack Tank Lines, Inc., P. O. Box 383, 155 Smith Street, Keasbey, NJ 08832 has submitted a Final Report addressing soil, groundwater and surface water contaminated with toluene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Completion of the Modification Document for the Prospective Purchasers Agreement

Publicker Industries NPL Site
Philadelphia

The Department of Environmental Protection (the Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.102—6020.1305) has entered into an agreement with the Environmental Protection Agency (EPA) and the Prospective Purchaser of the Publicker Industries NPL Site. The agreement, effective December 19, 1996, was a modification document to the Prospective Purchasers Agreement. The modification document established a procedure whereby the Prospective Purchaser can implement the remedial response outlined in the Record of Decision (ROD) for Operable Unit #3 in exchange for a reduction in the total dollar amount paid to the EPA and the Department, as outlined in the Prospective Purchasers Agreement. The reduction in dollar amount will be consistent with money spent by the Prospective Purchaser on implementing the remedy in the ROD.

Questions regarding this matter should be made to Matthew T. Miller, Project Officer, Hazardous Sites Cleanup Program, at (610) 832-6192 or to Anderson Hartzell, Esq., Office of Chief Counsel at (610) 832-6300.

Notice of Settlements Under the Hazardous Sites Cleanup Act

Industrial Solvents and Chemical Company
Newberry Township, York County

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 proposed consent order and agreements (COAs) with two parties regarding the Department's costs incurred for conducting response activities at the Industrial Solvents and Chemical Company (ISCC) site. The ISCC site is a 9-acre parcel of land in Newberry Township, York County, adjacent to Interstate 83. The surrounding area is primarily rural, although residential, commercial and industrial developments are located within a close vicinity of the site. A number of private residential wells have been contaminated by hazardous substances migrating from the ISCC site.

ISCC was involved in the reprocessing of used solvents. Because of violations of hazardous waste requirements, the Department on July 6, 1989, terminated ISCC's authority to operate a hazardous waste treatment and storage facility. The site was abandoned in 1990 when ISCC declared bankruptcy. A total of 996 parties potentially responsible for the hazardous substances located at the ISCC site were identified by the Department.

Because of the threat to human health and the environment posed by the ISCC site, the site was placed on the Pennsylvania Priority List for Remedial Response on October 26, 1991. The Department and a group of approximately 136 cooperating potentially responsible parties have conducted a number of interim actions at the site to address the release or threat of release of hazardous substances. To date, the Department has incurred costs of approximately \$3 million to implement and/or oversee these interim actions. A final remedial action for the groundwater and soil at the ISCC site will be selected by the Department and implemented in the future.

The Department has entered into a proposed consent order and agreement with C. H. Thompson Company, Inc. (Thompson), Binghamton, New York. Under the terms of the COA, Thompson will pay the Department \$21,694 to reimburse the Department for its response costs at the ISCC site.

The Department has also entered into a proposed consent order and agreement with Coyne Textile Services, Syracuse, New York (Coyne). Under the terms of the COA, Coyne will pay the Department \$67,560 to reimburse the Department for its response costs at the ISCC site.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). This section provides that the settlements will become final upon the filing of the Department's response to any significant written comments. The proposed consent order and agreements that contain the specific terms of the settlements are available for public review and comment. The proposed consent order and agreements can be examined from 8 a.m. to 4 p.m. at the Department's office at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4592. A public comment period on the proposed consent order and agreements will extend for 60 days from today's date. Persons may submit written comments regarding the proposed consent order and agreement to the Department by March 26, 1997, by submitting them to Barbara Faletti at the above address.

Public Notice of Proposed Consent Decree

Centre County Kepone Site
College Township, Centre County

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. § 6020.1113), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a settlement with Ruetgers-Nease Corporation (Ruetgers-Nease) regarding the Centre County Kepone Site, College Township, Centre County. The settlement resolves the Department's claims against Ruetgers-Nease regarding: (1) the performance of studies and response work by Ruetgers-Nease at the Centre County Kepone Site in conformance with the April 21, 1995 Record of Decision for Operable Unit No. 1; (2) reimbursement of the Department's response costs that have incurred from February 9, 1984 to October 18, 1995, which amounts to \$89,572.45; (3) a declaration of Ruetgers-Nease's liability for further response costs; and (4) such other relief as the Court finds appropriate.

The Department will receive and consider comments relating to the Consent Decree for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the Consent Decree if the comments concerning the Consent Decree disclose facts or considerations which indicate that the Consent Decree is inappropriate, improper, inadequate or not in the public

interest. After the public comment period, the Department's settlement with Ruetgers-Nease shall become final upon the filing of the Department's response to significant written comments to the Consent Decree and upon the United States District Court's approval of the Consent Decree.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). A copy of the Consent Decree is available for inspection at the Department's office at 208 West Third Street, Suite 101, Williamsport, PA. Comments may be submitted, in writing, to Douglas Overdorff, Project Officer, at the above address. Comments regarding this Consent Decree must be submitted to the Department before April 2, 1997. Further information may be obtained by contacting Douglas Overdorff at (717) 321-6594 between the hours of 8 a.m. and 4 p.m. TDD users may contact the Department through the Pennsylvania Relay Service at 1 (800) 645-5984.

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

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

ALTA Resource Management Services, Inc., 88-B Industry Avenue, Springfield, MA 01104; License No. **PA-AH 0550**; license issued January 14, 1997.

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

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

Aqua-Tex Transport, Inc., 219 N. White Horse Pike, Hammonton, NJ 08037; License No. **PA-AH S179**; renewal license issued January 8, 1997.

Dart Trucking Company, Inc., 61 Railroad Street, Canfield, OH 44406; License No. **PA-AH 0219**; renewal license issued January 16, 1997.

Environmental Transportation Services, Inc., 1813 Southeast 25th Street, Oklahoma City, OK 73129; License No. **PA-AH 0311**; renewal license issued January 16, 1997.

Osmose Wood Preserving, Inc., 980 Ellicott Street, Buffalo, NY 14209-2398; License No. **PA-AH 0309**; renewal license issued January 8, 1997.

Remtech Environmental (Lewisberry), L. P., 550 Industrial Drive, Lewisberry, PA 17339; License No. **PA-AH 0146**; renewal license issued January 9, 1997.

RFE Industries Inc., Foot of Jersey Avenue C., Jersey City, NJ 07302; License No. **PA-AH S126**; renewal license issued January 8, 1997.

Seaboard Tank Lines, Inc., 124 Monahan Avenue, Dunmore, PA 18512; License No. **PA-AH S238**; renewal license issued January 8, 1997.

Technic, Inc., 1 Spectacle Street, Cranston, RI 02910; License No. **PA-AH S134**; renewal license issued January 8, 1997.

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

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

Aqua-Tex Transport, Inc., 219 N. White Horse Pike, Hammonton, NJ 08037; License No. **PA-AH S179**; amended license issued January 8, 1997.

Osrose Wood Preserving, Inc., 980 Ellicott Street, Buffalo, NY 14209-2398; License No. **PA-AH 0309**; amended license issued January 8, 1997.

RFE Industries Inc., Foot of Jersey Avenue C, Jersey City, NJ 07302; License No. **PA-AH S126**; amended license issued January 8, 1997.

Seaboard Tank Lines, Inc., 124 Monahan Avenue, Dunmore, PA 18512; License No. **PA-AH S238**; amended license issued January 8, 1997.

Technic, Inc., 1 Spectacle Street, Cranston, RI 02910; License No. **PA-AH S134**; amended license issued January 8, 1997.

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

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

PA002292068. Rohm and Haas Company, P. O. Box 219, Bristol, PA 19007. This permit is issued for the continuing operation of a Hazardous Waste Container Storage Facility, and the permitting of a Hazardous Waste Tank Storage Facility at the Rohm and Haas Bristol facility located in Bristol Township, **Bucks County**. Permit issued in the Southeast Regional Office December 20, 1996.

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

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

101481. Mid-Atlantic Recycling & Distribution Center (Waste Management of Northeastern PA, purchased by Apex Waste Services, Inc.), Apex Waste Services, Inc., 13 Peggy Parkway, P. O. Box 157, Dunmore, PA 18512. A Permit Reissuance allowing Apex Waste Services, Inc. to operate the existing Mid-Atlantic Recycling and Distribution Center, which is a municipal waste transfer facility located in Dunmore Borough, **Lackawanna County**. The permit reissuance was approved in the Regional Office on January 9, 1997.

100022. Chrin Brothers Sanitary Landfill, Chrin Brothers, Inc., 635 Industrial Drive, Easton, PA 18042. A Major Permit Modification, approving an equivalency review request for an alternate daily cover and the utilization of processed fines from construction/demolition waste as daily cover material. The processed wood fines

are to be used in lieu of soil as daily cover at this municipal waste landfill, located in Williams Township, **Northampton County**. The major permit modification was approved in the Regional Office on January 10, 1997.

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

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

300885. Hudson Farms, Inc., P. O. Box 487, Avondale, PA 19311. This permit has been revoked because the site will no longer be used for agricultural utilization of Compost Wharf runoff at the Hudson Farms, Inc., facility located in London Grove Township, **Chester County**. Permit revoked in the Southeast Regional Office on December 13, 1996.

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

Southeast Regional Office: 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: **46-320-027**
Source: Printing Facility
Issued: November 30, 1996
Company: **Gemplus Plastic Corp.**
Location: Montgomery
County: **Montgomery**

Permit: **46-399-107**
Source: Fluid Bed Processor
Issued: December 17, 1996
Company: **McNeil Consumer Products**
Location: Whitmarsh
County: **Montgomery**

Permit: **46-313-093A**
Source: Chemical Development
Issued: December 19, 1996
Company: **SmithKline Beecham Research**
Location: Upper Providence
County: **Montgomery**

Permit: **46-313-094A**
Source: Pharmaceutical Sciences
Issued: December 19, 1996
Company: **SmithKline Beecham Research**
Location: Upper Providence
County: **Montgomery**

Permit: **23-312-054B**
Source: Gasoline Storage Tank
Issued: January 7, 1997
Company: **Laurel Pipe Line Co., L. P.**
Location: Bethel
County: **Delaware**

Permit: **23-399-027**
 Source: Two Converting Lines
 Issued: January 9, 1997
 Company: **Kimberly-Clark Tissue**
 Location: City of Chester
 County: **Chester**

Permit: **09-318-066**
 Source: Spray Paint Booth
 Issued: January 9, 1997
 Company: **Milton Roy**
 Location: Ivyland
 County: **Bucks**

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

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

Permit: **40-302-127G**
 Source: 12.6 MMBTU N American Boil 1A-1618
 Company: **Intermetro Industries Corporation**
 Location: City of Wilkes-Barre
 County: **Luzerne**

Permit: **48-318-124**
 Source: Flock Line #3 W/Cyclone & Precip
 Company: **J & J Flock Products Incorporated**
 Location: Williams Township
 County: **Northampton**

Permit: **48-318-125**
 Source: Paint Spray Booth W/Panel Filters
 Company: **Belyea Company Incorporated**
 Location: Palmer Township
 County: **Northampton**

Permit: **66-315-012A**
 Source: 4M Papermachine/Venturi Scrubber
 Company: **Procter & Gamble Paper Products**
 Location: Washington Township
 County: **Wyoming**

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 § 129.91 for Reasonable Available Control Technology.

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-09-0029**
 Source: Two Boilers (Nos. 2 & 3)
 Issued: December 6, 1996
 Company: **Eastern State School & Hospital—DPW**
 Location: Bensalem
 County: **Bucks**

Permit: **OP-15-0002**
 Source: NOx & VOC Facility
 Issued: December 10, 1996
 Company: **Quebecor Printing Atglen, Inc.**
 Location: West Sadsbury
 County: **Chester**

Permit: **OP-23-0028**
 Source: Three Boiler, 1 Furnace, 10 Emergency Generators
 Issued: December 17, 1996
 Company: **Haverford State Hospital—DPW**
 Location: West Chester
 County: **Chester**

Permit: **OP-46-0003**
 Source: Facility VOC Sources
 Issued: December 20, 1996
 Company: **Stroehmann Bakeries, Inc.**
 Location: Plymouth
 County: **Montgomery**

Permit: **OP-09-0016A**
 Source: Eight Combustion Turbines
 Issued: December 20, 1996
 Company: **PECO Energy**
 Location: Bristol
 County: **Bucks**

Permit: **OP-15-0014A**
 Source: NOx & VOC Sources
 Issued: December 20, 1996
 Company: **Norwood Industries, Inc.**
 Location: East Whiteland
 County: **Chester**

Permit: **OP-09-0021**
 Source: VOC Sources
 Issued: December 20, 1996
 Company: **Mike-Rich, Inc.**
 Location: Newtown
 County: **Bucks**

Permit: **OP-09-0036**
 Source: Facility VOC Sources
 Issued: January 7, 1997
 Company: **CMS Gilbreth Packaging Systems**
 Location: Bensalem
 County: **Bucks**

Permit: **OP-46-0013A**
 Source: NOx & VOC Facility
 Issued: January 9, 1997
 Company: **Hatfield, Inc.**
 Location: Hatfield
 County: **Montgomery**

Permit: **OP-15-0026A**
 Source: VOC Facility
 Issued: January 10, 1997
 Company: **American Inks & Coating Corp.**
 Location: Schuylkill
 County: **Chester**

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

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: **15-329-003**
 Source: One Stand-by Generator
 Issued: December 6, 1996
 Company: **Transcontinental Gas Pipe Line Corp.**
 Location: East Whiteland
 County: **Chester**

Permit: **46-318-048**
 Source: Paint Spray Booth
 Issued: December 12, 1996
 Company: **Naval Air Station Joint Reserve Base**
 Location: Horsham
 County: **Montgomery**

Permit: **09-318-034A**
 Source: Mill Room Operations
 Issued: December 20, 1996
 Company: **3M**
 Location: Bristol
 County: **Bucks**

Permit: **09-318-058A**
 Source: Roller Coater
 Issued: December 31, 1996
 Company: **Cleveland Steel Container Corporation**
 Location: Quakertown
 County: **Bucks**

Permit: **09-399-041**
 Source: Spacecraft Assembly Facility
 Issued: December 31, 1996
 Company: **Lockheed Martin Corp.**
 Location: Newtown
 County: **Bucks**

Permit: **46-302-211**
 Source: Two Boiler
 Issued: December 31, 1996
 Company: **Pottstown Memorial Medical Center**
 Location: Pottstown
 County: **Montgomery**

Permit: **46-318-036A**
 Source: Painting Line
 Issued: January 10, 1997
 Company: **Stabilus**
 Location: Colmar
 County: **Montgomery**

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

36-2025A. On January 8, 1997, the Department issued a Plan Approval to **Texas Eastern Transmission Corporation** (P. O. Box 1642, Houston, TX 77251-1642) for the construction of a Mars gas turbine and emergency generator, both natural gas-fired, in East Donegal Township, **Lancaster County**. The turbine is subject to 40 CFR 60, Subpart GG, Standards of Performance for New Stationary Sources.

Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PA-56-263A. On January 3, 1997 a Plan Approval was issued to **Penn Coal, Inc.**, (214 College Park Plaza, Johnstown, PA 15904) for a coal screening process at its Sarah Mine facility located in Jenner Township, **Somerset County**.

65-309-074A. On January 3, 1997 a Plan Approval was issued to **American Video Glass Company**, (1001 Technology Drive, Mt. Pleasant, PA 15666) for a color TV glass manufacturing process at its facility located in Mt. Pleasant Township, **Westmoreland County**.

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

10-308-015A. On January 7, 1997, a Plan Approval was issued to **Keystone Aluminum**, (P. O. Box 807, Mars, PA 16046) for an aluminum chip dryer at Adams Township, **Butler County**.

On January 6, 1997, Plan Approvals were issued to **Stackpole Magnetic System, Inc.** (700 Elk Ave., Kane, PA 16735) for the following sources at Kane, **McKean County**:

42-313-006C. Ferrite Magnet Manufacturing
42-307-005. Rotary Calciner

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

Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

65-000-860. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **Fansteel Hydro Carbide**, (P. O. Box 363, Latrobe, PA 15650) for a rota-cone vacuum mixer/dryer at its Latrobe Plant located in Unity Township, **Westmoreland County**.

30-305-019. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997, for **Consolidation Coal Company**, (1800 Washington Road, Pittsburgh, PA 15241) for a coal preparation plant at its Robena Preparation Plant located in Greensboro Borough, **Greene County**.

26-318-017. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **Hutterian Brethren in PA, Inc.**, (P. O. Box 240, Farmington, PA 15437) for a water wash filtration system on the spray booth at its Community Playthings facility located in Wharton Township, **Fayette County**.

03-318-019. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **5 Rubber Corporation**, (1655 Orr Avenue, Kittanning, PA 16201) for a dust collector on the elastomer coating line at its Kittanning Plant facility located in Kittanning Borough, **Armstrong County**.

56-305-049. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **PBS Coals, Inc.**, (P. O. Box 260, Friedens, PA 15541) for a limestone crushing/screening process at its Job 200 (Paxton Strip) facility located in Brothersvalley Township, **Somerset County**.

65-305-051. On January 3, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **North Central Processing, Inc.**, (P. O. Box 396, Chagrin Falls, OH 44022) for a FA6-Spec 14,000 CFM Baghouse on the coke processing operation at its Canestrone Yards facility located in Rostraver Township, **Westmoreland County**.

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

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

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

Permit: **13-318-001A**
 Source: Paint Spray Booths W/Filters
 Issued: January 3, 1997
 Company: **Vic's Time Incorporated**
 Location: Palmerton Borough
 County: **Carbon**

Permit: **40-313-020A**
 Source: Hydrofluoric Wash Sta. W/Scrubber
 Issued: January 13, 1997
 Company: **Techneglas Incorporated**
 Location: Jenkins Township
 County: **Luzerne**

Permit: **40-399-038**
 Source: Fab 8 Mfg W/Oxidizer/Filtr/3 Scrub
 Issued: January 13, 1997
 Company: **Harris Semiconductor Incorporated**
 Location: Wright Township
 County: **Luzerne**

Permit: **48-307-058**
 Source: Grit Blast Room W/Baghouse
 Issued: January 15, 1997
 Company: **Centec Corporation**
 Location: City of Bethlehem
 County: **Northampton**

Permit: **48-309-097**
 Source: Calcium Hydrox Inject W/Baghouse
 Issued: January 9, 1997
 Company: **Hercules Cement Company**
 Location: Stockertown Borough
 County: **Northampton**

Permit: **48-320-010**
 Source: Flexographic Print W/70% H2O Inks
 Issued: January 2, 1997
 Company: **Packaging Horizons Corporation**
 Location: Palmer Township
 County: **Northampton**

*Northcentral Regional Office: Bureau of Air Quality,
 208 West Third Street, Suite 101, Williamsport, PA 17701-
 6448.*

19-317-007D. On December 6, 1996, plan approval was issued to **Wise Foods, Inc.** (228 Raseley Street, Berwick, PA 18603-4599) for the installation of air cleaning devices (mist eliminators) on two potato chip fryers in Berwick Borough, **Columbia County**.

17-327-002. On December 19, 1996, plan approval was issued to **Equimeter, Inc.** (P. O. Box 528, DuBois, PA 15801) for the construction of an open-top vapor degreaser and associated air cleaning device (a subzero refrigerated freeboard chiller) in the City of DuBois, **Clearfield County**. This vapor degreaser is subject to Subpart T of the National Emission Standards For Hazardous Air Pollutants.

49-302-061. On December 23, 1996, plan approval was issued to **Merck & Co., Inc.** (P. O. Box 600, Danville, PA 17821-0600) for the construction of three natural gas/#2 fuel oil-fired boilers, a diesel-fired emergency generator and a #2 fuel oil storage tank in Riverside Borough, **Northumberland County**. The boilers are subject to Subpart Db, and the storage tank to Subpart Kb, of the Federal Standards of Performance for New Stationary Sources.

19-320-001D. On December 31, 1996, plan approval was issued to **Haddon Craftsmen, Inc.** (4411 Old Berwick Road, Bloomsburg, PA 17815) for the construction of three book binding lines and associated operations in South Centre Township, **Columbia County**.

53-399-006A. On December 31, 1996, plan approval was issued to **St. Marys Carbon Company** (P. O. Box 1, Galeton, PA 16922) for the construction of four powdered metal parts sintering furnaces in Pike Township, **Potter 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. §§ 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).

Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.

Coal Permits Issued

02930201. Allegheny Valley Resources, Inc. (Box 1, Saxonburg, PA 15032). Revision issued to place coal ash within the confines of an existing coal refuse reprocessing site with a coal preparation plant/processing facility located in West Deer Township, **Allegheny County**, affecting 56.0 acres. Receiving streams Little Deer Creek and unnamed tributary to Little Deer Creek. Revision application received September 18, 1996. Revision issued January 6, 1997.

65960109. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 64.0 acres. Receiving streams unnamed tributaries to Harbridge Run and McGee Run to Harbridge Run and McGee Run to the Conemaugh River. Application received June 26, 1996. Permit issued January 8, 1997.

03960104. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine located in South Bend Township, **Armstrong County**, affecting 154.6 acres. Receiving streams Lindsay Run. Application received August 7, 1996. Permit issued January 13, 1997.

03960103. TDK Coal Sales, Inc. (P. O. Box 627, Clarion, PA 16214). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine with fly ash placement and noncoal mineral removal located in East Franklin Township, **Armstrong County**, affecting 155.0 acres. Receiving streams unnamed tributaries to Glade Run to Allegheny River; unnamed tributaries to Limestone Run to the Allegheny River. Application received April 12, 1996. Permit issued January 14, 1997.

03930106. Dutch Run Coal, Inc. (R. D. 2, Shelocta, PA 15774). Revision issued to change land use on the Arveda Klingensmith property from forestland to pastureland/land occasionally cut for hay on an existing bituminous surface auger mine located in Burrell Township, **Armstrong County**. Revision received December 5, 1996. Revision issued January 16, 1997.

Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.

03743701. Canterbury Coal Company, (R. D. 1, Box 119, Avonmore, PA 15618), to revise the permit for the Refuse Area No. 5 in Kiskiminetas Township, **Armstrong County** to add 47.2 permit acres, no additional discharge. Permit issued January 15, 1997.

03911302. Rosebud Mining Company, (R. R. 1, Box 379-A, Kittanning, PA 16201), to renew the permit for the Roaring Run bituminous deep mine in Kiskiminetas Township, **Armstrong County**, no additional discharge. Permit issued January 15, 1997.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Issued

5476SM1T2. Eastern Industries, Inc., (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454), transfer of an existing quarry operation in Upper Mt. Bethel Township, **Northampton County** affecting 20.6 acres, receiving stream unnamed swamp to Jacoby Creek. Transfer issued January 13, 1997.

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

No Cost Contract Issued

11-96-02. Smith Energy, Inc. (1075 Chestnut Street, Nanty Glo, PA 15943), will result in the removal and reclamation of 2.9 acres of coal refuse in Nanty Glo Borough, **Cambria County**. The site is located adjacent to Pergrin Run and the south branch of Blacklick Creek. Contract received August 29, 1996. Contract issued January 14, 1997.

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, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board 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 Waterways Engineering, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.

D15-371. Dam. Herr Foods, Inc., P. O. Box 300, Nottingham, PA 19362. To operate and maintain a dam located adjacent to a tributary to Northeast Creek in West Nottingham Township, **Chester County**. This facility will serve as an effluent wastewater storage lagoon for the Herr Foods, Inc. plant.

D57-045. Dam. O. Kenneth Shaffer, R. R. 1, Box 1113, Forksville, PA 18616. To re-construct, operate and maintain Beaver Pond Dam across Lick Creek located in Cherry Township, **Sullivan County**.

Environmental Assessment Approvals and Actions on 401 Certification

EA67-008C0. Environmental assessment. **R. Darin Ingool**, P. O. Box 112, Cardiff, MD 21024-0112. To construct and maintain a nonjurisdictional dam across a tributary to Muddy Creek (TSF) for the purpose of recreation and is located approximately 2,500 feet northwest of the intersection of Miller Road and Murphy Road (Airville, PA Quadrangle N: 4.5 inches; W: 2.0 inches) in Peach Bottom Township, **York County**.

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

E40-448. Encroachment. **Order of Friars Minor-Slavo Byzantine Rite**, P. O. Box 270, Sybertsville, PA 18251. To remove the existing structure and to construct and maintain a single-span private pedestrian bridge, having a span of approximately 30 feet and a minimum underclearance of approximately 6 feet, across a tributary to Little Nescopeck Creek. The project is located at the Byzantine Franciscan Monastery, approximately 500 feet southwest of the intersection of S.R. 0093 and T-388 (Conyngham, PA Quadrangle N: 22.4 inches; W: 10.2 inches), in Sugarloaf Township, **Luzerne County**.

E40-449. Encroachment. **Frank L. Boris, III**, 450 Warren Avenue, Kingston, PA 18704. To modify and maintain an existing dock and boat slip in Harveys Lake, with work including the construction of new pilings, enlargement of the dock and construction of a 1-story boathouse. The structure, which extends approximately 44 feet lakeward from the shoreline, is located at Pole 38 (Harveys Lake, PA Quadrangle N: 20.6 inches; W: 5.0 inches), in Harveys Lake Borough, **Luzerne County**.

E45-290. Encroachment. **Virginia McNeil**, 8 Fourth Street, Freehold, NJ 07728. To place fill in approximately 0.09 acre of wetland for the purpose of constructing a single family dwelling and gravel driveway on Lot 737, Section C4A of Emerald Lakes Residential Subdivision. The project is located on the southern side of Mountain Top Lake Road, approximately 0.4 mile northeast of the intersection of S. R. 4002 and East Emerald Lake Drive (Pocono Pines, PA Quadrangle N: 15.3 inches; W: 6.7 inches) in Tobyhanna Township, **Monroe County**. The permittee is required to provide 0.10 acre of replacement wetlands; 0.05 acre of onsite replacement and 0.05 acre replacement through the Pennsylvania Wetland Replacement Fund.

E45-302. Encroachment. **Buck Hill Falls Company**, P. O. Box 426, Bucks Hill Falls, PA 18323. To remove the existing structure and to construct and maintain two single-span golf cart bridges across Griscom Creek. The downstream bridge has a span of 36 feet and an

underclearance of 6 feet and the upstream bridge has a span of 45 feet and an underclearance of approximately 7 feet. The bridges are located on the Buck Hill Falls Golf Course, approximately 1.0 mile southwest of the intersection of S. R. 0447 and S. R. 1017 (Buck Hill Falls, PA Quadrangle N: 12.95 inches; W: 3.85 inches and N: 13.25 inches; W: 4.35 inches) in Barrett Township, **Monroe County**.

E48-236. Encroachment. **Antonio and Soccorso Calantoni**, 2900 Swanson Street, Easton, PA 18045. To construct and maintain a channel change having a length of approximately 600 feet in an unnamed tributary to the Lehigh River consisting of the following: 1) a grass-lined trapezoidal channel with a minimum depth of 18 inches, a bottom width of 10 feet and 4 to 1 sideslopes; 2) six (6) R-5 riprap stepped, energy dissipators with heights varying from 2 to 4 feet spaced uniformly along the main channel; and 3) approximately 150 feet of R-4 riprap lining at the end of the channel change. The project is located just north of the intersection of S. R. 2012 (Island Park Road) and S. R. 2010 (Tumble Creek Road) (Nazareth, PA Quadrangle N: 2.65 inches; W: 1.85 inches) in Williams Township, **Northampton County**.

E48-238. Encroachment. **Columbia Gas Transmission Corporation**, 1700 MacCorkle Avenue, S. E., Charleston, WV 25314. To abandon a 24-inch gas pipeline, to remove a previously abandoned 14-inch gas pipeline and to construct and maintain approximately 530 feet of 14-inch gas pipeline under a tributary to Martins Creek and through wetlands to upgrade Gas Pipeline 1278. The project is located 800 feet north of the Consolidated Rail Corporation right-of-way, approximately 0.5 mile northwest of the intersection of S. R. 0512 and S. R. 1017 (Stroudsburg, PA-NJ Quadrangle N: 3.4 inches; W: 4.5 inches) in Upper Mount Bethel Township, **Northampton County**.

Northcentral Region: Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.

E08-303. Encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span prestressed concrete spread box beam bridge with a normal span length of 47.6 feet and an underclearance of 8.75 feet. The bridge will be on a 60 degree left skew, crossing Murray Creek on SR 0220, Section 046 approxi-

mately 300 feet south of the Route 220/Pump Station Hill Road. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E19-157. Water obstruction and encroachment. **Donald and Barbara King**, R. R. 2, Box 60, Benton, PA 17814. To relocate a section of T-717 which will require the installation and maintenance of three culverts, a single 48 inch diameter RCP 57-feet in length at the north end of the project and two twin culverts 48-inches in diameter RCP 48-feet in length at the south end of the project in an unnamed tributary to West Creek and to disturb 0.2 acre of exceptional value wetlands approximately 1 mile west of SR 239 and to mitigate the wetlands through replacement (Benton, PA Quadrangle N: 19.25 inches; W: 4.5 inches) in Sugarloaf Township, **Columbia County**.

SPECIAL NOTICES

Planning Grant Awards Under the Municipal Waste Planning Recycling and Waste Reduction Act

The Department of Environmental Protection hereby announces the following grants to counties under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.901). The awards are based upon applications received by the Department in 1996.

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, and for environmental mediation. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

County	Activities	DEP Grant
Southcentral Region		
Dauphin	Revise County Municipal Waste Management Plan	\$ 89,146
Blair	Substantial and Non-substantial Plan Revisions	\$ 76,307
Adams	Site Feasibility, RFP, and Educational Materials	\$ 87,912
Cumberland	Revise County Municipal Waste Management Plan	\$ 81,376
Southwest Region		
Indiana	Evaluate the County's Recycling Program	\$ 19,897
Northwest Region		
Elk	Feasibility Study on using Greentree's treatment plant for county septage disposal	\$ 7,000
	TOTAL	\$361,639

Municipal Recycling Program Performance Grant Applications; Submission Date Extension

The Department of Environmental Protection hereby announces an extension to the deadline for calendar year 1995 Recycling Program Performance Grant applications from municipalities for grant assistance under section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.904).

The deadline for submission of calendar year 1995 applications has been extended to 3 p.m., February 28, 1997. Applications must be on forms provided by the Department. Applications received by the Department after that date will not be considered. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

Grant applications and inquiries concerning this notice should be directed to Carl Hursh, Chief, Recycling and Markets, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, telephone (717) 787-7382.

[Pa.B. Doc. No. 97-148. Filed for public inspection January 31, 1997, 9:00 a.m.]

Availability of Technical Guidance

Governor's Office List

Once a year on the first Saturday in August, the Governor's Office publishes a list of the nonregulatory guidance documents of all State agencies in the *Pennsylvania Bulletin*. The first publication of this list was in the August 3, 1996, edition of the *Bulletin*.

DEP's Technical Guidance Document Inventory

DEP publishes a list of its technical guidance documents in its Technical Guidance Document Inventory twice a year. The most recent edition of the Inventory is the December 1996 edition. One version of the list of the documents contained in this edition is now available on DEP's World Wide Web site. DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of the Inventory once on the DEP home page, persons should choose the Public Participation Center, scroll down to the "Technical Guidance Document" heading and (under this heading) click on "Basic Inventory."

Paper copies of the Inventory are being printed and will be available mid-January. DEP automatically mails a paper copy of the December 1996 Inventory to persons who received a paper copy of the June 1996 Inventory. Persons who wish to add their address to the mailing list should call Nina Huizinga at (717) 783-8727.

DEP's Technical Guidance Documents on the World Wide Web

DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of DEP's Technical Guidance Documents once on the DEP home page, persons should choose the Public Participation Center. The Center contains several links to DEP's Technical Guidance Documents. The link to draft technical guidance documents is listed under the heading "Proposals Open to Comment." The link to recently finalized technical guidance documents is listed under the heading "Recently Finalized Proposals." Two links are under the heading "Technical Guidance Documents": one link is to the "Basic Inventory" and one link is to "Final Documents" on the Web. The final documents menu will list DEP's bureaus. Persons should click on the name of the bureau to get to the list of the documents from that bureau that are currently on the Web. Then, to get to see a document, persons should click on the ID number of the document. DEP will be adding its revised documents to the Web throughout 1997.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a copy of the latest Inventory or a copy of any of the final documents listed on the Inventory

by calling Elwyn Inc. (the printer) at 1 (800) 804-4020 if calling in Pennsylvania, or (610) 497-5841 if calling from outside Pennsylvania.

Changes to Technical Guidance Documents

Between publication of its Inventory, DEP announces changes to its technical guidance documents in its weekly newsletter, the *UPDATE* and the *Pennsylvania Bulletin*. Here is the current list of recently finalized documents, draft documents and notices of intended changes to technical guidance.

Persons who have any questions or comments about a particular document should call the contact person whose name and phone is listed with each document. Persons who have questions or comments about the Inventory, the documents on the World Wide Web, the availability of paper copies from the printer or the technical guidance document process in general should call Nina Huizinga at (717) 783-8727

Final Technical Guidance—New Guidance and Substantive Revisions to Existing Guidance

DEP ID: 382-2130-012. Title: Policy for Recognizing Succession to Water Rights as a Result of Changes of Ownership. Description: DEP will follow a department-wide, standard process for recognizing succession to water rights by new owners who take over or acquire existing water supply systems which hold valid water allocation permits or orders of confirmation. Page length: 6 pages. Location: Volume 15, Tab 11.

DEP ID: 383-3310-109. Title: Pennsylvania Drinking Water Information System (PADWIS) Inventory User's Manual. Description: This document establishes guidance for maintenance of a computerized public water system inventory, and establishes uniform instructions and protocol for maintaining and using a computerized inventory of public water system information for management of the Safe Drinking Water Program. Effective Date: January 1997. Page length: 199 pages. Location: Volume 23, Tab 1.

Final Technical Guidance—Minor Revisions to Existing Documents—Bureau of Air Quality

The Bureau of Air Quality has made the following minor revisions to all of its technical guidance documents:

1. Reformatting: (using the standard format for such documents);
2. Updating: (for example, changes to reflect the new Department name);
3. Changes to some Document ID numbers to better reflect the content of the document; and
4. Consolidating and rearranging material. None of the changes are substantive in nature. The revised documents listed here are now on DEP's World

Wide Web site. Persons who have any questions should contact Ralph Scanlan at (717) 787-9702.

<i>DEP ID</i>	<i>Title</i>
271-5000-001	Employer Trip Reduction Policy
273-4000-001	Compliance Assurance Policy for Cement Kilns with CEMS
273-4000-002	Compliance Assurance Policy for Hospital Waste Incinerators
273-4000-003	Compliance Assurance Policy for Municipal Waste Incinerators, including Revisions
273-4000-004	Enforcement Policy for CEM's on Fluid Catalytic Cracking Units
273-4000-005	Enforcement Policy—CEMS and Coal Sampling/Analysis Systems
273-4100-005	Air Pollution Control Act Compliance History Review and Civil Penalty Assessment Procedures
273-4130-001	DEP/EPA Asbestos Demolition/Renovations Civil Penalty Policy
273-4130-003	Guidance for Application of Regional Civil Assessment Procedure
273-4130-004	Compliance Docket Procedure
273-4130-006	Stage I Penalty Assessment Guidance
274-0300-001	Continuous Source Monitoring Manual
274-0300-002	Source Testing Manual
275-2101-001	Air Quality Operating Permit Protocol
275-2101-002	Air Quality Operating Permit Permitting Procedures
275-2101-003	Air Quality Permit Exemptions
275-2101-004	Air Quality Operating Permit Modification/Reactivation
275-2101-005	Delegation Conditions and Policy Performance Test Waivers
275-2101-006	Air Quality Operating Permit Requirements
275-2101-007	Best Available Technology and Other Permitting Criteria
275-2101-008	Hazardous Waste Incineration
275-2101-010	Air Toxics Policies
275-2101-011	Public Notification
275-2101-014	Prevention of Significant Deterioration
275-2101-015	Volatile Organic Compounds
275-2101-016	Continuous Source Monitors

Final Technical Guidance—Minor Revisions to Existing Documents—Field Operations

Field Operations has made minor revisions to four of its documents listed here; none of the changes are substantive in nature.

<i>DEP ID</i>	<i>Title</i>
400-2000-300	Model Permit Application Process
400-5900-102	Procedure for Authorizing Emergency Response Expenditures
400-5900-104	Policy for Authorities of the On-scene Coordinator
400-5900-112	Gasoline Fume Emergency Criteria

Final Technical Guidance—Minor Revisions to Existing Documents—Bureau of Land Recycling and Waste Management

The Bureau of Land Recycling and Waste Management has made minor revisions to eight of its documents listed here; none of the changes are substantive in nature.

<i>DEP ID</i>	<i>Title</i>
250-2500-310	Bond Forfeiture
250-3100-401	Quality Assurance Program
250-3130-763	Purge Water from Groundwater Sampling
251-2100-727	Policy and Procedure for Municipal Waste Facilities Equivalency Approvals
252-2200-514	Approval of Alternative Recycling Programs
253-4500-608	Revised Final Guidance for Using Hazardous Sites Cleanup Act Funds for Emergency Response
253-5800-638	Final Guidance for Using Hazardous Sites Cleanup Fund Monies for Emergency Response Actions
258-2000-767	Guidance on the Chemical Analysis for Form 26r

Notice of Intent to Develop Technical Guidance

Draft Title: Guidance for Pollution Prevention and Energy Efficiency Site Visits. Type of Change: New Guidance. Background: Pollution prevention and energy efficiency (P²E²) not only reduce a company's net expenses but reduce environmental liabilities through pollution prevention and energy efficiency activities. The P²E² site visits have been designed to assist Pennsylvania companies in achieving that objective. Site visits are coordinated by the Regional OPPCA Chiefs and are conducted by Regional program staff. These site visits emphasize multimedia performance-based approaches and are not regulatory in nature. Anticipated Effective Date: February 15, 1997. Anticipated Draft Development Date: January 31, 1997. Anticipated Development and Review Process: This document will be drafted by regional and central office personnel who have historically been involved in the P²E² site visit program. The draft will be distributed for review both internally and to the general public. Contact: Robert Zaccano at (717) 657-4121.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-149. Filed for public inspection January 31, 1997, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Maintenance Organization Certificate of Authority

On January 3, 1997, Health Plans of Pennsylvania, Inc. filed with the Departments of Health and Insurance, an application for a Certificate of Authority to establish, operate and maintain a health maintenance organization in accordance with the provisions of the Health Maintenance Organization Act (40 P. S. §§ 1551—1567), Department of Health Regulations, 28 Pa. Code Chapter 9 and the Department of Insurance HMO Regulations, 31 Pa. Code Chapter 301.

The proposed service area of the applicant is Delaware, Philadelphia, Montgomery, Chester and Bucks Counties.

A copy of the application is available for public inspection by appointment only at the following locations:

Department of Health, Bureau of Health Care Financing, Room 1030 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5193; or Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

Interested parties are invited to submit written comments, suggestions or objections within 30 days of the publication of this notice to James L. Ratcliff, Department of Health or Carolyn Smith, Insurance Department at the above listed addresses. Persons with a disability may submit comments, suggestions and objections in alternative formats, such as by audio tape, braille or using the Department of Health's TDD; (717) 783-6514. Persons with a disability who require alternative arrangements to inspect the application should contact either James L. Ratcliff or Carolyn Smith.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-150. Filed for public inspection January 31, 1997, 9:00 a.m.]

Termination of Certificate of Need Program

On December 18, 1996, those provisions of the Health Care Facilities Act relevant to the Certificate of Need (CON) program terminated. (35 P.S. § 448.904(a)). On December 21, 1996, the Department of Health (Department) published notice that it would undertake a review of those clinically related health services covered under the CON program. (26 Pa.B. 6029).

The Department has commenced this review. Work groups have been established to review the relevant chapters of the State Health Services Plan and to determine if any criteria in these chapters discussing quality assurance and patient safety should be added to existing regulations of the Department regarding licensure of health care facilities.

Work group recommendations concerning six of these health care services will be presented to the Secretary of Health by February 5, 1997. These six services are: 1) ambulatory surgical care, 2) cardiac catheterization, 3) long-term care, 4) neonatal care, 5) open heart surgery, and 6) vital organ transplantation. Those individuals who wish to obtain a copy of these recommendations should contact James T. Steele at (717) 783-2500.

The Department will hold a public meeting on these recommendations on February 11, 1997, at the Pennsylvania State Museum, Main Auditorium, Third and North Streets, Harrisburg, PA, commencing at 10 a.m. Any person who wishes to present testimony at this meeting should contact Robin Bowman at (717) 783-2500 on or before February 10, 1997. Written comments will be received by the Department until close of business on February 14, 1997, and should be sent to James T. Steele, Department of Health, Room 806 Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108. Persons with a disability may submit comments in alternative formats, such as by audio tape or braille.

For additional information, or for persons with a disability who desire to attend the meetings and require an

auxiliary aid, service or other accommodation to do so, contact Robin Bowman at (717) 783-2500. TDD: (717) 783-6514 or Network/TDD: (8) (717) 433-6514.

Recommendations regarding the remaining services will be made public at a later date.

DANIEL F. HOFFMANN, FACHE,
Acting Secretary

[Pa.B. Doc. No. 97-151. Filed for public inspection January 31, 1997, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lucky Clover Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Lucky Clover.

2. *Price:* The price of a Pennsylvania Lucky Clover instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Lucky Clover instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$1⁰⁰ (ONE), \$3⁰⁰ (THREE), \$7⁰⁰ (SEVEN), \$17\$ (SEVENTEEN), \$31\$ (THIRTON), \$100\$ (ONE HUN), \$317\$ (TRESEVNT) and a Clover Symbol (CLOVER).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$6, \$7, \$14, \$17, \$31, \$34, \$62, \$100 and \$317.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 5,166,000 tickets will be printed for the Pennsylvania Lucky Clover instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$317\$ (TRESEVNT) in the "Play Area" on a single ticket, shall be entitled to a prize of \$317.

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

(c) Holders of tickets with two matching play symbols of \$31\$ (THIRTON), and a Clover play symbol (CLOVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$62.

(d) Holders of tickets with three matching play symbols of \$31\$ (THIRTON) in the "Play Area" on a single ticket, shall be entitled to a prize of \$31.

(e) Holders of tickets with two matching play symbols of \$17\$ (SEVENTEEN), and a Clover play symbol (CLOVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$34.

(f) Holders of tickets with three matching play symbols of \$17\$ (SEVENTEEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$17.

(g) Holders of tickets with two matching play symbols of \$7⁰⁰ (SEVEN), and a Clover play symbol (CLOVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$14.

(h) Holders of tickets with three matching play symbols of \$7⁰⁰ (SEVEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$7.

(i) Holders of tickets with two matching play symbols of \$3⁰⁰ (THREE), and a Clover play symbol (CLOVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$6.

(j) Holders of tickets with three matching play symbols of \$3⁰⁰ (THREE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets with two matching play symbols of \$1⁰⁰ (ONE), and a Clover play symbol (CLOVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with three matching play symbols of \$1⁰⁰ (ONE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1.

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

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,166,000 Tickets</i>
3-\$1	\$1	1:10	516,600
2-\$1 + Clover	\$2	1:20	258,300
3-\$3	\$3	1:200	25,830
2-\$3 + Clover	\$6	1:200	25,830
3-\$7	\$7	1:400	12,915
2-\$7 + Clover	\$14	1:200	25,830
3-\$17	\$17	1:300	17,220
2-\$17 + Clover	\$34	1:1,200	4,305
3-\$31	\$31	1:800.06	6,457
2-\$31 + Clover	\$62	1:800.06	6,457
3-\$100	\$100	1:4,002	1,291
3-\$317	\$317	1:52,714	98

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

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

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

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

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 97-152. Filed for public inspection January 31, 1997, 9:00 a.m.]

Pennsylvania Bowling for Bucks Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Bowling for Bucks.

2. *Price:* The price of a Pennsylvania Bowling for Bucks instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Bowling for Bucks instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: Ball Symbol (BALL), Chips Symbol (CHIPS), Hot Dog Symbol (HOT DOG), Pin Symbol (PIN), Popcorn Symbol (POPCORN), Pretzel Symbol (PRETZEL), Score Symbol (SCORE), Shoes Symbol (SHOES), Soda Symbol (SODA), Pencil Symbol (PENCIL), Burger Symbol (BURGER) and Trophy Symbol (TROPHY).

4. *Prizes:* The prizes that can be won in this game are one free ticket, \$2, \$5, \$10, \$20, \$40, \$100, \$200, \$500 and \$10,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 5,310,000 tickets will be printed for the Pennsylvania Bowling for Bucks instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with ten matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with nine matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with eight matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$200.

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

(e) Holders of tickets with six matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with five matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with four matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

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

(i) Holders of tickets with two matching Pin Symbol (PIN) play symbols in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with one matching Pin Symbol (PIN) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of one Pennsylvania instant lottery game ticket of equivalent sale price which is currently on sale, plus an entry into a Semifinal Grand Prize Drawing to qualify for a Grand Prize Drawing with prizes of \$5,000, \$50,000, \$75,000, \$100,000, or an annuity worth \$1 million (\$50,000 a year for 20 years).

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

7. Grand Prize Drawing Procedure:

(a) Frequency.

(1) Grand Prize Drawings will be held on dates to be determined by the Secretary. The dates and locations will be announced by the Director.

(2) From the commencement of the Pennsylvania Bowling for Bucks until the deadline announced by the Director, there will be ten Grand Prize finalists selected for each Grand Prize Drawing. Grand Prize finalists will be selected in Semifinal Grand Prize Drawings on dates to be determined by the Secretary and announced by the Director.

(b) *Eligibility for Semifinal Grand Prize Drawings.* To be eligible for a Semifinal Grand Prize Drawing, a winner having a free winning ticket shall timely claim it at a participating Lottery sales retailer and properly complete the back of the ticket. The ticket claimed shall meet the ticket criteria under 61 Pa. Code § 819.213 (relating to ticket validation and requirements) to be eligible for a Semifinal Grand Prize Drawing.

(1) The Lottery will make a reasonable effort to ensure that a redeemed free winning ticket is entered into one of the Semifinal Grand Prize Drawings. The Lottery assumes no responsibility for a lost or misplaced redeemed ticket not entered into a Semifinal Grand Prize Drawing.

(2) A redeemed free winning ticket is eligible for only one Semifinal Grand Prize Drawing. A ticket that is not in one eligible group of redeemed free winning tickets may, at the discretion of the Director, remain eligible for a subsequent Semifinal Grand Prize Drawing.

(3) If a ticket is rejected during or following a Semifinal Grand Prize Drawing, the sole remedy is to select another ticket to replace the rejected ticket in accordance with Lottery procedure.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(c) *Manner of conducting Semifinal Grand Prize Drawings.*

(1) Periodically, as determined by the Secretary and announced by the Director, a Semifinal Grand Prize Drawing will be held using eligible redeemed free winning tickets. Ten finalists will be selected from an eligible group of tickets entered in the drawing. For the purpose of the drawing, each of the eligible groups of redeemed

free winning tickets will be further divided into subgroups and placed in containers, with each container assigned a code depending on the number of containers used.

(2) With the aid of mechanical or automatic drawing equipment, ten container codes will be selected. The codes will determine the containers from which the ten finalists' tickets will be ultimately selected. One winning finalist ticket will be drawn from the first container selected. One winning ticket will then be selected from the second selected container and this procedure will be repeated until ten finalists have been selected for each Grand Prize Drawing.

(d) *Manner of conducting Grand Prize Drawings.*

(1) Following the selection of the ten finalists as described in subsection (c), there will be Grand Prize Drawings held at the discretion of the Director.

(2) The Lottery will award the following prizes to the eligible finalists in each of the Grand Prize Drawings:

<i>Grand Drawing Prizes</i>	<i>No. of Winners</i>	<i>Amount</i>
Grand Prize	1	\$1 million-annuity, or \$100,000, or \$75,000, or \$50,000
Consolation Prize	9	\$5,000

(e) *Procedure for conducting Grand Prize Drawings.*

(1) At a Grand Prize Drawing, a mechanical device in the shape of two concentric wheels will be used, a smaller wheel directly in front of a larger wheel. The larger wheel will have ten spaces each marked with a letter, "a" through "j," inclusive, inscribed clockwise in alphabetical order. The names of the selected ten finalists will be placed on the larger wheel in the order that they were selected beginning with the space marked letter "a" and continuing alphabetically through the letter "j," inclusive.

(2) The smaller wheel will contain designated amounts of \$1 million—annuity, \$100,000, \$75,000 and \$50,000.

(3) The wheels will be spun and when the wheels stop, the name of the finalist on the larger wheel will be identified as the Grand Prize Drawing winner and will be entitled to the prize indicated on the smaller wheel.

(4) The nine finalists whose names remain will receive a consolation prize of \$5,000 each.

(5) The Grand Prize Drawing winner shall receive the amount indicated, and if that amount is the top grand prize of an annuity worth \$1 million, that prize will be payable in 20 equal annual installments of \$50,000. The payment of a top grand prize to a person who dies before receiving a prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).

(6) Prizes chosen in the Grand Prize Drawing shall be claimed within 1 year of the date of the Grand Prize Drawing.

(7) The determination of a winner will be made by the Secretary, whose judgment will be final, conclusive and binding on the finalists.

(8) Prizes are subject to Federal withholding tax provisions.

(9) Number and Description of Prizes and Approximate Odds: The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Get	Win	Approximate Odds	Approximate No. of Winners Per 5,310,000 Tickets
1 PIN	One Free ticket Plus Entry	1:10	531,000
2 PINS	\$2	1:20	265,500
3 PINS	\$5	1:60	106,200
4 PINS	\$10	1:150	35,400
5 PINS	\$20	1:300	17,700
6 PINS	\$40	1:799.94	6,638
7 PINS	\$100	1:3,998	1,328
8 PINS	\$200	1:7,997	664
9 PINS	\$500	1:132,750	40
10 PINS	\$10,000	1:1,062,000	5

8. *Retailer Incentive Awards:*

(a) *Grand Prize Bonus.* The Lottery will pay a bonus to a retailer selling a redeemed and validated winning Pennsylvania Bowling for Bucks instant lottery game ticket selected for a Grand Prize Drawing as follows:

(1) A winner of an annuity worth \$1 million (\$50,000 a year for 20 years) top grand prize entitles the selling retailer to a bonus of \$10,000.

(2) A winner of a \$100,000 grand prize entitles the selling retailer to a bonus of \$1,000.

(3) A winner of a \$75,000 grand prize entitles the selling retailer to a bonus of \$750.

(4) A winner of a \$50,000 grand prize entitles the selling retailer to a bonus of \$500.

(5) A winner of a \$5,000 consolation prize entitles the selling retailer to a bonus of \$50.

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

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

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

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

Pennsylvania Bowling for Bucks or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 97-153. Filed for public inspection January 31, 1997, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Lehigh County Project Reference No. 08430AG2048

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately five inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on S. R. 0145, Section 01B, the replacement of Treichlers Bridge, in North Whitehall and Lehigh Townships, Lehigh County, Engineering District 5-0.

This project involves replacement of the existing Treichlers Bridge with dual 8 span continuous steel girder bridges approximately 1,200 feet each in length, or alternative prestressed concrete bridges, over the Lehigh River and Consolidated Rail Corporation; also construction of approximately 3,336 linear feet of bituminous concrete base course with a bituminous binder course ID-2 and bituminous wearing course ID-2, also extension of a box culvert, mechanically stabilized earth wingwalls and abutments, and removal of existing bridge; also building demolition, guide rail upgrading, drainage improvements, traffic signals, and pavement marking.

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, drainage, guide rail, traffic signals and pavement markings.

b. Understanding of Department's requirements, policies and specifications.

c. Past performance.

d. Number of available inspectors in each payroll classification.

e. Number of NICET certified 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 employes will be reviewed and approved by the Department.

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 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 per hour of inspection for each Department Payroll Classification for calendar year 1997 will be the following rates:

<i>Payroll Classification</i>	<i>Rate Per Hour</i>
Transportation Construction Inspector Supervisor (TCIS)	\$38.90 (ST) \$44.88 (OT)
Transportation Construction Inspector (TCI)	\$34.42 (ST) \$39.28 (OT)

Maximum reimbursable rate per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting. The maximum rate per hour of inspection includes all costs to have the inspector on the project site.

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

personnel capable of climbing structures during painting, rehabilitation or construction.

Letters of interest for this project must include a letter, signed by the individuals proposed for all TCIS positions, giving their approval to use their names in the letter of interest for this specific project.

Transmittal letters for the letters of interest shall be limited to four pages or less.

The maximum number of resumes to be included with the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	4

No resumes are required on the TA classification.

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.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Technical questions concerning the requirements for this project should be directed to Brian H. Graver, District 5-0, at (610) 791-6022.

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

**Monroe County
Project Reference No. 08430AG2049**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately 11 inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on S. R. 0380, Section 01M, the restoration of Interstate Route 380 in Tobyhanna, Coolbaugh, Lehigh and Clifton Townships, Monroe, Wayne and Lackawanna Counties, Engineering District 5-0.

This project involves the rubblization of approximately 38,700 linear feet of divided roadway with type 2 rubblization, 120 inch depth plain cement concrete pavement on subbase, and type 1 and type 2 concrete shoulders on subbase; also the reconstruction of approximately 17,400 linear feet of divided roadway with 12-inch depth plain cement concrete pavement on subbase, and type 1 and type 2 concrete shoulders on subbase; also the construction of permanent median crossovers, with 12-inch depth plain cement concrete pavement on subbase; also drainage, guide rail and concrete barrier, pavement base drain, and other miscellaneous roadway items; also the construction of two live load distribution slabs over existing culverts and the redecking of two dual 3-span and one 5-span prestressed concrete box beam bridges; also signing items, pavement markings and delineators; also traffic control items; also erosion and sediment pollution control items; within a length of 66,429.45 feet (12.581 miles).

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 evalu-

ation 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, drainage, rubblizing, guide rail and signing.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of available inspectors in each payroll classification.
- e. Number of NICET certified 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)	1 (1)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (4)

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 per hour of inspection for each Department Payroll Classification for calendar year 1997 will be the following rates:

<i>Payroll Classification</i>	<i>Rate Per Hour</i>		
Transportation Construction Manager 1 (TCM-1)	\$43.96 (ST)	\$40.96 (OT)	
Transportation Construction Inspector Supervisor (TCIS)	\$38.90 (ST)	\$44.88 (OT)	
Transportation Construction Inspector (TCI)	\$34.42 (ST)	\$39.28 (OT)	

Maximum reimbursable rate per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting. The maximum rate per hour of inspection includes all costs to have the inspector on the project site.

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

Letters of interest for this project must include a letter, signed by the individuals proposed for all TCM-1 and TCIS positions, giving their approval to use their names in the letter of interest for this specific project.

Transmittal letters for the letters of interest shall be limited to four pages or less.

The maximum number of resumes to be included with the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	4
TCI	9

No resumes are required on the TA classification.

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.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Technical questions concerning the requirements for this project should be directed to Brian H. Graver, District 5-0, at (610) 791-6022.

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

**Fayette, Greene, Washington and Westmoreland Counties
Project Reference No. 08430AG2050**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately 16 inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the following six group projects:

Group Project I (12-97-SI1, Section 000) in Fayette County; Group Project II (12-97-SI1-2, Section 000) in Fayette County; Group Project III (12-97-SI-2, Section 000) in Greene County; Group Project IV (12-97-SI-4, Section 000) in Washington County; Group Project V (12-97-SI-5, Section 000) in Westmoreland County; and Group Project VI (12-97-SI5-2, Section 000) in Westmoreland 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. Number of NICET certified inspectors in each payroll classification.
- b. 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.
- c. Understanding of Department's requirements, policies and specifications.
- d. Past performance.
- e. 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 employes 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 Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (9)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

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

- 1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the level required for the Inspection Classification.

- 2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

- 3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

- 4. Hold a Bachelor of Science degree in Civil Engineering or a Bachelor of Science degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

- 5. Hold an Associate degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year 1997 will be the following rates:

<i>Payroll Classification</i>	<i>Rate Per Hour</i>	
Transportation (TCI)	\$34.42 (ST)	\$39.28 (OT)
Construction Inspector		
Technical Assistant (TA)	\$24.60 (ST)	\$27.00 (OT)

Maximum reimbursable rate per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting. The maximum rate per hour of inspection includes all costs to have the inspector on the project site.

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

Transmittal letters for the letters of interest shall be limited to four pages or less.

The maximum number of resumes to be included with the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	18

No resumes are required on the TA classification.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Michael H. Dufalla, P.E., District Engineer, Engineering District 12-0, P. O. Box 459, North Gallatin Avenue Extension, Uniontown, PA 15401.

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

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

**Bradford County
Project Reference No. 08430AG2051**

The Department of Transportation will retain an engineering firm for environmental studies, preliminary engi-

neering, final design and engineering services during construction for S. R. 1056, Section 001, a proposed bridge replacement or rehabilitation project. The existing bridge, a National Register eligible historic resource, spans the north branch of the Susquehanna River in Athens Borough and Athens Township, Bradford County. The estimated construction cost is \$4.6 million.

The selected firm will be required to provide environmental studies such as wetland delineations evaluations, and mitigation; cultural resources evaluations; hazardous waste assessments; and preparation of an Environmental Assessment/Programmatic 4(f) document. Engineering services will include, but not be limited to: field surveys; utility coordination; alignment studies; hydrologic and hydraulic analysis; roadway drainage design; core boring inspection; foundation analysis and design; right-of-way plans; erosion and sediment pollution control plan; maintenance and protection of traffic plan; signing and pavement marking plan; structure drawings; pavement design; and final construction plans, specifications and estimates. Engineering services during construction will include shop drawing reviews and consultation services.

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.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Paul E. Heise, P.E., District Engineer, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754-0218.

Technical questions concerning the requirements for this project should be directed to Russell E. Campbell, P.E., District 3-0, at (717) 368-4380.

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

General Requirements and Information

Firms interested in providing the above work and services are invited to submit two copies of a letter of interest and required forms for each Project Reference Number for which the applicant wishes to be considered.

One copy of the letter of interest and required forms must be submitted to Director, Bureau of Design, Consultant Selection Committee, Forum Place, 555 Walnut Street, 7th Floor, Harrisburg, PA 17101-1900.

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. prevailing time of the thirteenth day.

The second copy of the letter of interest and required forms must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

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

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

Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal.

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 the following:

1. The project reference number for which the applicant wishes to be considered.
2. The firm's legal name, factious name (if applicable), and the firm's Federal identification number.
3. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate the names and license number of individuals who are directing heads or employes of the firm who is responsible of the firm's engineering activities, and whose names and seal shall be stamped on all plans, specifications, plats and reports issued by the firm.
4. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project." The Standard Form 255 must be signed, dated and filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project.

If a Disadvantage Business Enterprise (DBE) goal is specified for the project the DBE must be currently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item No. 6.

If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

5. Standard Form 254, "Architect-Engineer for Related Services Questionnaire" 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 of a Company, unless an acceptable Standard Form 254 for the firm and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office of Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the letter of interest the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

6. A "Workload Projection" form for the prime and each subconsultant/subcontractor. The "Workload Projection" form should indicate the firm's current and anticipated workload compared to the anticipated capacity available during the agreement projected time frame.

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

8. The latest audited overhead rate of the prime consultant and each subconsultant.

The assignment of the agreement/contract for the above advertisements will be made to one of the firms who submitted an acceptable letter of interest in response to this project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 97-154. Filed for public inspection January 31, 1997, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

National Waste Disposal, Inc. v. DEP; EHB Doc. No. 96-046-MG

The Department of Environmental Protection (Department) and National Waste Disposal, Inc. (National Waste) have agreed to a settlement of the above matter.

National Waste, now known as Longview of Mercer County, Inc. is a New Jersey Corporation registered to do

business in the Commonwealth of Pennsylvania and has a registered address of c/o Prentice Hall System, Inc., 100 Pine Street, Harrisburg, PA 17108.

On September 30, 1994, the Department issued an administrative order (Order) to National Waste, Donald M. Simons (Simons) and J. J. H. Maguire, Inc. (Maguire) requiring them to immediately cease and desist acceptance, disposal and transfer of all solid waste at a facility located at Silvi Avenue and Bristol Pike, Bristol Township, Bucks County, PA, and properly remove and dispose of the colored mixed glass mixed with solid waste. The Order also contained an assessment of civil penalties for violations of the Solid Waste Management Act against National Waste, Simons and Maguire. Longview of Mercer County, Inc., on behalf of National Waste, filed an appeal with the Environmental Hearing Board (EHB) from the Department's issuance of the permit. The appeal was docketed at EHB Docket No. 96-046-MG.

The parties have agreed to a settlement, the major provisions of which are:

(1) Longview of Mercer County, Inc. shall properly remove and dispose of the mixed colored glass mixed with municipal waste within 270 days of the date of execution of the Consent Adjudication;

(2) Longview of Mercer County, Inc. shall submit monthly status reports to the Department detailing the progress made toward the removal of the mixed colored glass mixed with municipal waste;

(3) Longview of Mercer County, Inc. agrees to pay a civil penalty of \$15,983 for the alleged violations of the Order; and

(4) Longview of Mercer County, Inc. agrees to dismissal of its appeal at this docket subject only to the terms and conditions expressed herein.

Copies of the full Consent Adjudication are in the hands of:

Joseph J. McGovern, Esquire, Blank, Rome, Comisky & McCauley, Four Penn Center Plaza, Philadelphia, PA 19103-2599, (215) 569-5555;

Peter J. Yoon, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel—Southeast Region, Lee Park, 555 East North Lane, Suite 6015, Conshohocken, PA 19428-2233, (610) 832-6300;

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 may have the right of an appeal to the Environmental Hearing Board, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Second Floor, Harrisburg, PA 17105-8457.

Appeals must be filed within 20 days of this publication. The Environmental Hearing Board is empowered to approve this Consent Adjudication if no objection is timely made.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 97-155. Filed for public inspection January 31, 1997, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Agenda

Executive Order 1996-1, which was signed by Governor Ridge on February 6, 1996, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the second publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
Pa. Code Title VI Chapter 11 Older Adult Daily Living Centers	July 1997, as proposed.	This regulation is in the process of review by interested parties. The review is occurring as a result of Executive Order 1996-1.	Robert Hussar 717-783-8975
Pa. Code Title VI Chapter 22 Pharmaceutical Assistance Contract For the Elderly	December 1997, as proposed.	This regulation is in the process of review as a result of Executive Order 1996-1 and the recent passing of House Bill 544, Act 134 of 1996.	Robert Hussar 717-783-8975
Pa. Code Title VI Chapter 21 Domiciliary Care Services for Adults	December 1997, as proposed.	This regulation is in the process of review by interested parties. The review is occurring as a result of Executive Order 1996-1.	Robert Hussar 717-783-8975
Pa. Code Title VI Chapter 15 Protective Services For Older Adults	December 1997, as proposed.	This regulation is being reviewed as a result of Executive Order 1996-1 and the recent passing of House Bill 304 which is Act 169 of 1996.	Robert Hussar 717-783-8975
AGRICULTURE			
Tuberculosis/Brucellosis 7 Pa. Code Chapters 3, 5, 7, 8, 9	March 1997, as final.	This regulation would delete certain tuberculosis and brucellosis testing and documentation requirements currently imposed upon owners or transporters of cattle, goats and bison. Elimination of these diseases in the Commonwealth has reduced the necessity of testing. This regulation will facilitate intrastate commerce of these animals, and will allow the Department to redirect its resources more efficiently. Section 1702 of the Administrative Code of 1929 (71 P. S. § 442) comprises the statutory basis for the regulation.	Dr. Phillip DeBok (717) 783-8300
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e	December 1997, as final.	The regulation will address agricultural conservation easement appraisal standards, minimum criteria for easement purchases, procedures by which counties assign a numerical ranking to applicant farmland owners, subdivision procedures and requirements for land under easement and procedures by which individual county easement purchase programs may be recertified by the State Agricultural Land Preservation Board.	Raymond Pickering (717) 783-3167

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
"Clean and Green" Regulations 7 Pa. Code Chapter 137	June 1998, as proposed.	County Assessors have primary enforcement authority under the "Clean and Green" Act (72 P. S. §§ 5490.1—5490.13), and favor a revision of current regulations to promote uniform and consistent interpretation and enforcement of the Act statewide. The current regulations have not been revised in 15 years. The Pennsylvania Farmland and Forest Land Assessment Act of 1974, known commonly as the "Clean and Green" Act (72 P. S. §§ 5490.1—5490.13) is the statutory basis for the regulation.	Raymond Pickering (717) 783-3167
Consolidation/Update of Retail Food Store Regulations	December 1997, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. §§ 20.1—20.18) is the statutory basis for this regulation.	Charles Radle (717) 772-3234
Maple Products	June 1998, as proposed.	This regulation is required by the Maple Products Act (3 Pa.C.S. §§ 6101—6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Charles Radle (717) 772-3234
Harness racing commission	September 1998, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186-190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Richard Sharbaugh (717) 787-5196
Horse racing commission.	No publication anticipated in next 12 months.	This commission plans an update of its regulatory authority (at 58 Pa. Code Chapters 161, 163, 165, 167, 171 and 173), for the same general reasons and on the basis of the same statutory authority cited by the Harness Racing Commission, above.	Ben Nolt (717) 787-1942
Bureau of Market Development. Standards for Grading Veal Calves.	September 1997, as proposed.	The regulation would bring the Commonwealth's standards for grading veal calves into conformity with USDA standards. The regulation would amend current regulatory authority at 7 Pa. Code Chapter 101 by deleting standards for grading veal calves and adopting USDA standards by reference.	Richard McDonald (717) 787-5319
Plant Industry Regulations Land application of soil & groundwater contaminated with agricultural chemicals.	January 1998, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § 6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands.	David Bingaman (717) 787-4843

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Farm Safety and Occupational Health Grant Program.	February 1997, as proposed.	This regulation is needed to replace an existing statement of policy published in the March 16, 1996 <i>Pa. Bulletin</i> . This regulation would formalize the statement of policy by which the Farm Safety and Occupational Health Grant Program operates. The Program awards grants to fund projects to increase the knowledge and awareness of farm safety measures and occupational health issues among the Commonwealth's rural youth.	John Tacelosky (717) 787-4843
Fruit Tree Improvement Program.	December 1997, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/ insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609
Certification of Virus-Tested Geraniums.	September 1997, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa. Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically- important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609
Noxious Weeds	March 1997, as final.	This regulation is necessary to remove <i>Chichorium intybus</i> ("Chicory"), a valuable forage crop for cattle, from the noxious weed control list and to add <i>Lythrum salicaria</i> ("Purple loosestrife"), a nonindigenous wetland plant, to that list. This regulation was published in proposed form at 26 Pa.B. 1558 (April 6, 1996). The regulation will allow the Secretary to address the problems caused by purple loosestrife, a nonindigenous wetland plant that clogs waterways and crowds out native plant and animal species.	Lyle Forer (717) 772-5203
Dog Law	June 1998, as proposed	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 21, 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et. seq.) is the statutory basis for this regulation.	Richard Hess (717) 787-4833

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Rides and Measurement Standards	July 1998, as proposed.	Senate Bill 509 of 1996 was enacted into law as the Consolidated Weights and Measures Act at 3 Pa.C.S. §§ 4101—4193). This statute will necessitate regulatory revisions. This regulation is a long-term project intended to update regulatory authority. The Consolidated Weights and Measures Act (3 Pa.C.S. §§ 4101—4193) is the statutory basis for the regulation.	Charles Bruckner (717) 787-6772
<i>BANKING</i>			
Pawnbrokers License Act regulations.	March 1997, as proposed.	The amendments to the Pawnbrokers License Act, 63 P. S. § 281-1 et seq., require that the Department hold a hearing regarding all initial pawnbroker applications, add grounds pursuant to which an application may be rejected, require newspaper publication of notice of renewal applications, permit charges to cover reporting relating to any pledge required by any governmental unit. The amendments also require that regulations shall include minimum start-up and operating capital requirements, annual report filing requirements, and any other financial record-keeping requirements. The regulations for capital requirements are required by statute. The major additional regulations needed would establish and announce the procedure and requirements related to initial pawnbroker application hearings.	Reginald Evans (717) 787-1471
Credit Services Act regulations.	March 1997, as proposed.	Section 8 of the Act, 73 P. S. § 2188, provides that loan brokers shall be registered with the Department of Banking pursuant to regulations promulgated by the Department. The annual registration fee is \$300. The regulations are required by the statute in order to establish and announce the regulatory registration procedure applicable to loan brokers.	Valentino DiGiorgio (717) 787-1471
Secondary Mortgage Loan Act regulations.	No publication anticipated in next six months.	The Secondary Mortgage Loan Act ("SMLA"), 7 P. S. § 6601 et seq., was passed in 1980 and most recently amended by Act 15 of 1995. The Department is evaluating the need for regulatory guidance to be provided to second mortgage residential lenders and brokers under the SMLA.	Laurie Schnarrs (717) 787-1471
"Incidental Powers" regulations under the Banking Code of 1965.	No publication anticipated in next six months.	Section 315(i) of Banking Code of 1965, as amended ("Banking Code"), 7 P. S. § 315(i), provides Pennsylvania state-chartered banks with "all powers incidental to the conduct of banking business." Section 103(b) of the Banking Code, 7 P. S. § 103(b), provides authority for the Department to promulgate regulations. Due to numerous developments in the banking industry, the Department is evaluating the need for regulatory guidance to be provided to the banking industry that would list incidental powers and provide the ability to apply to the Department for determinations of possible additional incidental powers.	Laurie Schnarrs (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Consumer Discount Company Act regulations.	No publication anticipated in next six months.	The Department will evaluate the need to amend existing regulations for the Consumer Discount Company Act, 7 P. S. § 6201 et seq., which was most recently amended by Act 80 of 1996.	Valentino DiGiorgio (717) 787-1471
Money Transmitters License Act regulations.	No publication anticipated in next six months.	The Department will evaluate the need to amend existing regulations for the Money Transmitters License Act, 7 P. S. § 6101 et seq., which was most recently amended by Act 79 of 1996.	Valentino DiGiorgio (717) 787-1471
Motor Vehicle Sales Finance Act regulations.	No publication anticipated in next six months.	The Department will evaluate the need to amend existing regulations for the Motor Vehicle Sales Finance Act, which was most recently amended by Act 122 of 1996.	Laurie Schnarrs (717) 787-1471
Repeal of Various Regulations in 10 Pa. Code .	March 1997, as proposed.	The Pennsylvania Department of Banking, under the authority contained in sections 201 and 202 of the Department of Banking Code, as amended, 71 P. S. §§ 733-201; 733-202, section 103 of the Banking Code of 1965, as amended, 7 P. S. § 103, and section 12 of the Consumer Discount Company Act, 7 P. S. § 6212, proposes to eliminate the following regulations: 10 Pa. Code §§ 13.2(b),(c); 13.3(b); 41.3(i); Chapter 11; Chapter 17; Chapter 35.	Valentino DiGiorgio (717)787-1471
BOARD OF PARDONS			
Board Operating Procedure 37 Pa. Code, Chapter 8	April 1997, as proposed.	The regulations are being reviewed and revised to comply with Acts of 1995, Special Session 1, Nos. 15 & 16, and to reflect the current practices of the Board in regulation.	Nelson Zullinger (717) 787-2596
BUDGET			
No regulations being developed or considered at this date.			
COMMUNITY & ECONOMIC DEVELOPMENT			
Site Development Program 13 Pa. Code Chapter 9 Communities Facilities Program 13 Pa. Code Chapter 11 Site Recovery Program 13 Pa. Code Chapter 13 Statistics and Information 13 Pa. Code Chapter 41 Nursing Home Loan Agency Program 13 Pa. Code Chapter 53 Sunny Day Program 13 Pa. Code Chapter 71	Spring 1997, as proposed.	All of these regulations are being repealed within one proposed regulation, because the programs are either obsolete or unnecessary.	Jill B. Busch (717) 720-7314

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Industrialized Housing and Components 16 Pa. Code Chapter 29	Spring 1997, as final.	The regulations will finalize the changes initiated in the proposed regulations, which sought to amend § 29.42 to permit manufacturers to utilize either the previous or new CABO stair geometry standards, and to amend §§ 29.41, 29.43, 29.44, 29.56 and 29.12 to clarify questions concerning those standards and alternate standards that are in effect for industrialized housing under the regulations and to clarify procedures for amending those standards and alternate standards.	Jill B. Busch (717) 720-7314
Private Activity Bonds	Spring 1997, as proposed.	This regulation will permit the Department of Community and Economic Development to publish as a notice in the <i>Pennsylvania Bulletin</i> the annual allocation of the state ceiling on the aggregate amount of private activity bonds that may be issued in each calendar year by or on behalf of the Commonwealth and its political subdivisions.	Jill B. Busch (717) 783-8452
COMMISSION ON CRIME AND DELINQUENCY			
Constables Education and Training Board—Issuance and Certification Numbers	Fall 1997, as proposed.	The proposed new regulation: (1) will address when certification numbers will be issued to persons who successfully complete the basic training course, but are not yet constables and (2) when a constable will be placed in an inactive status.	Stephen Spangenberg (717) 787-1777
37 Pa. Code § 401.11—Operating procedures	Fall 1997, as proposed.	The current regulation which specifies that the Commission will hold its regular meetings in the auditorium of the William Penn Memorial Museum in Harrisburg, Pennsylvania is obsolete. The proposed regulation will strike this language and will add that regular meetings will be held at locations as the Chairman may designate.	Richard Reeser (717) 787-8559
37 Pa. Code § 401.12—Conflict of Interest	Fall 1997, as proposed.	The proposed regulation amendment will change from “LEAA funds” to “federal or state funds.” This amendment is necessary because LEAA funds no longer exist.	Richard Reeser (717) 787-8559
37 Pa. Code § 405.3—Juvenile Justice Act Funding Transition	Fall 1997, as proposed.	This regulation will be deleted as it is now obsolete.	Richard Reeser (717) 787-8559
37 Pa. Code § 405.4	Fall 1997, as proposed.	This regulation will be deleted as it is no longer applicable due to a change in federal programs.	Richard Reeser (717) 787-8559
37 Pa. Code § 407.12—Reconsideration procedure	Fall 1997, as proposed.	This regulation will be deleted as the Judicial Planning Committee no longer exists.	Richard Reeser (717) 787-8559
CONSERVATION & NATURAL RESOURCES			
Conservation of Native Wild Plants	March 1997, as proposed.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Daniel A. Devlin (717) 787-3444

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Forest Rules and Regulations	February 1997, as proposed.	This proposal is an update of existing regulations regarding conduct on State Forest land. The legal basis for these regulations is Section 301 of Act 18 of 1995. This update also includes changes to improve compliance where roads are closed to vehicular access, to provide for better protection of designated hiking trails, and to establish special activity agreements for commercial use of state forest roads.	Warren A. Ely (717) 787-2014
<i>CORRECTIONS</i>			
Motivational Boot Camp Act 61 P. S. Section 1221 et seq.	August 1997, as proposed.	The regulations will address boot camp administration, establishment of selection committees, inmate selection criteria, programming and supervision, inmate discipline and staff training.	Ted Shumaker (717) 975-4865
Prison Medical Service Program	April 1997, as proposed.	The regulations are mandated by the Prison Medical Service Act, of May 16, 1996, Act No. 1996-40, and will enable the Department to require inmates to pay a fee for medical services. The regulations will describe the services which will and will not be subject to a fee, establish the fees and provide a mechanism for collection of the fees.	Ted Shumaker (717) 975-4865
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	October 1997, as proposed.	The regulation will be revised to eliminate unnecessary regulations and modernize necessary regulations, particularly those affecting the transfer of inmates between state and county correctional facilities.	Ted Shumaker (717) 975-4865
<i>EDUCATION</i>			
Pupil Personnel Services Pupil Attendance Students 22 Pa. Code Chapters 7, 11, 12	February 1997, as proposed.	These proposed revisions to existing chapters of regulations are necessary to align provisions of Chapter 12 in compliance with recently-enacted legislation and court decisions; to accurately reflect current practices; delete nonregulatory language; and eliminate non-regulatory provisions. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, Sections 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Special Education Services and Programs 22 Pa. Code Chapter 14	September 1997, as proposed	These regulations are necessary to establish procedures for the identification of students who are in need of special education services and programs and to set forth requirements and procedures for the delivery of those services and programs. The review of these current regulations will focus on current federal and state law regarding special education services and programs to ensure compliance, consistent and accurate terminology and application of existing provisions.	Peter Garland (717) 787-3787
School Buildings 22 Pa. Code Chapter 21	April 1997, as proposed.	These regulations are necessary to provide uniform standards and procedures for seeking Departmental approval in school building projects. The proposed revisions are necessary to provide clarification and to reflect current practice. These revisions are proposed under authority of the Public School Code of 1949 (P. L.30, No.14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Higher Education General Provisions Foreign Corporation Standards Institutional Approval 22 Pa. Code Chapters 31, 36, 40	March 1997, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions to Chapters 31 and 40 are necessary to clarify the intent of the chapters and to modify the time frame during which new institutions must achieve accreditation. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No.14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Branch Campuses for State-supported Institutions Program Approval 22 Pa. Code Chapters 34, 42	May 1997, as proposed.	These regulations are necessary to establish procedures for the approval of branch campuses and for the approval of programs offered by institutions. Review and revision are necessary to ensure that the regulations are consistent with current practice and terminology. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Extended School Year Services 22 Pa. Code, Chapter 14, §§ 14.1, 14.34 & Chapter 342, § 342.34	February 1997, as proposed.	These revisions are proposed under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B. These amendments are necessary to ensure that Commonwealth regulations and standards are consistent with federal law and judicial decisions affecting extended school year services for eligible students and to provide guidance to local educational agencies when determining whether or not eligible students under Chapter 14 are entitled to extended school year services. Additional legal basis is found in 20 U.S.C. Section 1400 et seq. known as the Individuals with Disabilities Education Act, and implementing regulations at 34 CFR Part 300.	William Penn (717) 783-2311
Certification of Professional Personnel 22 Pa. Code Chapter 49	February 1997, as proposed.	These regulations and revisions are necessary to ensure that those individuals preparing to be teachers receive a quality education and are competent to teach in the disciplines and areas for which they are certified. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Private Driver Training Schools 22 Pa. Code Chapter 101	April 1997, as proposed.	These regulations provide an updated set of rules and regulations for private driver training schools. The current regulations were adopted in 1970.	Robert Roush (717) 783-6595
22 Pa. Code Chapter 335	February 1997, as final.	24 P. S. § 19-1913-A9(b)(1.2), which states in part that "The Secretary of Education, in consultation with the community colleges, shall promulgate standards for credit courses and for noncredit courses that will be eligible for Commonwealth reimbursement. The standards shall specifically exclude from eligibility for reimbursement any course or program in a vocational or recreational pursuits."	Barbara Senior (717) 787-4313
<i>EMERGENCY MANAGEMENT AGENCY</i>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ENVIRONMENTAL PROTECTION			
Special Protection Waters (Antidegradation) Program Clean Streams Law	January 1997, as proposed to the Environmental Quality Board (EQB).	The proposal has been developed to streamline and improve the existing program and to address EPA disapproval issues. The Department utilized a regulatory negotiation (Reg Neg) process to develop program changes; however, expediting the regulation changes has been given a high priority as a result of a Federal Court order that EPA promulgate Federal regulations to correct program disapproval issues. The Reg Neg Group included representatives of conservation groups, the regulated community, public interest groups and government. The Air and Water Quality Technical Advisory Committee (AWQTAC) has been briefed periodically on the status of the Reg Neg process and this proposal.	Carol Young, 717-787-8104
Stream Redesignation—French Creek, et al. Clean Streams Law	January 1997, as proposed to the EQB.	This proposal evaluates 18 water bodies in 18 counties for addition, deletion or modification to the Special Protection use designations or for addition of use designations for streams which were not previously listed in Chapter 93. The changes will allow wastewater treatment requirements for dischargers to be consistent with water uses actually or potentially supportable by these streams. French Creek (Chester County), Sutton Creek (Luzerne County), Cedar Run and Slate Run (Lycoming and Tioga Counties), Cove Creek (Bedford County), and Trout Run (York County) were evaluated as a result of petitions submitted to the Environmental Quality Board (EQB).	Tom Barron, 717-787-9637
Storage Tank Technical Standards Storage Tank and Spill Prevention Act	April 1997, as final to the EQB.	This proposal consists of definitional changes, the removal of language adopting the Federal underground storage tank regulations which are proposed to be codified in new Subchapter E, adoption by reference of the Federal regulations relating to lender liability, and the creation of new subchapters to establish a permitting program for storage tanks as well as separate technical and operational standards for aboveground storage tanks. The EQB adopted the proposed rulemaking in April 1996; it was published in the <i>Pennsylvania Bulletin</i> on June 29 with a 60-day public comment period closing August 28. A public hearing was held on August 7 in Harrisburg. The Storage Tank Advisory Committee (STAC) participated in the development of this rulemaking.	Karl Sheaffer, 717-772-5800
Corrections to Drainage Lists Clean Streams Law	March 1997, as final to the EQB.	This proposal contains corrections to several stream listings found in Chapter 93 in response to requests from DEP regional staff, the Pennsylvania Fish and Boat Commission, and the public. These nonsubstantive, corrective amendments address all or portions of streams found in 14 of the 26 drainage lists.	Tom Barron, 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 93—Modifications to Water Quality Standards Clean Streams Law	February 1997, as proposed to the EQB.	These revisions will address several of the principles of the Regulatory Basics Initiative and Executive Order 1996-1 and will incorporate changes needed to implement the Federal Great Lakes Water Quality Initiative (GLI). The AWQTAC and interested stakeholders in the Great Lakes Basin (for those revisions prepared to implement the GLI) will be consulted in the development of this rulemaking.	Edward Brezina, 717-787-9637
Stream Redesignations—Maiden Creek, et al. Clean Streams Law	May 1997, as proposed to the EQB.	This proposal evaluates several water bodies for addition, deletion, or modification to the Special Protection use designations. Maiden Creek in Berks County will be evaluated in response to a petition submitted to the Environmental Quality Board.	Tom Barron, 717-783-3638
Chapters 91 & 94—Modifications to NPDES Program Rules, Water Quality Management Permitting Rules and General Water Quality Management Provisions Clean Streams Law	April 1997, as proposed to the EQB.	These revisions will address all of the principles of the Regulatory Basics Initiative. The AWQTAC will be consulted in the development of this rulemaking.	Stuart Gansell, 717-787-8184
Chapter 103, Municipal Financial Assistance Clean Streams Law	February 1997, as proposed to the EQB.	These revisions will eliminate obsolete provisions relating to the Federal sewerage construction grants program due to the phase-out of the Federal program, and update regulations relating to the use of Land and Water Conservation Act funds for municipal sewerage needs. There is currently no advisory committee established to review these funding programs.	Tony Maisano, 717-787-6744
Act 149 Sewage Facilities Amendments Act 149 amendments to the Sewage Facilities Act (Act 537)	March 1997, as final to the EQB.	The second of two rulemakings to address Act 149 amendments, this proposal offers local agencies incentives by increasing reimbursement for qualifying municipalities to administer on-lot system permitting programs and delegating the new land development planning program to local agencies. The proposal includes several exemptions and waivers from current requirements and makes numerous changes to local agency permitting procedures. Six public hearings were held throughout Pennsylvania during the 60-day public comment period which closed May 29. The SAC has been involved in the development of this rulemaking.	Milt Lauch, 717-787-3481
Stream Redesignations—Tinicum Creek, et al. Clean Streams Law	March 1997, as final to the EQB.	Eleven streams were studied in this proposal. Five streams—Tinicum, Unami, Pine, Sideling Hill, and Lofty Creeks—were studied as a result of petitions. With the exception of Lofty Creek, which was recommended to retain its current designation of Cold Water Fishes, all streams would be provided Special Protection status.	Tom Barron, 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 102, Erosion Control Clean Streams Law	March 1997, as proposed to the EQB.	This proposal will include minor revisions such as eliminating obsolete terms, simplifying technical requirements for control facilities, updating and clarifying permit requirements to reflect current Federal NPDES permit requirements for construction activities, revising requirements that may be interpreted as more restrictive than Federal requirements, and establishing a minimum area of disturbance to require the development of an erosion and sedimentation control plan. The AWQTAC and the Agricultural Advisory Board (AAB) reviewed drafts of the proposed rulemaking.	Ken Reisinger, 717-787-6827
Chapter 105, Dam Safety and Waterway Management Clean Streams Law, Dam Safety and Encroachment Act	April 1997, as proposed to the EQB.	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits; simplify the application fee schedule; and clarify the Chapter 105 and 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee (WetPAC) and the AAB will review drafts of the proposal.	Ken Reisinger, 717-787-6827
Chapter 171, Schools Administrative Code of 1929	Adopted December 1996, as proposed by the EQB.	The Department proposes to eliminate these regulations concerning general sanitation at private and public schools because of the transfers of the Eating and Drinking Program to the Department of Agriculture and the Bathing Place Program to the Department of Health. Other basic sanitation requirements such as adequate sewage disposal, safe drinking water and proper solid waste disposal are provided by existing programs in DEP.	Joseph Hoffman, 717-787-5017
Land Recycling and Environmental Remediation Standards The Land Recycling and Environmental Remediation Standards Act	May 1997, as final to the EQB.	The Land Recycling and Remediation Standards Act (Act 2 of 1995) requires the adoption of statewide health standards, appropriate mathematically valid statistical tests to define compliance with the Act, and other regulations necessary to implement the Act. The regulations will provide clear direction concerning the cleanup standards required to be met to those undertaking the cleanup of a contaminated site. The regulations will establish the test used to demonstrate compliance with these cleanup standards. The regulations will also encourage the voluntary cleanup of contaminated sites that can be reused for industrial purposes rather than siting industrial activity on land which has not previously been used for those purposes. The Cleanup Standards Scientific Advisory Board (CSSAB), created by the Act, has assisted in the development of this proposal.	Tom Fidler, 717-783-7509

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Universal Waste Rule Solid Waste Management Act	March 1997, as final to the EQB.	This proposal adopts the Federal provisions to streamline the hazardous waste regulations to make it easier for consumers and businesses to recycle batteries, certain pesticides and mercury thermostats, while ensuring their safe collection, recycling, handling and treatment; and allows universal waste handlers to receive off-site hazardous waste and still qualify for a permit-by-rule status. The proposed rulemaking was published in the <i>Pennsylvania Bulletin</i> on August 3, 1996. The Solid Waste Advisory Committee (SWAC) reviewed the draft proposed rulemaking and the final rulemaking.	Marjorie Hughes, 717-787-6239
Chapters 270—299, Municipal and Residual Waste Amendments—Reporting Requirements/County Municipal Waste Plan Revisions Solid Waste Management Act	Adopted December 1996, as proposed by the EQB.	This proposal will contain revisions to the reporting requirements of the municipal and residual waste regulations, including elimination of 16 reporting forms by relying on information already contained in the files, other reports, or onsite facility operational reports; providing for the electronic transfer of data; deleting notary certification requirements for waste reports; and eliminating unnecessary information from existing reports. The overall volume of reporting forms is expected to be reduced by 50 percent. The proposal also allows counties to add or delete a facility to or from their county municipal waste plan through a non-substantive plan revision. The SWAC reviewed the draft proposal.	Bill Pounds, 717-787-7564
Chapters 260-270—Comprehensive Hazardous Waste Amendments Solid Waste Management Act	July 1997, as proposed to the EQB.	The amendments are a major initiative to update Pennsylvania's hazardous waste regulations and to bring the state program into conformance with the federal RCRA program by adopting large portions of the federal regulations by reference. The SWAC will review the draft proposed rulemaking.	Marjorie Hughes, 717-787-6239
Municipal Waste Revisions Solid Waste Management Act	December 1997, as proposed to the EQB.	Changes the equivalency review procedure for municipal waste permits so that once approval is given, it may be applicable statewide; revises the mandatory site inspection schedules to reduce inspections at facilities with successful environmental management programs; reduces the permit application fee and simplifies the approval process for municipal waste demonstration facilities; revises the facility design and operating standards for composting facilities to be more performance based; expand the current permit-by-rule provisions to create opportunities to reuse "clean wastes"; revises the composting siting requirements of greater than 4 feet from the seasonal high water table; removes the prohibition of siting of some facilities within 50 feet of a property line if the adjacent landowner provides a waiver; moves the landfill liner specifications from regulations to guidance to allow for flexibility based upon technological advancements; revises leachate sampling requirements to delete parameters from quarterly sampling if not detected by monitoring; allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants. The proposal will be reviewed by SWAC.	Bill Pounds, 717-787-7564

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Residual Waste Revisions Solid Waste Management Act	June 1997, as proposed to the EQB.	Revises the mandatory site inspection schedules to reduce inspections at facilities with successful environmental management programs; reduces the permit application fee and simplifies the approval process for demonstration facilities; revises the facility design and operating standards for composting facilities to be more performance based; expands the current permit-by-rule provisions to create opportunities to reuse "clean wastes"; removes the prohibition of siting some facilities within 50 feet of a property line if the adjacent landowner provides a waiver; moves the landfill liner specifications from regulations to guidance to allow for flexibility based upon technological advancements; revises leachate sampling requirements to delete parameters from quarterly sampling if not detected by monitoring; allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants; allows for water resistant instead of waterproof covers; modifies the minimum for 4 feet of alternating soil requirements at landfills to allow for equivalency modeling based upon site specific conditions; clarifies when a pad is required for residual waste storage. The proposal also revises and consolidates the hazardous and residual waste used oil regulations into one chapter. The proposal will be reviewed by SWAC.	Bill Pounds, 717-787-7564
NOx Emission Reduction Requirements Air Pollution Control Act	February 1997, as proposed to the EQB.	This proposal implements a nitrogen oxides (NOx) emissions budget program consistent with the Ozone Transport Commission's (OTC) Memorandum of Understanding (MOU) on Phase II NOx reductions for the 12 Northeast Ozone Transport Region (OTR) states and the District of Columbia. This regulation will require reductions in ozone season NOx emissions from fossil-fired utility and large industrial combustion facilities in Pennsylvania in order to achieve the health-based National Ambient Air Quality Standard (NAAQS) for ozone. DEP has been working with the Air Subcommittee of AWQTAC in the development of this regulation.	Terry Black 717-787-4310
Open Market Trading Program for VOCs and NOx Air Pollution Control Act	July 1997, as proposed to the EQB.	This regulation will allow sources emitting volatile organic compounds (VOCs) and oxides of nitrogen (NOx) to trade emissions reductions among sources in order to achieve emission reduction requirements. The trading program approach will reduce the overall costs of meeting the public health and environmental goals of the NAAQS for ozone. The open market trading program will be developed with input from a stakeholders group, AWQTAC, CAC, and SBCAC in January 1997.	Terry Black, 717-787-4310

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Chapter 139, Sampling and Testing Air Pollution Control Act	February 1997, as proposed to the EQB.	This amendment will revise the regulations related to sampling and testing for particulate matter to make those regulations consistent with applicable Federal requirements for sampling and reporting of particulate matter emissions. The AWQTAC reviewed the proposal.	Terry Black, 717-787-4310
Strategy for Ozone Attainment Air Pollution Control Act	March 1997, as proposed to the EQB.	DEP formed stakeholder groups to assist the Department in selecting air quality control strategies to address ozone nonattainment in the Pittsburgh and Philadelphia areas. The stakeholders evaluated control strategies to address and resolve the problem. The Pittsburgh area proposed strategies which will result in draft regulations regarding Stage II and Clean Fuels. The Department will develop the proposed SIP with input from both the AWQTAC and CAC, and involve the SBCAC if the control strategies have an impact on small businesses.	Terry Black, 717-787-4310
Alternative Emission Reduction Limitations ("Bubbles") Air Pollution Control Act	March 1997, as proposed to the EQB.	The regulatory provisions in Chapter 128 will delete obsolete provisions that apply to sources that are no longer in operation. The AWQTAC reviewed the proposal.	Terry Black, 717-787-4310
Dry Cleaning Facilities Air Pollution Control Act	March 1997, as proposed to the EQB.	The EPA recently determined that the emissions from certain dry cleaning facilities do not contribute to the formation of ozone. As a result, the Department proposes to delete the regulations restricting emissions of these compounds from dry cleaning facilities. Drafts of the proposal were reviewed by AWQTAC.	Terry Black, 717-787-4310
Continuous Emission Monitoring (CEM) Data Availability Air Pollution Control Act	February 1997, as proposed to the EQB.	The regulatory requirements for sulfur dioxide (SO ₂) and the oxides of nitrogen (NO _x) will be modified to recognize advances in technology and practical experience in implementing the current requirements. Drafts of the proposal were reviewed by AWQTAC.	Terry Black, 717-787-4310
Chapter 121—Definitional Changes Air Pollution Control Act	February 1997, as proposed to the EQB.	These amendments will revise the definitions of "modification," "responsible official," and "secondary emissions" for consistency with Federal definitions. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Air Pollution Episodes Air Pollution Control Act	February 1997, as proposed to the EQB.	This revision will either delete the requirements for standby plans for air pollution episodes or require the preparation and submission of plans only upon a determination of necessity. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
National Standards of Performance for New Stationary Sources (NSPS) Air Pollution Control Act	February 1997, as proposed to the EQB.	This revision will incorporate by reference guidelines established by the EPA for existing sources of air pollution. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Coke Ovens Air Pollution Control Act	February 1997, as proposed to the EQB.	This regulation will revise the existing coke oven requirements. The revisions will address changes in technology and reconcile the Department's regulations with the National Emission Standards for Hazardous Air Pollutants. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310

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Back Half Particulates Air Pollution Control Act	February 1997, as proposed to the EQB.	This regulation eliminates the requirement in Section 139.12 to include certain sample train catch. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Malodors Air Pollution Control Act	May 1997, as proposed to the EQB.	The malodor regulations will be modified to clarify the definition of "malodor" and add a technology limitation to resolve malodor problems. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Ambient Air Quality Standards (AAQS) Air Pollution Control Act	March 1997, as proposed to the EQB.	This regulation will delete the state-only ambient air quality standards for sulfates, fluorides, and hydrogen sulfide, making the state program consistent with applicable Federal requirements. Beryllium is the only substance included in Section 131.3 for which a Federal standard exists. The state standard for beryllium will be retained because of its extreme toxicity. Settled particulates will be retained because of its value in addressing citizen complaints. In addition, the sampling and analysis procedures for these standards will be deleted. Drafts of the proposal were submitted to the AWQTAC.	Terry Black, 717-787-4310
Graphic Art Systems Air Pollution Control Act	March 1997, as proposed to the EQB.	The existing regulations will be revised to be consistent with EPA regulations. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Floating Roof Storage Tanks Air Pollution Control Act	March 1997, as proposed to the EQB.	A provision will be added to Section 129.56 which allows time for operators to repair defective components on floating roof storage tanks. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
CEM Visible Emissions Air Pollution Control Act	March 1997, as proposed to the EQB.	This revision will restructure the regulation to recognize the use of continuous emission monitors (CEMs) on some sources. Drafts of the proposal have been reviewed by AWQTAC.	Terry Black, 717-787-4310
Stage II—Refueling Vehicles Air Pollution Control Act	June 1997, as proposed to the EQB.	This regulation will revise the compliance schedules and testing requirements to be consistent with the Air Pollution Control Act. The proposal will be reviewed by AWQTAC.	Terry Black, 717-787-4310
New Source Review Air Pollution Control Act	December 1997, as proposed to the EQB.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits. The Department may propose a separate rulemaking package regarding emission reduction credits. In addition, the Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be submitted to the AWQTAC, CAC, and SBCAC.	Terry Black, 717-787-4310
Fugitive Emissions—Road Dust Air Pollution Control Act	May 1997, as proposed to the EQB.	Section 123.1 will be amended to exempt fugitive emissions from unpaved roadways. AWQTAC will review the proposal.	Terry Black, 717-787-4310
Surface Coating Processes	December 1997, as proposed to the EQB.	This regulation will simplify the calculation procedure for determining compliance with Chapter 129 and consider small source exemptions to the extent possible without degrading air quality.	Terry Black, 717-787-4310

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Chapter 240, Radon Certification Radon Certification Act	December 1997, as proposed to the EQB.	DEP is currently conducting workshops attended by selected individuals from the Pennsylvania certified radon community to discuss possible amendments to the current regulations which appear to be of concern to the regulated community and which do not fully address new technologies that were developed since the effective date of the 1991 radon certification regulations in Chapter 240. Draft regulations are anticipated to be developed by July 31, 1997.	William Dornsife, 717-787-2480
Radiological Health (Chapters 216, 218, 221, 223, 227, 228) Radiation Protection Act	March 1997, as proposed to the EQB.	The Department is developing amendments to its radiological health regulations which were last revised in 1983. The amendments will address technological advances, mostly in the medical profession, which have occurred since that time. Issues to be addressed include new diagnosis and treatment methods, new Federal regulations relating to industrial radiography, and particle accelerators which have changed in design and function. The amendments will offer increased protection to both employees and patients for medical diagnosis and treatment applications and address health and safety concerns, including the reduction in unnecessary exposure to patients and employees/operators. The Department will consult with its Radiation Protection Advisory Committee to solicit input on draft regulations.	Stuart Levin, 717-787-3720
Water Supply Protection/Replacement (Mining) Surface Mining Conservation and Reclamation Act	February 1997, as proposed to the EQB.	This proposal would implement certain provisions of the 1992 amendments (Act 173) to the Pennsylvania Surface Mining Conservation and Reclamation Act, and reflect certain Environmental Hearing Board and Commonwealth Court decisions relative to restoration or replacement of water supplies impacted by surface coal mining operations. There are also minor amendments to alternative revegetation standards for re-mining of areas previously disturbed by mining. The MRAB will be involved in the development of these regulations.	Evan Shuster, 717-787-7846
Chapter 86—Bonding, Civil Penalties, Areas Unsuitable for Mining, Surface Mining Conservation and Reclamation Act, Clean Streams Law, Bituminous Mine Subsidence and Land Conservation Act, Coal Refuse Disposal Act	Adopted November 1996, as proposed by the EQB.	Various sections are being revised to address regulations which lack clarity and those which are more stringent than federal requirements and, consequently, may hamper the Pennsylvania coal industry's ability to compete effectively. Changes will involve self-bonding, procedures for release of bonds and bond forfeiture, the calculation of civil penalties, procedures for assessing and appealing civil penalties, and unsuitable for mining procedural changes. The MRAB reviewed the proposal.	Evan Shuster, 717-787-7846

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 89—Underground Mining of Coal and Coal Preparation Facilities Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act, Bituminous Mine Subsidence and Land Conservation Act	February 1997, as proposed to the EQB.	Various sections of Chapter 89 are obsolete and will be addressed along with amendments which are necessary to bring Pennsylvania's program into conformance with 1994 amendments to Pennsylvania law (Act 54) and 1995 amendments to Federal regulations. These changes involve subsidence damage and water loss due to underground bituminous coal mining. These changes do not fall within the purview of the MRAB; therefore, no advisory committee review is anticipated.	Harold Miller, 717-783-8845
Chapter 77—Noncoal Mining Noncoal Surface Mining Conservation and Reclamation Act	Adopted December 1996, as proposed by the EQB.	These amendments will clarify the standards for exemption from preblast surveys, delete obsolete regulations, and provide less prescriptive regulations for bond releases, hydrologic and geologic information, treatment facilities and sediment controls. The proposal will also simplify exploration requirements, bond adjustments and forfeitures, and clarify public notice requirements on permit revisions and setback waivers. These changes do not fall within the purview of the MRAB; therefore, no advisory committee review is anticipated.	Thomas Whitcomb, 717-783-8845
Chapter 86, Subchapter C—Small Operator Assistance Program Surface Mining Conservation and Reclamation Act	January 1997, as proposed to the EQB.	These amendments are necessary to provide clarification of program requirements and eliminate redundant language in this section. The proposal has been reviewed by the MRAB.	David Hogeman 717-787-4761
Chapter 86, Subchapter D—Areas Unsuitable for Mining Surface Mining Conservation and Reclamation Act, Coal Refuse Disposal Control Act, Clean Streams Law	February 1997, as proposed to the EQB.	These amendments are necessary to provide clarification and ensure efficient processing of requests for designation of areas as unsuitable for mining. The proposal has been reviewed by the Mining Reclamation Advisory Board.	David Hogeman 717-787-4761
Chapters 86-90, Coal Mine Permitting and Performance Standards Surface Mining Conservation and Reclamation Act, Clean Streams Law	February 1997, as proposed to the EQB.	These amendments are necessary to address requirements which may be placing undue restrictions on the Pennsylvania coal mining industry and which may be hampering the industry's ability to compete effectively with coal mining in other states. In all chapters, the amendments involve information requirements for permits and performance standards. Specifically, the amendments will clarify requirements relating to casing and sealing drill holes, administrative requirements relating to coal exploration and regrading, and minimize fish and wildlife impacts. The proposal has been reviewed by the MRAB.	Nevin Strock, 717-783-8845
Chapters 78 (Oil and Gas Wells), 79 (Well Drilling and Use) and 80 (Gas Well Classification) Oil and Gas Act, Clean Streams Law, Solid Waste Management Act	March 1997, as proposed to the EQB.	These amendments are being initiated to repeal obsolete provisions relating to gas well classification, clarify certain provisions, and to make other provisions less prescriptive. The Oil and Gas Technical Advisory Board (TAB) will be involved in developing these amendments.	James Erb 717-772-2199
GENERAL SERVICES			
Instructions to Bidders 4 Pa. Code, Chapter 61	Summer 1997, as proposed.	This Chapter has been superseded and should be repealed.	Merle H. Ryan (717) 787-7095

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General Conditions of the Construction Contract 4 Pa. Code Chapter 63	Summer 1997, as proposed.	This Chapter has been superseded and should be repealed.	Merle H. Ryan (717) 787-7095
State Art Commission 4 Pa. Code Chapter 65	Summer 1997, as proposed.	The legislation creating the State Art Commission was sunsetted.	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code Chapter 67	Spring 1997, as proposed.	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code Chapter 68	Fall 1997, as proposed.	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	John R. McCarty (717) 783-8720
Commonwealth Parking Facilities 4 Pa. Code Chapter 71	Fall 1997, as proposed.	Amendments are required because parking locations have been changed.	Ronald L. Coy (717) 783-5028
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications 4 Pa. Code Chapter 81	Summer 1997, as proposed.	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the Pennsylvania Code. The Pennsylvania Code contractor is now responsible for Pennsylvania Code subscriptions.	John R. McCarty (717) 783-8720
Death Benefits for Survivors of Firemen and Law Enforcement Officers 4 Pa. Code Chapter 89	Spring 1997, as proposed.	Since Act 101 of June 24, 1976 (P. L. 424) was amended by Act 161 of 1994 (P. L. 1373), the regulations must be amended to reflect the legislative changes.	Ronald L. Coy (717) 783-5028
HEALTH			
Drug and Alcohol Confidentiality 4 Pa. Code § 255.1 et seq. and § 257.1 et seq.	June 1997, as proposed.	These regulations are being reviewed for updating and to address concerns regarding availability of records of patients being treated for drug and alcohol related problems.	Keith Fickel 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	March 1997, as proposed.	The amendments to existing regulations would be consistent with current public health practices for the control of communicable and other reportable conditions. Currently under review by Bureau of Community Health, Bureau of Preventive Health, Bureau of Epidemiology and Bureau of Maternal and Child Health.	Suzanne Craig 717-783-2500
Environmental Health Assessment 28 Pa. Code § 17.1 et seq.	May 1997, as proposed.	These amendments are partially necessitated by the transfer of authority for certain environmental regulations from the Department of Environment Protection to the Department of Health. The DOH has met with consumer groups to obtain stakeholder input.	Nan Lipton 717-783-2500
Long Term Care Facilities 28 Pa. Code § 201.1 et seq.	February 1997, as proposed.	These regulations are being updated to bring them into compliance with state and federal statutory and regulatory changes, and to reflect the current methods of provision of long term care. These regulations are mandated by the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Laurie McGowan 717-783-2500

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Hospital Licensure 28 Pa. Code § 101.1 et seq.	August 1997, as proposed.	These regulations will be updated to reflect current practice and changes in state and federal law. Authorization for these regulations is provided in the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Laurie McGowan 717-783-2500
Newborn Screening 28 Pa. Code § 28.1 et seq.	March 1997, as proposed.	These regulations are to address amendments to the Newborn Child Testing Act regarding procedures and time frames for the drawing of blood and filing of reports and the addition of two reportable diseases. Authority for these regulations is set forth in the Newborn Child Testing Act, 35 P. S. § 621.1 et seq.	Yvette Kostelac 717-783-2500
Dental Laboratory Rules 28 Pa. Code § 25.301 et seq.	April 1997, as proposed.	These new regulations are needed to establish standards for the operation of laboratories in dental offices, as required by the Controlled Substances, Drug Device and Cosmetic Act at 35 P. S. § 780-101 et seq. These proposed regulations will be released for public comment shortly.	Laurie McGowan 717-783-2500
Emergency Medical Services 28 Pa. Code § 1001.1 et seq.	June 1997, as proposed.	The proposed amendments to the current regulations for the operation of the Emergency Medical System in the Commonwealth are pursuant to the Emergency Medical Services Act, 35 P. S. Section 6921-6938.	Kenneth Brody 717-787-2500
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
Pennsylvania Infrastructure Investment Authority Financial Assistance 25 Pa. Code Chapter 963 Water Pollution Control Revolving Fund 25 Pa. Code Chapter 965	May 1997, as final.	These regulations and amendments establish the Water Pollution Control Revolving Fund ("WPCRF") in accordance with the federal requirements set forth in the Water Quality Act of 1987 (33 U.S.C.A. §§ 1251—1387). This fund is a revolving loan fund used to finance projects to construct public sewer systems. Currently, the WPCRF program is operating by guidelines; however, the need for regulations is evident. These regulations and amendments to existing regulations are a collaborative effort of the regulated community, the Department of Environmental Protection ("DEP"), the U.S. Environmental Protection Agency ("EPA") and the Pennsylvania Infrastructure Investment Authority ("PENNVEST"). The grant of authority to issue these regulations is set forth in Sections 5(c) and 6(4), (6) of the Pennsylvania Infrastructure Investment Authority Act, 35 P. S. § 751.5(c)(2) and 751.6(4) and (6).	Brion Johnson (717) 783-6798

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Individual On-Lot Sewage Disposal System Program 25 Pa. Code Chapter 967	July 1997, as proposed.	These proposed regulations set forth the terms and conditions for obtaining financial assistance from the Individual On Lot Sewage System Program ("Program"). This Program affords citizens of the Commonwealth a means to finance and comply with environmental sewage disposal regulations in rural areas where households are not and will not be served by a centralized sewage disposal system. The regulations are necessary to instruct the individual homeowners on how to apply for assistance, on funding eligibility criteria and on how the Program is administered. These regulations have been a collaborative effort of the Department of Environmental Protections ("DEP"), the U.S. Environmental Protection Agency ("EPA"), the Pennsylvania Housing Agency ("PHA") and the Pennsylvania Infrastructure Investment Authority ("PENNVEST"). The grant of authority to issue these regulations is set forth in Section 6(4)(i) of the Pennsylvania Infrastructure Investment Authority Act 35 P. S. § 751.6(4)(i).	Brion Johnson (717) 783-6798
<i>INSURANCE</i>			
No-Fault Motor Vehicle Insurance 31 Pa. Code, Chapter 66	January 1997, as final.	Repeal obsolete regulations relating to no-fault automobile insurance. The No-Fault Automobile Insurance Law was repealed in 1984.	Helfried LeBlanc 717-787-6174
Notice of Increase in Premium 31 Pa. Code, Chapter 113, "113.81-87	June 1997, as final.	Amend current regulations to be consistent with 1995 amendments to Act 86 of 1986, which governs the termination of commercial property and casualty insurance policies. Act 10 of 1995, reduced the period for advance notice of policy termination from 60 to 30 days and eliminated the requirement that companies provide insureds with notice of estimated increases in premium. The proposed regulation reflects these statutory changes and clarifies various other provisions of Act 86 .	Helfried LeBlanc 717-787-6174
Disclosure of Material Transactions 31 Pa. Code, Chapter 27	June 1997, as final.	Under § 320 of The Insurance Company Law of 1921 (40 P. S. § 443), insurers transacting business in the Commonwealth are required to file financial statements with the Department on an annual basis, and the Department has the discretion to require additional statements as necessary. The proposed regulation requires domestic insurers to file interim statements of specific transactions which may have an effect on the financial condition of the company. The regulation is required for continued accreditation by the National Association of Insurance Commissioners (NAIC).	Arnold Braun 717-783-2142
Credit for Reinsurance 31 Pa. Code, Chapter 163	January 1997, as final.	This regulation adopts 31 Pa. Code, Chapter 163, Requirements for Funds Held as Security for the Payment of Obligations of Unlicensed, Unqualified Reinsurers. The proposed regulation provides both ceding insurers and reinsurers with formal guidelines designating the forms of security acceptable to the Department. This regulation is required to maintain NAIC accreditation.	Arnold Braun 717-783-2142

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Underground Storage Tank Indemnification Fund—Claims Regulation 25 Pa. Code Chapter 977	Summer 1997, as proposed.	Require underground storage tank owners be in compliance with certain leak detection standards in order to obtain claims coverage from the Underground Storage Tank Indemnification Fund. The proposed regulation establishes requirements for owners to file such claims.	Ronald Gallagher 717-783-8093
Underground Storage Tank Indemnification Fund—Fee Regulation 25 Pa. Code Chapter 971	Summer 1997, as final.	Amend the existing fee regulation for the Underground Storage Tank Indemnification Fund (USTIF) to comport with the USTIF Board's decision to reduce fees of the USTIF.	Ronald Gallagher 717-783-8093
Catastrophic Loss Trust Fund 31 Pa. Code Chapter 67	Summer 1997, as proposed.	Repeal obsolete regulation for the automobile insurance Catastrophic Loss Trust Fund. The Fund was abolished and replaced with the Catastrophic Loss Benefits Continuation Fund.	Ronald Gallagher 717-783-8093
Credit Insurance 31 Pa. Code Chapters 71 and 73	Summer 1997, as proposed.	Because legislation passed in July 1994 expanded the Insurance Department's regulatory authority over credit unemployment insurance, the current credit insurance regulations will be expanded to include credit unemployment insurance. Additionally, the regulations will be revised to provide for less burdensome rating and rate deviation procedures, for new prima facie rates, and to incorporate and update numerous current credit insurance notices and guidelines.	Gregory Martino 717-787-5079
Pennsylvania FAIR Plan 31 Pa. Code Chapter 111	June 30, 1997, as proposed	Repeal because the provisions are sufficiently addressed in the authorizing statute. The Pennsylvania Fair Plan Act provides for the establishment of an Industry Placement Facility to assure fair access to insurance requirements in order to make available basic property insurance for residential and commercial properties in the Commonwealth. Because the provisions of this regulation are sufficiently addressed in the Act and in no manner enhance the authorizing statute, it is proposed for repeal.	Helfried LeBlanc 717-787-6174
Miscellaneous: Unsafe Products, Consumer Affairs, Advertising, 31 Pa. Code Chapter 137	June 30, 1997, as proposed.	Repeal regulation, adopted in 1971, that requires companies to provide the Insurance Department with reports on unsafe products; to provide notification of internal consumer affairs programs; and to practice honest advertising of insurance products. The Department has determined that statutory authority already exists to request this information, if necessary. The requirements also duplicates information required by the Federal government. The consumer complaint and advertising provisions of the regulation also are addressed by statute.	Diana Donovan 717-787-4429.
Certificates of Insurance 31 Pa. Code Chapter 113, §§ 113.31-32	June 30, 1997, as proposed.	Repeal a redundant regulation that reiterates Section 354 of the Insurance Company Law of 1921 (40 P. S. § 477b), which prohibits the use of policy forms and documents that have not been approved by the Department, including Certificates of Insurance.	Helfried LeBlanc 717-787-6174

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Deductible Program 31 Pa. Code Chapter 131	June 30, 1997, as proposed.	Repeal the regulation that restates the filing and approval requirements for the optional deductible programs which are provided for in the Insurance Department Act. Additionally, the Department, through its market conduct activities, monitors the marketplace to ensure compliance with statutory requirements for the filing and approval of rates and forms.	Gregory Martino 717-783-5079
Mass Merchandising of Property and Casualty Insurance 31 Pa. Code Chapter 113, §§ 113.51-62	June 30, 1997, as proposed.	Repeal unnecessary regulation which attempts to prevent specific abuses because statutory authority is present under the Unfair Insurance Practices Act (40 P. S. § 1171.5). Further, the regulation duplicates existing authorities governing the filing of insurance rates and policy forms.	Gregory Martino 717-783-5079
Public Adjusters 31 Pa. Code Chapter 115	June 30, 1997, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. §§ 1601—1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Additionally, three sections have been proposed for deletion since they mirror the Act.	Helfried LeBlanc 717-787-6174
Private Passenger Automobile Policy Forms 31 Pa. Code Chapter 64	Summer 1997, as proposed.	Repeal redundant regulation, adopted in 1975, which required insurers to provide simply written and understandable auto insurance policies. The regulation is unnecessary because its requirements repeat or duplicate present statutory requirements.	Gregory Martino 717-783-5079
Producer Licensing 31 Pa. Code Chapter 37	Summer 1997, as proposed.	Amends 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, consistent with statutory amendments in Act 72 of 1996. The new law changes agents' and brokers' renewal cycles to two years from the original date of issue of the certificate of qualification. This change will streamline license processing by eliminating confusion over prorated application fees based on the applicant's birth date.	Arnold Braun 717-783-2142
Notices For and Appeals of Cancellations and Refusals to Renew Automobile Insurance Policies 31 Pa. Code Chapter 61	Summer 1997, as proposed.	Modify regulation consistent with the statute (40 P. S. Sections 1008.1 et.seq.). The regulations provide guidance to automobile insurers relating to cancellations and nonrenewals of certain automobile insurance policies, and the available administrative process to secure an administrative review of such terminations.	Helfried LeBlanc 717-787-6174
Life Insurance Illustrations	Summer 1997, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Gregory Martino 717-783-5079

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Accident and Health Insurance Regulation 31 Pa. Code Chapter 89	Summer 1997, as proposed.	Changes will be promulgated regarding the deregulation of rates and forms filings for accident and health insurance, as a result of Act 159 of 1996. Changes will be made pursuant to the health care provisions of the Federal Health Insurance Portability and Accountability Act of 1996.	Gregory Martino 717-783-5079
Medical Professional Catastrophe Loss Fund 31 Pa. Code Chapter 242	Summer 1997, as proposed.	Act 135 of 1996 reforms the Medical Professional Liability Catastrophe Loss Fund (Fund) by raising primary coverage limits for health care providers to \$300,000. The statute also changes the formula used to assess providers' Fund coverage from a premium based method to one fixed on filed Joint Underwriting Association rates. The Insurance Department will amend its regulations consistent with the statute.	Gregory Martino 717-783-5079
Operating Expense Classifications 31 Pa. Code Chapter 1	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Composition of and Allocation to Expense Groups 31 Pa. Code Chapter 5	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Allocation to Lines of Business 31 Pa. Code Chapter 7	Summer 1997, as proposed	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Salaries and Other Expenses 31 Pa. Code Chapter 9	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Fraternal Beneficial Societies/Administration and Reserves 31 Pa. Code Chapters 41 and 43	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Objections and Procedure for Hearings on Reports of Examination 31 Pa. Code Chapter 58	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Collision Loss Settlements 31 Pa. Code, Chapter 65, §§ 65.11-14	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Helfried LeBlanc 717-787-6174
Genderless Auto Insurance Rates 31 Pa. Code Chapter 65, §§ 65.1-3	Summer 1997, as proposed.	Statement of Policy Proposed for repeal pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079
Mutual Insurance Companies 31 Pa. Code Chapters 101, 103 and 109	Summer 1997, as proposed.	Investments of Mutual Fire & Casualty Companies, Uniform Bylaws for Mutual Fire Companies, and Conversion of Certain Mutual Insurer regulations are Proposed for repeal pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Consent to Rate 31 Pa. Code Chapter 113, §§ 113.1-9	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079
Reporting of Premium Taxes for Foreign Fire Insurance 31 Pa. Code Chapter 113, §§ 113.21-23	June 1997, as final.	Repeal of obsolete regulations relating to coding requirements for fire insurance policies.	Arnold Braun 717-783-2142

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Anti-Arson Application 31 Pa. Code Chapter 117, §§ 117.1-8	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Helfried LeBlanc 717-787-6174
Discounting Medical Malpractice Insurance Loss Reserves 31 Pa. Code Chapter 118	Summer 1997, as proposed.	Contents of regulation will be blended with amendments to Chapter 116, Discounting Workers' Compensation Reserves.	Gregory Martino 717-783-5079
Preparation of Filing of Property and Casualty Forms for Approval 31 Pa. Code Chapter 133	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079
Allocation of Joint Expenses 31 Pa. Code Chapter 3	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Miscellaneous (Relating to Uniform Classification of Expenses) 31 Pa. Code Chapter 11	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Securities and Stock Transactions 31 Pa. Code Chapters 21, 23 and 25	Summer 1997, as proposed.	Amended language is being drafted to Stock Ownership Statements, Proxies, Consents and Authorizations, and Acquisitions of Capital Stock regulations, pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Assigned Risk Plan 31 Pa. Code Chapter 33	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Helfried LeBlanc 717-787-6174
Advertising of Insurance 31 Pa. Code Chapter 51	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079
Special Rules of Administrative Practice and Procedure 31 Pa. Code Chapter 56	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Galen Waltz 717-783-2126
Publication of Citations and Notice of Hearings 31 Pa. Code Chapter 57	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Galen Waltz 717-783-2126
Cancellations and Refusal to Renew Homeowners Insurance 31 Pa. Code Chapter 59	Summer 1997, as proposed.	Amended language to regulation and statute is being drafted pursuant to Executive Order 1996-1.	Helfried LeBlanc 717-787-6174
Physical Damage Appraisers 31 Pa. Code Chapter 62	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Helfried LeBlanc 717-787-6174
Charter Amendments 31 Pa. Code Chapter 65 §§ 65.21-26	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Arnold Braun 717-783-2142
Cash Advances to Insurance Companies 31 Pa. Code Chapter 105	Summer 1997, as proposed.	Amended language is being drafted for this regulation. In addition, a new regulation is being drafted to address Cash Advances to Stock and Mutual Insurance Companies.	Arnold Braun 717-783-2142
Miscellaneous (Relating to Premium Rates and Payments) 31 Pa. Code Chapter 113, §§ 113.56-57	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079
Discounting Workers' Compensation Loss Reserves 31 Pa. Code Chapter 116, §§ 116.1-9	Summer 1997, as proposed.	Amended language is being drafted pursuant to Executive Order 1996-1.	Gregory Martino 717-783-5079

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Surplus Lines 31 Pa. Code Chapter 124	June 1997, as proposed.	Repeal of obsolete regulations relating to surplus lines insurance (Chapters 35 and 123), and replacement with a new regulation consistent with the current surplus lines law enacted in 1992 (Act 178).	Arnold Braun 717-783-2142
Qualifications of Persons Signing Annual Financial Statements 31 Pa. Code Chapter 135, §§ 135.1-2	Summer 1997, as proposed.	Proposed for repeal pursuant to Executive Order 1996.1.	Arnold Braun 717-783-2142.
LABOR AND INDUSTRY			
Unemployment—Subchapter E: Retirement Pensions & Annuities 34 Pa. Code §§ 65.101 through 107	December 1997, as proposed.	The primary purpose of the proposed rulemaking is to bring the pension and annuities section of the unemployment compensation regulations into conformity with USDOL's interpretation of the Federal Unemployment Tax Act, 26 U.S.C. § 3301, et seq. In order to avoid a conformity dispute with USDOL, which could have serious repercussions for the State, the Department of Labor and Industry has agreed to remove the nondeductibility of these payments from the regulations.	Pete Cope (717) 787-3547
Workers' Compensation Judges and Workers' Compensation Appeal Board 34 Pa. Code Chapters 131 and 111	December 1997, as proposed.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation.	Thomas J. Kuzma (717) 783-4467
Work-place Safety Committee Certification; Evaluation of Accident/Illness Prevention Services & Programs of Insurers and Self-insureds; Qualifications of Accident/Illness Prevention Service Providers 34 Pa. Code Chapter 129	December 1997, as proposed.	Implementation of Article X of Act 44	Len Negley (717) 772-1917
Group Self Insurance Funds 34 Pa. Code Chapter 125	April 1997, as proposed.	These regulations will bring Chapter 125 into compliance with certain amendments (Sections 30582, 802 (b)(11), 819) which resulted from Act 57.	George Knehr (717) 783-4476
Unemployment Compensation Telephone Hearings 34 Pa. Code, Part VI, Chapter 101	June 1997, as final.	The former regulations governing hearings conducted via telephone sunsetted on April 8, 1994, although telephone hearings continue to be conducted with the consent of all parties. The Commonwealth Court held in <i>Knisley v. Unemployment Compensation Board of Review</i> , 93 Pa. Cmwlth. 519, 501 A.2d 1180 (1985), that absent promulgated regulations which safeguard the minimum due process rights of parties and also ensure that all hearings are conducted uniformly, evidence obtained via telephone, if properly objected to, will be stricken from the record.	Carol A. Shaffner (717) 787-5122
Elevators and Lifting Devices—New regulation	March 1997, as proposed.	The new regulation will amend the current standards to include ANSI/ASME A17.1, B20.1 and other national consensus standards. There is a need to update standards to bring them in line with national standards.	James Varhola (717) 787-3329

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Underground Storage Facilities—New regulation	June 1997, as proposed.	This regulation will address requirements for natural or man-made caverns used for LPG storage. Drafting of proposed regulations were put on hold pending the outcome of the statewide Building Code Legislation.	James Varhola (717) 787-3329
Dry Cleaning—New regulations	June 1997, as proposed.	“Dry Cleaning Law,” Act of December 19, 1990, P. L. 1387, No. 214, 35 P. S. § 1270.1 et seq. This regulation is to regulate the construction, operation and maintenance of dry cleaning plants. Drafting of proposed regulation was put on hold pending the outcome of the statewide Building Code Legislation.	Edward Leister (717) 777-3323
Lead-Based Paint Occupations Accreditation and Certification—New regulations	December 1997, as proposed.	Act of July 6, 1995, P. L. 291, No. 44, 35 P. S. § 5901, et seq. This regulation sets up the Department’s lead-based paint accreditation of training providers and the worker certification program. It is based on the Environmental Protection Agency’s model plan.	Sharon Lawson (717) 782-3396
Asbestos Occupations Accreditation and Certification—New regulations	December 1997, as proposed.	Act of December 19, 1990, P. L. 05, No. 194, 63 P. S. §§ 2101—2112. This regulation established the Department’s worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency’s model plan.	Sharon Lawson (717) 782-3396
MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND			
Payment and Collection of Fund Surcharge 31 Pa. Code §§ 242.1 et. seq.	August 1997, as proposed.	This regulations will further clarify the basis upon which the Medical Professional Liability Catastrophe Loss Fund’s surcharge is to be paid. The regulation will be consistent with the statute as it relates to the procedure for levying, payment and collection of the surcharge, and the date on which it is to be remitted to the Fund. Statutory authority 40 P. S. §§ 1301.701 et. seq.	Arthur McNulty 717-783-3770
MILITARY AND VETERANS AFFAIRS			
State Veterans Home 43 Pa. Code Section 7.1 et. seq.	July 1997, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Robert P. Daday 717-861-8503
PROBATION AND PAROLE			
Definitions 37 Pa. Code Chapter 61	No publication anticipated in the next six months.	Adds two terms to the definition section to further clarify what the Board means by “application” for parole and “residence.”	Doris Shappell 717-772-0260
Application Process 37 Pa. Code Chapter 63	No publication anticipated in the next six months.	Expands the subsection dealing with parole applications to provide for a formal application process, including an official form.	Doris Shappell 717-772-0260
Reporting Requirements 37 Pa. Code Chapter 63	No publication anticipated in the next six months.	Changes the reporting requirement from within 48 hours to 24 hours from the time of release. Makes changes to standard conditions of parole.	Doris Shappell 717-772-0260
Firearms 37 Pa. Code Chapter 69	No publication anticipated in the next six months.	Repeals the section.	Doris Shappell 717-772-0260

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Conviction for a New Criminal Offense 37 Pa. Code Chapter 71	No publication anticipated in the next six months.	Changes language governing time period for holding revocation hearing in order to mirror recent court decisions.	Doris Shappell 717-772-0260
Presumptive Ranges for Parole Violations 37 Pa. Code Chapter 75	No publication anticipated in the next six months.	Repeal the chapter or revise the current presumptive ranges listed for new criminal offenses and technical parole violations.	Doris Shappell 717-772-0260
<i>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</i>			
Change in Benefit Payment Plan 22 Pa. Code § 213.45	February 1997, as proposed.	Under the current regulations, a benefit payment plan becomes irrevocable upon filing of the application for annuity. The member, however, does not receive a final audit of the retirement account until after the application has been filed and benefits have commenced. The proposed regulation seeks to correct the unfairness of having the member make irrevocable retirement elections before receiving final account information by making the benefit payment plan irrevocable only after the required account audit is performed. The regulations are promulgated under the authority of the Public School Employees' Retirement Code (Act of October 2, 1975, P. L. 298, No. 96, as amended), 24 Pa.C.S. §§ 8101—8535.	Frank Ryder (717) 720-4733
<i>PUBLIC WELFARE</i>			
Subsidized child day care	July 1997, as final	This regulation adds in-home care as a child care service option to a family eligible for the subsidized child day care program. This amendment is mandated by the child care and development block grant (CCDBG) and the at-risk block grant and applies to all subsidized day care funding sources.	Tom Vracarich (717) 783-2209
Subsidized child day care	May 1997, as proposed	This proposed regulation will indicate the changes being made to implement an integrated child care system as required by the Federal Child Care and Development Block Grant. The proposed regulation includes requirements for families eligible for the subsidized day care program.	Tom Vracarich (717) 783-2209
Child protective services law	June 1997, as proposed.	This regulation incorporates the amendments to the child protective services law as a result of Act 151 of 1994 and Act 10 (Special Services No. 1) of 1995. The major changes are: provisions for investigating reports of suspected sexual abuse or exploitation or serious bodily injury by a school employee against a student; screening applicants for employment in schools against childline files to determine whether or not their names are on file as an abuser; and reports of neglect.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical assistance estate recovery	June 1997, as proposed.	This regulation will codify the department's collection practices to recover correctly paid ma from the estates of certain deceased recipients age 55 or older who receive Medical Assistance for nursing facility care (includes Intermediate Care Facilities/Mental Retardation and Intermediate Care Facilities/Other Related Conditions), home and community based services, and related hospital prescription drug services. Changes effective August 15, 1994 and are the result of OBRA' 93 and Act 1994-49.	Tom Vracarich (717) 783-2209
OBRA 90: Supplemental Security Income-related MA income/resource	No publication anticipated in next six months	This final omitted regulation codifies seven changes resulting from OBRA 90 that effect the SSI program and therefore the SSI-related program in the areas of income and resources. OBRA 90 also provides a mandatory change to the posteligibility requirements for institutionalized MA eligibles who will have their VA pension reduced to \$90 but that will now not be counted in determining cost of care. Thus, SSI and MA recipients will be positively impacted. The reduction that veterans will contribute toward cost of care will increase federal/state costs but will not affect service delivery. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Disclosure of social security number	July 1997, as proposed.	This regulation incorporates federal requirements that applicants for and recipients of benefits administered by the Department of Public Welfare are required to disclose or apply for a social security number as a condition of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Continuation of Medical Assistance throughout pregnancy.	September 1997, as final omitted.	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Lump sum payments	July 1997, as proposed.	This proposed regulation will require that any balance remaining of a lump sum that has been treated as income in the calendar month of receipt for the Medical Assistance eligibility determination is treated as a resource in subsequent months. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Veterans Affairs Aid and Attendance	July 1997, as final omitted.	This regulation codifies the provision that the VA aid and attendance benefit received by a MA recipient in a nursing facility are not counted as income when determining the amount of income they are expected to pay toward the cost of care. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Emergency Assistance Program	July 1997, as final omitted.	This regulation eliminates the provision of emergency assistance for housing under the TANF block grant. Funding previously used for this purpose will be transferred to the Office of Social Programs. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Exclusion of Resources-Medical Assistance children	September 1997, as final omitted.	This regulation codifies the provision that resources are excluded in the Medical Assistance eligibility determination process for supplemental security income (SSI) related and general assistance (GA) related persons under 21 years of age and for TANF-related and GA-related families with children under 21 years of age. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Community work experience program (CWEP)	March 1997, as final.	These final regulations revise the community work experience program to incorporate requirements of the federal jobs program. The revisions clarify who may be assigned and the priority and factors to be considered in making community work experience program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for cwep recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
General Assistance Restructure—Act 1994-49	June 1997, as final omitted.	This regulation incorporates provisions of Act 1994-49 including acceptance of written verification of medical disability for chronically needy non-financial eligibility determination; 60-day residency requirement; savings designated for educational purposes; and certain medical services which are no longer compensable expenses. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Elimination of PACE requirement	May 1997, as final omitted.	This regulation codifies the elimination of the income deduction for the PACE program as required by Title XIX. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Change in guardian income deduction	No publication anticipated in next six months.	This regulation provides for a limited income deduction for court-ordered guardian and other fiduciary fees in the Medical Assistance posteligibility determination process for institutionalized patients. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Organ transplants	No publication anticipated in next six months.	This regulation codifies an OBRA '93 requirement that organ transplants are not considered an emergency medical service. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Minor parent	June 1997, as final omitted.	This regulation incorporates Act 1995-20 revisions to the Temporary Assistance for Needy Families and General Assistance general eligibility requirements by adding a condition that, to receive cash assistance, certain minor parents who are applicants or recipients and the dependent children in the minor parent's care, must reside in the home of a parent, legal guardian, other adult relative, or in an adult-supervised supportive living arrangement, unless one of several exceptions is met. Act 35 expanded this provision to include the TANF-related category of categorically needy- nonmoney payment medical assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Elimination of transitionally needy component of general assistance program	June 1997, as final omitted.	This regulation codifies the elimination of cash assistance payments to persons in the GA-Transitional Needy ("TN") category. References to both the TN and chronically needy (CN) components are deleted since there is no longer a need to differentiate between GA program requirements. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Real property liens	August 1997, as proposed.	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Criminal history	June 1997, as final omitted.	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35—General eligibility changes	June 1997, as final omitted.	This regulation codifies statutory changes to eligibility conditions for General Assistance benefits, including the following: expanding the eligibility determination period to 30 days; establishing a 12-month period of residency; imposing ineligibility periods based on welfare fraud convictions; limiting Medically Needy Only/Medical Assistance ("MNO/MA") eligibility to certain groups; revising the methodology used to determine eligibility for retroactive MNO/MA; and imposing a 90-day residency requirement. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35—Provisions Effective 10-1-96 or upon approval of federal Waiver.	June 1997, as final omitted.	This regulation incorporates provisions including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; and establishing a two-tier benefit level based on residency. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35—Child Support Cooperation	June 1997, as final omitted.	This regulation codifies provisions to further define Title IV-D cooperation requirements and procedures for TANF, General Assistance, and Medical Assistance applicants/recipients. Provisions require federal waiver. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35—Community Service	March 1997, as proposed.	This proposed regulation would provide that a person who verifies they are actively engaged in volunteer community services for 100 hours per month can qualify for MNO-MA benefits if otherwise eligible. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Veterans Affairs pension to surviving spouse in a nursing facility	No publication anticipated in next six months.	This regulation codifies the exclusion of the aid and attendance benefits of a reduced Veterans Affairs pension to veterans and to the surviving spouses of veterans similarly situated, having no dependents and in a medicaid-funded nursing facility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical support rights	August 1997, as final omitted.	This regulation will require Medical Assistance applicants/ recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Annuity rule	April 1997, as final omitted.	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized or community spouse may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT)	July 1997, as final omitted.	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan. This regulation will be reviewed by the medical assistance advisory committee (MAAC) which includes representatives of professional provider associations, providers, the health law project, the welfare rights organization, consumers, and client advocacy groups.	Tom Vracarich (717) 783-2209
Clozapine support services	May 1997, as final omitted.	This regulation codifies coverage for psychiatrists, outpatient psychiatric clinics and psychiatric partial hospital facilities for support services provided to MA recipients receiving clozapine. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Medical Assistance case management services	May 1997, as final omitted.	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Assistance restructure—Act 1994-49	May 1997, as final omitted.	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; medical supplies and equipment except as prescribed for family planning or with home health agency service; and prescription drugs except legend birth control drugs. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Prior authorization	May 1997, as final omitted.	This final regulation adds a prior authorization requirement for home health services, psychiatric partial hospitalization and multisource brand name drugs identified by the department as having equivalent generic drug products available for substitution. This regulation will be reviewed by the MAAC, as noted above..	Tom Vracarich (717) 783-2209
Discontinue coverage—infertility	May 1997, as final omitted.	This final regulation codifies Act 1994-49 provisions that discontinues payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Residential treatment facilities (RTF) for mental health services	May 1997, as final omitted.	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Chapter 1187 Nursing Facilities Intergovernmental Transfer	June 1997, as final omitted.	This final regulation codifies the current inter-governmental transfer agreement for nursing facilities reimbursed under case mix regulations. The provisions include transition rates for general nursing facilities and enhanced transition rates for county nursing facilities. Provisions contained in the regulation are a result of negotiations with the County Commissioners Association and have been reviewed with the long term care subcommittee of the MAAC.	Tom Vracarich (717) 783-2209
Pharmaceutical services drug coverage	May 1997, as final omitted.	This regulation provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
\$150 deductible for General Assistance recipients	May 1997, as final omitted.	This regulation implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical assistance transportation program	Regulations pending IRRC Order.	This regulation amends Chapter 2070, eligibility for services funded through the public assistance transportation block grant, to reflect current practices and to rename it as Chapter 2070, eligibility for services funded through the medical assistance transportation program. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
REVENUE			
Books, Publications and Advertising Materials 61 Pa. Code § 31.29	May 1997, as proposed.	The Department is amending § 31.29 (relating to books, printed matter and advertising materials) in response to statutory changes and inquiries from the public.	Douglas A. Berguson 717-787-1382
Building Maintenance or Building Cleaning Services 61 Pa. Code §§ 55.7 and 60.1	May 1997, as proposed.	This regulation sets forth the Department's interpretation of 72 P. S. §§ 7201(k)(14), (o)(12) and (aa) and 7204(51) relating to the taxation of building maintenance or building cleaning services. Currently the Department's interpretation is set forth as a pronouncement and codified at § 60.1 (relating to building maintenance or building cleaning services). The Department has concluded that its policy relating to this service should be set forth as a regulation. Therefore, in addition to proposing to add § 55.7 (relating to building maintenance or building cleaning services), the Department is also proposing to delete the pronouncement set forth at § 60.1.	Douglas A. Berguson 717-787-1382
Cigarette Tax 61 Pa. Code, Article III	June 1997, as proposed.	This regulation is a comprehensive amendment to the cigarette tax regulations set forth in Title 61, Article III. Cigarette and Beverage Taxes.	Douglas A. Berguson 717-787-1382
Compensation; Allowable Deductions From Gross Compensation and Deferred Compensation Arrangements 61 Pa. Code §§ 101.6, 101.6a and 101.6b	May 1997, as proposed.	The Department is amending §§ 101.6 and adding 101.6a and 101.6b to set forth its interpretation of current case law and current policy in the areas of compensation; commonly recognized old age or retirement benefits; reimbursements of business expenses; and guaranteed payments.	Douglas A. Berguson 717-787-1382
Computer Services	June 1997, as proposed.	This regulation sets forth the Department's interpretation of 72 P. S. §§ 7201(k)(16), (o)(14), (dd)—(ii) and 7204(52) relating to the taxation of computer services. Currently the Department's interpretation is set forth as a pronouncement and codified at 61 Pa. Code § 60.13 (relating to computer services). The Department has concluded that its policy relating to this service should be set forth as a regulation. Therefore, in addition to proposing to add a regulatory section relating to computer services, the Department is also proposing to delete the pronouncement set forth at § 60.13.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Credits Against Tax; Estimated Tax 61 Pa. Code §§ 111.2—111.5, 115.1—115.5, 115.8, 115.9 and 115.11—115.12	May 1997, as proposed.	This regulation sets forth the Department's policy relating to taxes for which credit is not allowed; other conditions for allowance of the credit for taxes paid to other states; limitations on the amount of the credit for taxes paid to other states; proof requirements; jointly paid estimated tax; and application of overpayments of estimated tax. This regulation is necessary to delete obsolete text; add language consistent with statutory changes; and provide additional guidance in areas that have been subject to questions from the public.	Douglas A. Berguson 717-787-1382
Definitions; Net Profits and Regulated Investment Companies 61 Pa. Code §§ 101.1, 103.12 and 155.30	March 1997, as proposed.	Section 101.1 (relating to definitions) is being amended by replacing the existing definitions of "employee" and "employer" with new definitions consistent with the requirements of 72 P. S. § 7301(g) and (h). The definition of "income" is being expanded to implement the provisions of 72 P. S. § 7602(f)(2)(A) and reflect recent holdings in <i>Morgan v. Commonwealth</i> , 42 Pa. Commonwealth Ct. 557, 400 A.2d 1384 (1979) and <i>Wettach v. Commonwealth</i> , 153 Pa. Commonwealth Ct. 293, 620 A.2d 730 (1993). Section 103.12 (relating to net profits) is also being amended to reflect <i>Morgan</i> and <i>Wettach</i> . The definition of "personal income tax income" set forth in § 155.30(b)(4) (relating to regulated investment companies) is being amended to provide that the term means income computed in the same manner and on the same basis as the income of an individual under Article V. Personal Income Tax.	Douglas A. Berguson 717-787-1382
Disclaimers of Nonprobate Taxable Assets 61 Pa. Code § 93.81	May 1997, as proposed.	The regulation sets forth specific conditions that must be met in order for a disclaimer executed in regard to nonprobate taxable assets and nontrust assets of resident decedents to be valid for Pennsylvania inheritance tax purposes. Based on the decision and order received from the Commonwealth Court <i>In Re Estate of Bernecker</i> , 654 A.2d 246 (Pa. Commonwealth 1995), the Department is revising its policy on the effectiveness of disclaimers of nonprobate taxable assets for Pennsylvania inheritance tax purposes.	Douglas A. Berguson 717-787-1382
Duplicating 61 Pa. Code § 31.22	February 1997, as proposed.	The regulation adds language addressing duplication of documents provided by the customer; details the treatment of duplication of documents not provided by the customer; and explains that when the document being duplicated is provided by the vendor in the ordinary course of business, the charge for copies is taxable unless the document is an official document. In addition, the regulation also explains that vendors may claim the resale exemption on purchases of tangible personal property, such as toner or paper, that is transferred to the customer in connection with the sale of a duplicated document.	Douglas A. Berguson, 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Further Examination of Books and Records 61 Pa. Code §§ 6.22, 8a.1 and 35.1	July 1997, as final.	This regulation interprets section 2915-A of the act of June 30, 1995 (P. L. 139, No. 21) (Act 21) by adding § 8a.1 (relating to further examination of books and records). It also deletes § 6.22 (relating to further examination of books and records) because the section will not be necessary upon final publication of § 8a.1. To avoid confusion, § 35.1 (relating to tax examinations and assessments) is being amended to delete language that is similar in nature to § 8a.1. Section 2910-A of Act 21 required the Department to develop regulations to implement the provisions of Article XXIX-A, Tax Amnesty Program, of which section 2915-A, further examination of books and records, is a part.	Douglas A. Berguson, 717-787-1382
Lawn Care Services 61 Pa. Code §§ 55.6 and 60.2	May 1997, as final.	This regulation sets forth the Department's interpretation of 72 P. S. §§ 7201(k)(17), (o)(15) and (jj) relating to the taxation of lawn care services. Currently the Department's interpretation is set forth as a pronouncement and codified at 61 Pa. Code § 60.2 (relating to lawn care services). Department has concluded that its policy relating to this service should be set forth as a regulation. Therefore, in addition to proposing to add § 55.6 (relating to lawn care services), the Department is also proposing to delete the pronouncement set forth at § 60.2.	Douglas A. Berguson, 717-787-1382
Local Tax 61 Pa. Code §§ 60.16, and 95.1—96.303	May 1997, as proposed.	This regulation sets forth the Department's interpretation of sections 501-509 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P. S. §§ 12720.501—12720.509), sections 3150-B—3157-B of the Second Class County Code (16 P. S. §§ 6150-B—6157-B) and section 201-A of the Tax Reform Code of 1971 (72 P. S. § 7201-A). Currently the Department's interpretation is set forth as a pronouncement and codified at 61 Pa. Code § 60.16 (relating to local sales, use and hotel occupancy tax). The Department has concluded that its policy relating to local sales, use and hotel occupancy tax should be set forth as a regulation. Therefore, in addition to proposing to add Chapter 95. Local Tax, the Department is also proposing to delete the pronouncement set forth at § 60.16.	Douglas A. Berguson, 717-787-1382
Maintaining a Place of Business Within this Commonwealth 61 Pa. Code § 56.1	May 1997, as proposed.	Section 56.1 is amended to make it more consistent with the statutory definition of "maintaining a place of business in this Commonwealth" set forth at 72 P. S. § 7201(b) including the amendment set forth in Act 1995-21 (72 P. S. § 7201(b)(4)) regarding what the term does not include.	Douglas A. Berguson, 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Passenger Car Rental Tax 61 Pa. Code §§ 9.14 and 47.20	July 1997, as final.	This regulation sets forth the Department's interpretation of Article XVI-A Passenger Car Rental Tax (72 P. S. §§ 8601-A—8604-A). Currently the Department's interpretation is set forth as a pronouncement and codified at § 9.14 (relating to passenger car rental tax). The Department has concluded that its policy relating to Article XVI-A should be set forth as a regulation. Therefore, in addition to proposing to add § 47.20 (relating to passenger car rental tax), the Department is also proposing to delete the pronouncement set forth at § 9.14.	Douglas A. Berguson, 717-787-1382
Public Transportation Assistance Fund Taxes and Fees 61 Pa. Code §§ 9.4 and 47.19	July 1997, as final.	This regulation sets forth the Department's interpretation of 72 P. S. § 9301 relating to public transportation assistance fund taxes and fees. Currently the Department's interpretation is set forth as a pronouncement and codified at § 9.4 (relating to public transportation assistance fund taxes and fees). The Department has concluded that its policy relating to public transportation assistance fund taxes and fees should be set forth as a regulation. Therefore, in addition to proposing to add § 47.19 (relating to public transportation assistance fund taxes and fees), the Department is also proposing to delete the pronouncement set forth at § 9.4. Douglas A.	Berguson, 717-787-1382
Return of Information as to Payment In Excess of \$10 61 Pa. Code § 117.18	March 1997, as proposed.	This regulation amends § 117.18 (relating to return of information as to payment in excess of \$10) to clarify how a Pennsylvania information return may be made by a regulated investment company. In March, 1996, the Department adopted a final-form regulation that amended § 117.18 in addition to other personal income tax regulatory sections. During the final stages of the adoption process, a comment was made regarding the information return made by a regulated investment company. To avoid delay in adoption of the entire regulatory package, the Department agreed to amend the section in a separate regulation.	Douglas A. Berguson, 717-787-1382
Telecommunications Service 61 Pa. Code §§ 31.1, 31.24, 48.1 and 55.8	July 1997, as proposed.	This regulation sets forth the Department's interpretation of the 1991 statutory changes set forth in section 201(m), 202(c) and 204(5) of the Tax Reform Code of 1971 (72 P. S. §§ 7201(m), 7202(c) and 7204(5)) regarding telephone, telegraph and telecommunications services.	Douglas A. Berguson, 717-787-1382
Sales and Use Tax Amendments 61 Pa. Code §§ 7.3, 7.6, 31.4, 31.5, 31.7, 31.26, 32.1—32.5, 32.21, 32.22, 32.31—32.37, 33.1, 33.2, 33.4, 42.1, 42.3, 44.2, 45.1, 46.9, 47.18 and 58.13	June 1997, as proposed.	The Department is proposing numerous amendments to the Pennsylvania Code, Title 61. This regulatory package is the result, in part, of a comprehensive review of sales and use tax regulations in light of legislative changes from 1991 to the present.	Douglas A. Berguson, 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
SECURITIES COMMISSION			
Institutional Investor 64 Pa. Code § 102.111	March 1997, as proposed.	This regulation would be amended to include Qualified Institutional Buyer (QIB) under SEC Rule 144A as an institutional investor under the 1972 Act. Under Rule 144A, a QIB is an organization or regulated person who, acting for its own account or the accounts of other qualified institutional buyers, owns and invests on a discretionary basis in the aggregate at least \$100 million in securities of issuers that are not affiliated with such person. Not being uniform with the SEC definition requires issuers selling only to institutional buyers to incur the cost of a Blue Sky legal memo for Pennsylvania to determine where PA differs from the SEC definition. Other states have included Rule 144A QIBs in their definition of institutional investor.	G. Philip Rutledge (717) 783-5130
Securities issued by broker-dealers 64 Pa. Code § 202.080	March 1997, as proposed.	This regulation would repeal the requirement to file Form 202-H with the Commission for offers and sales of securities of a registered broker-dealer to officers, partners or employees. In FY95-96, the Commission received 12 filings under this section. Staff performs only a cursory review of the form and does not believe that the filing requirement is necessary or appropriate for the protection of investors. As there is no filing fee for Form 202-H, there is no impact on fee revenues.	G. Philip Rutledge (717) 783-5130
Isolated Transaction Exemption 64 Pa. Code § 203.189	March 1997, as proposed.	This regulation would be amended to (1) delete the requirement that the issuer must be organized under PA law or have its principal place of business in PA and (2) expand the number of sales to be made to Accredited Investors. The Commission has received numerous inquiries concerning the availability of this exemption from issuers that anticipate only one or two sales in PA, generally to Accredited Investors. In most cases, however, the exemption was not available because the issuer was not a PA Issuer. For a three month period in 1996, the Commission received 42 inquiries from non-PA Issuers, 33 of which indicated that sales would be made to only one or two Accredited Investors in PA. On an annualized basis, this would mean that approximately 132 issuers would not have to make a filing with the Commission. Because no filing would need be made, it is estimated that there would be an annual General Fund fee revenue loss of approximately \$20,000.	G. Philip Rutledge (717) 783-5130
Offers on the Internet 64 Pa. Code § 203.189.1	March 1997, as proposed.	This regulation will codify the Commission's existing Internet order granting an exemption for offers of securities which are made on the Internet but are not intended to be sold to PA residents. This order has served as a nationwide model for dealing with jurisdictional issues concerning Internet offerings at the state level and has been advocated by SEC Commissioner Wallman for adoption at the federal level.	G. Philip Rutledge (717) 783-5130

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Waivers for Accredited Investors 64 Pa. Code § 204.012	March 1997, as proposed. T	This regulation would waive the offer and sale numerical limitations in Sections 203(d) and (e) of the 1972 Act and the general solicitation prohibition in Section 203(d) of the 1972 Act for Accredited Investors. This regulation is being proposed in light of new systems being developed and receiving certain regulatory approvals from the SEC that facilitate the communication of securities offerings on the Internet to Accredited Investors (e.g. ACE-Net) and to provide regulatory guidance for those issuers relying upon the Commission's Internet Order (wherein the Commission took the position that Internet offers constituted general solicitation under the 1972 Act) that subsequently may wish to make sales in PA to Accredited Investors.	G. Philip Rutledge (717) 783-5130
Trust Indenture Requirements 64 Pa. Code § 207.081	March 1997, as proposed.	This amendment would repeal the requirement that all debt securities to be registered by qualification under Section 206 of the 1972 Act be required to comply with the Federal Trust Indenture Act of 1939.	G. Philip Rutledge (717) 783-5130
Subscription Agreements 64 Pa. Code § 207.091	March 1997, as proposed.	This amendment would repeal that the portion of the regulation requiring intrastate offerings under Section 206 to use a specific subscription form. The Commission has not enforced this provision and believes that issuers should have the ability to fashion their own subscription agreements within the appropriate constraints of the anti-fraud provisions of the 1972 Act.	G. Philip Rutledge (717) 783-5130
Quarterly Reports of the Progress of a Registered Offering 64 Pa. Code § 207.110	March 1997, as proposed.	This amendment would repeal the requirement to file Form 207-K. The Commission received 108 207-K reports during FY95-96 from approximately 27 issuers filing under Section 206, of which 20 were non-profit organizations selling debt securities. These organizations generally renew their registration each year and information concerning sales during the prior year are captured by Item 5 of Form 206. Information filed on Form 207-K has not been material to the Commission's enforcement efforts and it believes that this requirement is a regulatory burden which does not fulfill a sufficient corresponding investor protection objective.	G. Philip Rutledge (717) 783-5130
Notice to Purchasers under Section 207(m) 64 Pa. Code § 207.130	March 1997, as proposed.	This amendment would implement provisions of Act 126 of 1994. Act 126 of 1994 amended Section 207(m) and deleted its application to transactions under Sections 203(e) and (r) of the 1972 Act while also making the furnishing of a notice reciting the withdrawal rights under Section 207(m) a condition of the exemption in Section 203(d). Act 126 also gave the Commission explicit authority to adopt a regulation specifying the form and manner in which a 207(m) notice has to be given.	G. Philip Rutledge (717) 783-5130

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Required Records; Report on Sales of Securities and Use of Proceeds 64 Pa. Code § 209.010	March 1997, as proposed.	This amendment would repeal reporting requirements on Form 209 for non-investment companies. Last year, the Commission received 1,244 Form 209 reports from non-investment companies. The Commission expends an enormous amount of time, computer resources and postage to insure timely filing of Form 209. Aggregate offerings of \$100,000 or less under Section 203(d) have been exempt from filing Form 209 for a number of years without any adverse effect. The information supplied by Form 209 does not contribute materially to the Commission's enforcement efforts and often is submitted in such form where it cannot be compared meaningfully to the original offering document. The few instances where oversales have been detected can be addressed through an adjustment to the fee schedule. The Commission believes the Form 209 filing requirement for non-investment companies is a regulatory burden which does not fulfill a sufficient corresponding investor protection objective.	G. Philip Rutledge (717) 783-5130
Financial Reports to Security Holders 64 Pa. Code § 606.011	March 1997, as proposed.	This amendment would delete the regulation's application to transactions effected under Sections 203(o)(ii), (q) and (r) and exclude from the regulation's requirements companies that are subject to the reporting requirements of the Securities Exchange Act of 1934 under Sections 13 of 15(d) thereof that actually have made a filing under that act. Deleting application of the provisions of this section to Sections 203(o)(ii), (q) and (r) would parallel changes to the 1972 Act which removed the application of the Two Business Day Right of Withdrawal to transactions effected under those sections. The transactions affected by this amendment are not those that require heightened regulatory oversight. A further amendment would address a problem that has arisen in using the definition of "reporting company" in the 1972 Act. This section of the regulation always has stood for the proposition that a company filing Forms 10-Q and 10-K with the SEC would not have to provide additional financial information to PA shareholders. The Division would retain the concept but change the wording.	G. Philip Rutledge (717) 783-5130
Amendment Form 64 Pa. Code § 609.011	March 1997, as proposed.	This amendment would delete the requirement to use a specific form for amending filings made with the Commission. The form should be deleted because many issuers do not use it and the Commission has not enforced its use. The amendment would recast the regulation as a general requirement to file material changes with respect to previously filed offering documents and would obligate issuers to identify the form or filing being amended and provide a copy which is marked to show changes. Also, the Commission would propose including a sunset date that no amendments need be filed with respect to offerings for which the last sale in the Commonwealth was made more than five years ago, which time period equals the criminal statute of limitations in Section 511.	G. Philip Rutledge (717) 783-5130

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE			
Bureau of Charitable Organizations	March 1997, as final.	The Department proposes to repeal obsolete existing regulations codified at 49 Pa. Code Chapter 51.1 et seq. The regulations were initially promulgated under earlier statutes which were repealed by the Solicitation of Funds for Charitable Purposes Act (10 P. S. § 162.1 et seq.).	Karl Emerson (717) 783-1720
Bureau of Commissions, Elections and Legislation	March 1997, as proposed.	The Department proposes to repeal 4 Pa. Code Chapter 182.1 relating to the Statewide Central Registry Feasibility Study. The regulation is obsolete because the study was mandated to be completed by July 1, 1996 pursuant to Section 301 of the Pennsylvania Voter Registration Act (25 P. S. § 961.301). The Department proposes comprehensive revisions the Bureau's regulations found at 4 Pa. Code Chapters 171-181. The purpose will be to eliminate obsolete regulations and reflect recent statutory changes including the provisions relating to the Pennsylvania Voter Registration Act. The amendments will be proposed pursuant to the Pennsylvania Voter Registration Act (25 P. S. § 961.301), and the Pennsylvania Election Code (25 P. S. § 2601 et seq.).	Richard Filling, (717) 787-5280
State Athletic Commission	March 1997, as proposed.	The State Athletic Commission (SAC) proposes to amend 58 Pa. Code Chapter 21 to require professional boxers and kickboxers to submit, as part of their annual application for licensure, a report from a licensed medical laboratory that the applicant has tested negative for HIV. The SAC also proposes to amend 58 Pa. Code Chapters 3 and 5 to: 1) clarify that the senior SAC official administering a professional boxing event has control of the space and seating adjacent to the ring, and 2) establish SAC credentials that would give a predetermined number of individuals admission to professional boxing events. The SAC will also consider omnibus revisions to 58 Pa. Code, Part I to bring the SAC's regulations into compliance with both the revisions to the Pennsylvania Athletic Code as well as changes in the SAC's procedures. The regulations will be promulgated pursuant to the Pennsylvania Athletic Code (5 Pa.C.S.A. § 101 et seq.).	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries	March 1997, as proposed.	The Navigation Commission will propose comprehensive revisions to 13 Pa. Code Chapters 201—209 to enhance navigational safety, eliminate obsolete regulations and reflect statutory changes pursuant to 55 P. S. § 31 and 71 P. S. § 670.2(4).	Brian Gottlieb, (717) 787-6458

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Auctioneer Examiners</p> <p>Absolute Auctions— 49 Pa. Code § 1.41.</p>	June 1997, as proposed.	The proposal would identify those auctions in which the term "absolute auction" (an auction of sale to the highest bidder without any reserve limitation or conditions) may be used in auctioneer advertising and when conducting an auction. The regulation will protect the consumer at auctions by making false or deceptive advertising or auctioneering grounds for discipline. The Board has authority to regulate the conduct of licensed auctioneers under Section 32 of the Auctioneer and Auction Licensing Act, Act of December 22, 1983, P. L. 327, 63 P. S. § 734.32.	Linda Dinger (717) 783-3397
<p>Approved Course of Study— 49 Pa. Code § 1.11.</p>	March 1997, as proposed.	The proposal would establish standards for school course practicum work in auctioneering. The regulation will permit the Board to verify the minimum level of education the Board believes necessary for licensure. Legal authority for the regulation is Section 32, 63 P. S. § 734.32.	
<p>Sponsorship of Apprentices— 49 Pa. Code § 1.31.</p>	March 1997, as proposed.	The proposal would require that sponsors provide minimum training of apprentices and document supervision of apprentices whom they employ. The regulation is needed to provide objective standards for sponsors to follow in training and supervising apprentices whom they employ and whose apprenticeship qualifies them for licensure. Legal authority for the regulation is Section 32, 63 P. S. § 734.32.	
<p>State Board of Barber Examiners 49 Pa. Code, Chapter 3.</p>	Fall 1998, as proposed.	Revision of all regulations. Updating all regulations and deleting antiquated provisions. The Board has authority to adopt regulations under Section 10 of the Act of June 19, 1931, P. L. 589, as amended, 63 P. S. § 560.	Kathleen Davis (717) 783-3402
<p>State Board of Chiropractic</p> <p>Sexual Misconduct— 49 Pa. Code § 5.54.</p>	June 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 302(3) of the Chiropractic Practice Act, Act of December 16, 1986, P. L. 1646, as amended, 63 P. S. § 625.302(3).	Deb Smith (717) 783-7156
<p>Peer Review— 49 Pa. Code § 5.55.</p>	June 1997, as proposed.	The proposal would regulate standards for review of chiropractic treatment. The proposal would assure that when chiropractic diagnosis and treatment are subject to utilization review by chiropractors, appropriate standards will be employed. The statutory authority for the regulation is Section 302(3) of the Act, 63 P. S. § 625.302(3).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Examination and Business Practices 49 Pa. Code §§ 5.15, 5.31, 5.32.</p> <p>Volunteer License— 49 Pa. Code, Chapter 5.</p>	<p>March 1997, as final.</p> <p>June 1997, as proposed.</p>	<p>The Board will amend regulations in professional advertising and business aspects of chiropractic practice to delete unnecessary restrictions, and implement the new clinical third-party examination. The statutory authority for the regulation is Section 302(3) of the Act, 63 P. S. § 625.302(3).</p> <p>This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.</p>	
<p>State Board of Cosmetology</p> <p>Disinfection, Equipment and Supplies— 49 Pa. Code §§ 7.71, 7.71a, 7.71b, 7.105 and 7.114.</p>	<p>April 1997, as proposed.</p>	<p>These regulations reflect updated changes in industry standards for disinfecting and sterilizing necessary equipment required to be available and in use in cosmetology shops. Minimum safety and sanitation standards in cosmetology shops are authorized under Section 11 of the Act of May 3, 1933, P. L. 242, as amended, 63 P. S. § 517.</p>	<p>Sara Sulpizio (717) 783-7130</p>
<p>State Architects Licensure Board</p> <p>General Revisions— 49 Pa. Code §§ 9.1—9.211.</p>	<p>March 1997, as proposed.</p>	<p>The amendments will delete unnecessary and outmoded provisions and revise language concerning requirements for licensure, professional conduct and board procedures. The regulations provide necessary guidance to applicants for licensure in Pennsylvania and will notify licensees of disciplinary process and procedures. Legal authority: Section 6(a) of the Architects Licensure Law, 63 P. S. § 34.6(a).</p>	<p>Kathleen Davis (717) 783-3398</p>
<p>State Board of Accountancy</p> <p>Continuing Education Program Sponsors— 49 Pa. Code §§ 11.1, 11.4, 11.64, 11.65, 11.66, 11.70—11.73, 11.80.</p> <p>Commissions and Referral Fees— 49 Pa. Code § 11.24.</p>	<p>Summer 1997, as proposed.</p> <p>December 1997, as proposed.</p>	<p>The regulations would require approved continuing education program sponsors to biennially renew their approval and would authorize the Board to conduct audits of approved programs. The regulations are necessary to ensure that continuing education programs meet licensure renewal needs. Statutory authority: Section 3(10) of The C.P.A. Law, 63 P. S. § 9.3(10).</p> <p>The regulation would set forth the nature of the written disclosure that certified public accountants and public accountants must make in order to pay or receive commissions and referral fees in connection with the referral or recommendation of products and services. The regulation is necessary to comply with recent amendments to The C.P.A. Law. Statutory authority: 63 P. S. § 9.12(p).</p>	<p>Dorna Thorpe (717) 783-1404</p>

Regulation Being Considered	Proposed Date for Promulgation	Need and Legal Basis for Action	Agency Contact
<p>State Board of Funeral Directors</p> <p>Examinations— 49 Pa. Code §§ 13.71, 13.72.</p> <p>Disposition of Bodies— 49 Pa. Code §§ 13.184, 13.212.</p>	<p>No publication anticipated within next 6 months.</p> <p>No publication anticipated within next 6 months.</p>	<p>Intern training requirement for applicants will be revised to allow applicants to take the exam prior to completion of training. The regulation is needed to allow applicants for licensure the flexibility to qualify for and take the licensure exam and obtain training in a funeral establishment. Legal authority: Section 3(d) and (f) of the Funeral Director Law, Act of January 14, 1952, P. L. (1951) 1898), as amended, 63 P. S. § 279.3(d), (f).</p> <p>These amendments will require the prompt disposition of bodies, expressly prohibit the retention of a body because of a fee dispute and delete the 24 hour waiting period for cremations. The amendments are needed to ensure that funeral directors' services meet the wishes of the family. Legal authority: Section 16(a) of the Law, 63 P. S. § 479.16(a).</p>	<p>Kathleen Davis (717) 783-3397</p>
<p>State Board of Landscape Architects</p> <p>Continuing Education— 49 Pa. Code §§ 15.71—15.83.</p>	<p>March 1997, as proposed.</p>	<p>The amendments establish procedures and standards for continuing education as a condition of biennial renewal. The Board is required to adopt regulations establishing requirements of continuing education as a condition for renewal of a license under Section 9.1 of the Landscape Architects' Registration Law, Act of January 24, 1966, P. L. (1965) 1527, added by the Act of December 7, 1994, P. L. 774, 63 P. S. § 909.1.</p>	<p>Dorna Thorpe (717) 783-3397</p>
<p>State Board of Medicine</p> <p>Sexual Misconduct— 49 Pa. Code Chapter 16.</p> <p>Complaint Process— 49 Pa. Code § 16.62.</p> <p>Certified Registered Nurse Practitioners (CRNPs)— 49 Pa. Code § 18.21.</p>	<p>June 1997, as proposed.</p> <p>No publication anticipated in next six months.</p> <p>No publication anticipated in next six months.</p>	<p>The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 8 of the Medical Practice Act, Act of December 20, 1985, P. L. 457, as amended, 63 P. S. § 422.8.</p> <p>Regulations which provide for recommendation by the Board prosecutor to the Board on the disposition of complaints were declared invalid in <i>Lyness v. State Board of Medicine</i>, 605 A.2d 1204 (1992). The Board has authority to repeal these regulations under Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.</p> <p>The Board intends to collaborate with the State Board of Nursing to jointly promulgate standards and criteria by which CRNPs could write prescriptions for medical therapeutic measures. Provide for prescriptive authority of the CRNP in the Commonwealth under Section 15 of the Medical Practice Act, 63 P. S. § 422.15.</p>	<p>Cindy Warner (717) 783-1400</p>

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Requirements for approval of training programs for Certified Registered Nurse Practitioners (CRNP)— 49 Pa. Code § 18.41.	Summer 1997, as proposed.	This regulation would require that all CRNP programs applying for approval by the Board meet specific criteria prior to approval. The regulations will assist educational institutions in developing programs in advanced practice nursing which will qualify graduates for certification as CRNPs. The Board has authority to jointly promulgate with the Nurse Board under Section 15(b) of the Medical Practice Act, 63 P. S. § 422.15(b).	Cindy Warner (717) 783-1400
Sympathomimetic Amines— 49 Pa. Code § 16.96.	No publication anticipated in next six months.	The regulations govern the prescription, administration and dispensing of sympathomimetic amines by medical doctors. Existing regulations were sunsetted January 17, 1992. The Board intends to continue the regulations under the authority of Sections 8 and 41(8)(ii) of the Medical Practice Act, 63 P. S. §§ 422.8 and 422.41(8)(ii).	
Administration of Anesthesia— 49 Pa. Code § 16.98.	No publication anticipated in next six months.	This regulation would establish standards for the delegation of the administration of anesthesia. Publication as proposed occurred October 19, 1996. The Board has received a significant number of comments. The Board has determined further study is warranted before final rulemaking will occur. Statutory authority: Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	
Volunteer license— 49 Pa. Code § 17.9.	June 1997, as proposed.	Regulations are intended to implement Act 141 of December 4, 1996, pertaining to licensing retired practitioners who wish to volunteer services to facilities providing health care to financially qualified persons or in underserved areas. Statutory authority: Act 141 of 1996.	
State Board of Vehicle Manufacturers, Dealers and Salespersons General Provisions, Licensure, Facility requirements— 49 Pa. Code §§ 19.1—19.23.	December 1997, as proposed.	The Board intends to revise all its regulations to delete outdated provisions and take into account industry-wide changes in business practices. The amendments are needed to conform to changes in the 1996 amendments to the Board of Vehicles Act. The Board has authority to promulgate regulations under Section 4(9) of the Board of Vehicles Act, Act of December 22, 1983, as amended, 63 P. S. § 818.4(9).	Teresa Woodall (717) 783-1697
State Board of Nursing Requirements for approval of training programs for Certified Registered Nurse Practitioners (CRNP)— 49 Pa. Code § 21.271.	Summer 1997, as proposed.	This regulation would require that all CRNP programs applying for approval by the Board meet specific criteria prior to approval. The regulations authorized under Section 6.1 of the Professional Nursing Law, 63 P. S. § 216.1, will assist educational institutions in developing programs in advanced practice nursing which will qualify graduates for certification as CRNPs. The Board has authority to jointly promulgate with the Medical Board under Section 2(1) of the Law, 63 P. S. § 212(1).	Ann Steffanic (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Responsibilities of the Registered Nurse and Licensed Practical Nurse 49 Pa. Code §§ 21.11, 21.12, 21.13, 21.14, 21.15, 21.16, 21.145.	Summer 1997, as proposed.	These regulations would confirm the registered nurse's authority to accept verbal orders and authorize licensed practical nurses to accept verbal orders for medical and therapeutic regimens, update, clarify and delete unnecessary language pertaining to the functions of registered nurses and authorize licensed practical nurses as well as registered nurses to administer drugs. The regulation of the practice of nursing and licensed practical nursing by the Board is authorized under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k) and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
RN general revisions— 49 Pa. Code §§ 21.1—21.126.	Summer 1997, as proposed.	These regulations will update or delete outdated provisions pertaining to registered nurses. It would also consolidate all regulatory provisions pertaining to registered nurse education programs. Revisions to the regulations are authorized by Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
LPN general revisions— 49 Pa. Code §§ 21.141—21.234.	Spring 1998, as proposed.	These regulations will update or delete outdated provisions pertaining to licensed practical nurses. It would also consolidate all regulatory provisions pertaining to practical nurse education programs. Revisions to the Practical Nurse Law are authorized under Section 17.6, 63 P. S. § 667.6.	
CRNP prescriptive privileges— 49 Pa. Code §§ 21.151—21.351	Summer 1997, as proposed.	These regulations, to be promulgated by both the State Board of Medicine and the State Board of Nursing, would authorize CRNPs to prescribe medications in cooperation with a licensed physician. These regulations, authorized under § 2 and 2.1 under the Professional Nursing Law, 63 P. S. §§ 212 and 212.1(k), and § 15 of the Medical Practice Act of 1985, 63 P. S. § 422.15 will clarify and update current, ambiguous provisions regarding CRNP's prescriptive authority.	
Sexual Misconduct— 49 Pa. Code §§ 21.18 and 21.148.	April 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7142
Volunteer Licenses— 49 Pa. Code § 21.375	June 1997, as proposed.	This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Optometry Sexual Misconduct— 49 Pa. Code Chapter 23.	June 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 3(a)(14) of the Optometric Practice and Licensure Act, Act of June 6, 1980, P. L. 197, as amended, 63 P. S. § 244.3(a)(14).	Deb Smith (717) 783-7134
General Revisions— 49 Pa. Code Chapter 23.	June 1997, as proposed.	The Board proposes to revise regulations concerning fee sharing, corporate and fictitious name practice, specialty advertising and reciprocity. The Board intends to remove regulations which unduly burden optometrists in the business structure of practices and in procedures related to reciprocal licensure, as well as to clarify the parameters of specialty advertising. Statutory authority: Section 3(a)(14) of the Optometric Practice and Licensure Act, Act of June 6, 1980, P. L. 197, as amended, 63 P. S. § 244.3(a)(14).	
Fees— 49 Pa. Code § 23.91.	March 1997, as final.	The amendments would establish a \$25 fee for the certification of eligible optometrists in the prescription and administration of pharmaceutical agents for therapeutic purposes required by Act 130 of 1996, effective October 30, 1996. The amendments are authorized by Sections 4.1 and 9(c) of the Optometric Practice and Licensure Act, 63 P. S. §§ _____ and 244.9(c).	
Therapeutic Drugs— 49 Pa. Code Chapter 23.	June 1997, as proposed.	The Board will propose regulatory amendments to implement the therapeutic drug provisions added by Act 130 of 1996 effective October 30, 1996. The regulatory amendments would approve appropriate educational providers and examinations prerequisite to certification of optometrists in the prescription and administration of therapeutic drugs, and amend continuing education requirements. The amendments are authorized under Sections 3(a)(14) and 4.1 of the Optometric Practice and Licensure Act, 63 P. S. §§ 244.3(a)(14) and _____.	
Volunteer License— 49 Pa. Code Chapter 23.	June 1997, as proposed.	This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.	Deb Smith (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>State Board of Osteopathic Medicine</p> <p>Sexual Misconduct— 49 Pa. Code Chapter 25.</p>	June 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 16 of the Osteopathic Medical Practice Act, 63 P. S. § 271.16.	Gina Bittner (717) 783-4858
<p>Sympathomimetic Amines— 49 Pa. Code § 25.211.</p>	No publication anticipated in next six months	The regulations govern the prescription, administration and dispensing of sympathomimetic amines by osteopathic medical doctors. Existing regulations were sunsetted January 17, 1992. The Board intends to continue the regulations under the authority of Section 16 of the Osteopathic Medical Practice Act, 63 P. S. § 271.16.	
<p>Volunteer Licenses— 49 Pa. Code § 25.350.</p>	June 1997, as proposed.	This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.	
<p>State Board of Pharmacy</p> <p>General Revisions— 49 Pa. Code, Chapter 27.</p>	June 1997, as final.	The Board proposes to delete outdated and redundant regulations and to clarify language in others. The proposal is needed to eliminate unnecessary provisions, reflect changes in state and federal law, and clarify practice parameters and standards. Sections 3(f), 4(j), 6(k)(1) and (9) of the Pharmacy Act, Act of September 27, 1961, P. L. 1700, as amended, 63 P. S. §§ 390-3(f), 390-4(j), 390-6(k)(1) and 390-6(k)(9), authorize the promulgation of these amendments.	W. Richard Marshman (717) 783-7157
<p>Facsimile Machines— 49 Pa. Code §§ 27.1 and 27.19.</p>	June 1997, as final.	The amendments would authorize pharmacists to accept prescriptions via facsimile transmissions. The regulation conforms to Federal Drug Enforcement Administration amendments providing for transmission of controlled substance prescriptions between prescriber and dispenser via facsimile machine. The amendments are authorized under sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, Act of September 27, 1961, P. L. 1700, as amended, 63 P. S. §§ 390-4(j) and 390-6(k)(1) and (9).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Examinations/Fees— 49 Pa. Code §§ 27.21, 27.24 and 27.91.	March 1997, as final.	The amendments implement the new national computer adaptive licensure examination, known as the North American Pharmacy Licensure Examination (NAPLEX), and the multi jurisdictional jurisprudence examination, and establish applicable fees. The amendments are authorized under Sections 3(b), 6(k)(2) and (9) of the Pharmacy Act, Act of September 27, 1961, P. L. 1700, as amended, 63 P. S. §§ 390-3(b), 390-6(k)(2) and (9).	
State Board of Podiatry Sexual Misconduct— 49 Pa. Code, Chapter 29.	June 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Section 16(a)(3) of the Podiatry Practice Act, Act of March 2, 1956, P. L. (1955) 1206, 63 P. S. § 42.16(a)(3).	Gina Bittner (717) 783-4858
Volunteer License— 49 Pa. Code, Chapter 29.	June 1997, as proposed.	This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.	
State Board of Veterinary Medicine General Information— 49 Pa. Code §§ 31.3, 31.11-31.13, 31.15 and 31.16.	April 1997, as final.	These final form regulations provide procedures for applicants for examinations, temporary permits, licensure renewal, continuing education and approved providers of continuing education courses. The regulations provide necessary guidance to applicants and licensees. Section 5(1) of the Veterinary Medical Practice Act, Act of December 27, 1974, P. L. 995, as amended, 63 P. S. § 485.5(1).	Robert Kline (717) 783-1389
Veterinary establishments & mobile clinics, Rules of Professional Conduct— 49 Pa. Code §§ 31.1, 31.21, 31.25, and 31.26.	April 1997, as final.	These final form regulations establish minimum standards for veterinary establishments and mobile clinics, and rules of professional conduct for veterinarians to address the veterinarian/client/patient relationship. The regulations establish minimum standards for animal hospitals and clinics, mobile clinics and use of drugs as an ethical principle. Legal authority is Section 5(1), (2), 63 P. S. §§ 485.5(1) and (2).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Rules of Professional Conduct— 49 Pa. Code § 31.21.	December 1997, as final.	The proposal would regulate advertising of emergency services and revise procedures required when terminating the veterinarian/client relationship. The Board is authorized to establish standards of professional conduct under Section 5(2) of the Act, 63 P. S. § 485.5(2).	
State Board of Dentistry Fees— 49 Pa. Code § 33.3.	Winter 1997, as proposed.	The regulations will establish temporary permit and certification fees for expanded function dental assistants (EFDAs) and increase application fees for dentists and dental hygienists. The Dental Law requires the Board to issue temporary permits and certificates for EFDAs and collect a fee for those documents, 63 P. S. §§ 122(d.1) and 130h, and to collect the costs associated with the review of applications.	June Barner (717) 783-7162
Sexual Misconduct— 49 Pa. Code, Chapter 33.	June 1997, as proposed.	The regulation will remove Section 33.211(5) of the regulations from the unprofessional conduct section and establish a separate provision relating to sexual misconduct. Reports of sexual misconduct by health care practitioners are on the rise. This regulation will provide licensees with guidance in this area, as authorized under Section 3(o) of the Dental Law, Act of May 1, 1933, P. L. as amended, 63 P. S. § 122(o).	
Advertising— 49 Pa. Code § 33.203(b)(4).	No publication anticipated in next six months.	The regulation will add a provision to the advertising regulations regarding the advertising of dental referral services. Section 4.1(a)(10) of the Dental Law prohibits false, misleading or deceptive advertising. The Board believes that the failure to advise patients that a dentist pays a fee for participation in a dental referral service falls within that prohibition and should be included in Section 33.203(b) of the regulations. The regulation will also update this provision consistent with Act 113 of 1996.	
Expanded Function Dental Assistants— 49 Pa. Code, Chapter 33.	April 1997, as proposed.	The regulations will add EFDAs to the appropriate sections of the dental regulations including general provisions and minimum standards of conduct and practice. In December 1994, the Dental Law was amended to authorize the certification of expanded function dental assistants (EFDAs). Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
Continuing Professional Education— 49 Pa. Code, Chapter 33.	Spring 1997, as proposed.	This regulation will establish continuing education regulations for dentists, dental hygienists and expanded function dental assistants. The regulations are required under Act 113 of 1996, which amended Section 3 (j) of the Dental Law, 63 P. S. Section 122(j).	
Lasers— 49 Pa. Code, Chapter 33	December 1997, as proposed.	The regulation will codify the existing statement of policy and clarify educational requirements for the use of lasers in a dental office. Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	June Barner (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Volunteer license— 49 Pa. Code, Chapter 33.	June 1997, as proposed.	This regulation governs the volunteer license category. It establishes qualifications for placing a license on volunteer status; criteria under which a licensee who is retired and whose license became inactive prior to February 3, 1997, may obtain a volunteer license; procedures under which a volunteer license holder may return to active practice. This regulation is required by the Volunteer Health Services Act, Act 141 of 1996.	
Fictitious names 49 Pa. Code, Chapter 33.	February 1997, as final.	The regulation repeals references to Board approval of fictitious names, as required under Act 113 of 1996, which added Section 3(g.1) to the Dental Law, 63 P. S. § 122(g.1).	
State Real Estate Commission General Revisions— 49 Pa. Code, Chapter 35.	December 1997, as proposed.	The Commission plans a comprehensive amendment to Chapter 35 to bring its existing regulations up to date with today's current policies. Statutory Authority: 63 P. S. § 455.404.	Melissa Wilson (717) 783-3658
State Board of Certified Real Estate Appraisers Definitions— 49 Pa. Code § 36.1.	December 1997, as proposed.	The regulation would define the term "evaluation" to parallel the meaning of the term as it is used by institutions regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision. Statutory authority: 63 P. S. § 457.5(2).	Shirley Klinger (717) 783-4866
Experience Options for Certification 49 Pa. Code § 36.13.	December 1997, as proposed.	The regulation would expand the categories of qualifying experience for certification as an appraiser; require appraisers who supervise appraisal assistants to keep records of assistants' activities and provide verification of their experience to the Board; and mandate that all appraisal reports submitted as qualifying experience by applicants for certification conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulation brings more fairness, efficiency and structure to the Board's evaluation of qualifying experience. The regulation complies with standards established for state appraiser boards by the Appraisal Foundation's Appraiser Qualifications Board (AQB), a federal regulatory body. Statutory authority: 63 P. S. § 457.5(2).	
Standards of Professional Conduct— 49 Pa. Code § 36.281.	Summer 1997, as final.	The regulation would set forth the standards of professional conduct for Certified Pennsylvania Evaluators practicing in the Commonwealth. The regulation is necessitated by Section 7(a)(6) of the Assessors Certification Act, which empowers the Board to discipline certificate holders who violate any standards of professional conduct for real property assessment as adopted by the Board by regulation. Statutory authority: 63 P. S. §§ 458.3 and 458.7(a)(6).	Shirley Klinger (717) 783-4866

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Broker/Appraiser Fees— 49 Pa. Code § 36.6.</p> <p>Continuing Education— 49 Pa. Code §§ 36.41, 36.42, 36.261 and 35.262.</p> <p>Pre-certification Education and Experience— 49 Pa. Code §§ 36.11 and 36.12.</p>	<p>Spring 1997, as proposed.</p> <p>Summer 1997, as proposed.</p> <p>December 1997, as final</p>	<p>The regulation would establish an application fee and initial certification fee for the newly created appraiser certification class of broker/appraiser. The fees will help to defray expenses of the Board associated with regulating broker/appraisers. Statutory authority: 63 P. S. §§ 457.5(6) and 457.9(c).</p> <p>The regulation would raise the biennial continuing education requirements for certified general and certified residential appraisers and Certified Pennsylvania Evaluators from 20 classroom hours to 28 classroom hours; establish a 28-classroom hour continuing education requirement for broker/appraisers; and mandate that all certificate-holders complete a minimum number of classroom hours on the USPAP and the Board's statutory and regulatory requirements. The regulation is necessary to improve the effectiveness of the Board's continuing education program and to comply with the standards established by the AQB. Statutory authority: 63 P. S. § 457.5(2).</p> <p>The regulation would raise the experience requirement for certification as a residential appraiser from 2,000 hours to 2,500 hours; raise the education and experience requirements for certification as a general appraiser from 165 classroom hours to 180 classroom hours and from 2,000 hours to 3,000 hours, respectively; and clarify the components of qualifying educational courses. The regulation is necessary to comply with standards established by the AQB that take effect January 1, 1998. Statutory authority: 63 P. S. § 457.5(2).</p>	
<p>State Board of Examiners of Nursing Home Administrators</p> <p>Experience and Education Requirements— 49 Pa. Code § 39.5.</p> <p>Temporary Permits— 49 Pa. Code § 39.17.</p>	<p>June 1997, as proposed.</p> <p>April 1997, as proposed.</p>	<p>The regulation will amend and clarify education and experience requirements for licensure. Section 6 of the Nursing Home Administrators Law, 63 P. S. § 1106, specifies the qualifications for admission to examination. The education and experience regulations at Section 39.5 have not been reviewed or clarified since 1991. The amendments will remove outdated and confusing provisions. Statutory authority: Section 4(c) of the Nursing Home Administrators Licensing Act, Act of June 22, 1970, P. L. 378, as amended, 63 P. S. § 1104(c).</p> <p>The regulation will amend and clarify the requirements for temporary permits. Section 14 of the Nursing Home Administrators Law, 63 P. S. § 1114, authorizes the Board to issue temporary permits. The revisions will update and clarify the existing statement of policy.</p>	<p>Cheryl Lyne (717) 783-7155</p>

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Revisions— 49 Pa. Code §§ 39.1—39.91.	August 1997, as proposed.	These regulations will update and delete outdated provisions of current regulations, including definitions, subject matter for examinations, approval of programs of study, and licensure renewal. The Board's regulations have not been reviewed or updated since 1992. These revisions are authorized under Sections 4 and 9 of the Law, 63 P. S. §§ 1104 and 1109.	
State Board of Physical Therapy Physical Therapists— 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21—40.24. Athletic Trainers— 49 Pa. Code §§ 40.72, 40.75, 40.81-40.84, 40.86, 40.87, 40.88, 40.101 and 40.102. Sexual Misconduct— 49 Pa. Code, Chapter 40.	July 1997, as proposed. May 1997, as final. June 1997, as proposed.	Regulations correct and revise existing regulations regarding physical therapists. Proposed under Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a). Regulations define athletic trainers in relation to athletes, cease issuing new Class B. certificates and require the completion of a Board-approved educational program which is accredited by a nationally recognized accrediting agency for athletic training. The proposal is authorized under Sections 3(a) and 10.2 of the Physical Therapy Practice Act, 63 P. S. §§ 1303(a) and 1310.2. The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations necessary to carry out the act under Sections 3, 5 and 10 of the Act, 63 P. S. § 1303, 1305 and 1310.	Robert Kline (717) 783-7134
State Board of Psychology Private practice by certified school psychologists— 49 Pa. Code § 41.56. Definitions— 49 Pa. Code § 41.1. Postdoctoral Experience— 49 Pa. Code § 41.31(c)(1)(ii)(E).	December 1997, as proposed. December 1997, as proposed. December 1997, as proposed.	This regulation governs the conditions under which school psychologists may engage in private practice. The Board plans to define the term "employed" within the context of Chapter 41. Statutory authority: 63 P. S. § 1203.2(2). The regulations would update terms to reflect current accreditation entities. The term "Accredited college or university" should be amended to reflect the new name for the "Council on Postsecondary Accreditation (COPA)", which is the "Commission on Recognition of Postsecondary Accreditation (CORPA)." Statutory authority: 63 P. S. § 1203.2(2). The regulation establishes necessary experience for licensure. The Board plans to clarify its intent that an individual working two jobs need only meet with his/her respective supervisors one hour per week to satisfy the two hours/week requirement of this paragraph. Statutory authority: 63 P. S. § 1203.2(2).	Cheryl Lyne (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure of master's degree candidates— 49 Pa. Code § 41.54.	December 1997, as proposed.	This regulation pertains to licenses issued prior to January 1, 1996. The Board plans to repeal this section, because the Board no longer issues licenses to Master's degree candidates. Statutory authority: 63 P. S. § 1203.2(2).	
Professional records— 49 Pa. Code § 41.57.	December 1997, as proposed.	This regulation establishes minimum requirements for records which psychologists must maintain. The Board plans to add language to its existing regulation to address a psychologist's responsibility to release information to clients and to authorize psychologists to charge a fee for reasonable costs of copying. Statutory authority: 63 P. S. § 1203.2(2).	
Standards for the employment and supervision of unlicensed persons with graduate training in psychology— 49 Pa. Code § 41.58(9).	December 1997, as proposed.	The regulations establish minimum levels of supervision of unlicensed persons who provide psychological services under the direction of a licensed psychologist. Statutory authority: 63 P. S. § 1203.2(2).	
Continuing education— 49 Pa. Code § 41.59.	February 1997, as final.	These regulations establish criteria and requirements of minimum continuing education hours for biennial license renewal. The Board proposes amendments to its continuing education regulations to give psychologists more flexibility in their choice of continuing education programs and to expand the opportunities for meeting the requisite contact hours for continuing education credit. Statutory authority: 63 P. S. § 1203.2(2).	Cheryl Lyne (717) 783-7155
Code of ethics— 49 Pa. Code § 41.61.	Fall 1997, as proposed.	The Board plans a comprehensive amendment to its Code of Ethics in order to bring the Code up to date with the American Psychological Association's Ethical Standards. The Board is required to adopt regulations regarding standards of professional practice and a code of ethics under Section 3.2 of the Psychology Practice Act, Act of March 23, 1972, as amended, 63 P. S. § 1203(2).	
Commissioner of Professional and Occupational Affairs Schedule of Civil Penalties Act 48— 49 Pa. Code §§ 43.1—43.11.	Spring 1997, as proposed. Fall 1997, as final.	To adopt a schedule of civil penalties, guidelines for their imposition and procedures for appeal for persons operating without a current, registered, unsuspended and unrevoked license, registration, certificate or permit. Commissioner is required under Act 48 of 1993, 63 P. S. § 2205, to promulgate regulations setting forth a schedule of penalties, guides and procedures. Schedule adopted applies to the conduct or operation of a business or facility licensed by a licensing board of the Bureau.	James A. Holzman (717) 783-7200

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Social Work Examiners Unprofessional Conduct and Sexual Misconduct— 49 Pa. Code, Chapter 47.	June 1997, as proposed.	The Board intends to propose regulations identifying those acts and conduct which the Board finds inimical to the welfare of the patient. Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional conduct. The Board has authority to adopt regulations establishing standards of professional practice and conduct under Section 6(2) of the Social Workers' Practice Act, Act of July 9, 1987, P. L. 220, 63 P. S. § 1906(2).	Clara Flinchum (717) 783-1389
STATE EMPLOYEES RETIREMENT SYSTEM			
No regulations being developed or considered at this date.			
STATE POLICE			
Firearm Regulations Standards for licensed retail dealers Chapter 31	March 1997, as proposed.	The provisions of this chapter set forth regulations for the storage of firearms, rifles, and shotguns by licensed retail dealers in the event a clear and present danger to public safety is found to exist by the Commissioner of the State Police within this Commonwealth during the hours when licensed retail dealers are closed for business. The provisions of this chapter will apply to all licensed retail dealers and their designated employees.	Corporal Albert Picca 717-783-5598
Procedures & Specifications for firearm record forms Chapter 33	March 1997, as proposed.	The State Police will promulgate rules and regulations, and in the manner provided by law, the responsibility to administer and enforce these rules and regulations, and the provisions of the Uniform Firearms Act in order to ensure the identity, confidentiality, and security of all records and data pursuant thereto.-	
Procedures for the receipt and processing of DNA samples for the state DNA database. Chapter 58	February 1997, as proposed.	This chapter sets forth policy and procedures for the collection, submission, preservation, analysis, and dissemination of information or records relating to DNA samples from individuals convicted of a felony sex or other specified offenses.	Trooper Mark Van Buskirk 717-783-5598
TRANSPORTATION			
Emission Inspection Program Chapter 177	June 1997, as final.	Amendments needed to implement enhanced decentralized emission inspection program.	Peter Gertz (717) 783-5842
Enhanced Emission Inspection Chapter 178	June 1997, as final.	Repeal needed. Will be replaced by Chapter 177.	Peter Gertz (717) 783-5842
Temporary Registration Cards and Plates Chapter 43	April 1997, as final.	Proposed amendments based on concerns identified by Dealer Industry/Department efforts. Revises sanctioning requirements for Dealers, making sanctions more equitable.	Linley Oberman (717) 787-2780
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	April 1997, as final.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns.	Linley Oberman (717) 787-2780

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
School Buses and School Vehicles Chapter 171	December 1997, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the School Bus Vehicle Industry and related Associations.	Carol Freeland (717) 783-5841
Vehicle Equipment and Inspection Chapter 175	July 1997, as final.	Amendments are required due to changes in PA Vehicle Code and Federal equipment regulations.	John Munafo (717) 783-6823
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	June 1997, as proposed.	As a result of a Pa Supreme Court decision (Clayton v.s. Department of Transportation), additional waivers to seizure disorder provisions must be adopted.	Anne Titler (717) 783-6246
Liquid Fuels Tax Chapter 449	March 1997, as proposed.	This chapter was originally targeted for revision, after further review it has been determined to repeal the chapter for the following reasons: Alternative measures exist (Municipal Codes); Language is unclear or too technical (changing to a brochure based information package).	Mitzi Westover (717) 783-5315
School Bus Drivers Chapter 71	June 1997, as proposed.	Creates waivers for school bus drivers, with medical conditions, which pose no significant danger to driving.	Anne Titler (717) 783-6246
Mechanical, Electrical and Electronic Speed-Timing Devices Chapter 105	December 1997, as proposed. Amendments reflect updates (periodically required) to	Amendments reflect updates (periodically required) to ensure speed timing devices used by law enforcement officials conform to State and Federal requirements.	Mary Sheriff (717) 783-6676
Work Zone Traffic Control Devices Chapter 203	Summer 1997, as proposed.	Repeal this chapter since it typically is more stringent than federal standards included in the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Some current provisions not included in the MUTCD would be incorporated into Chapter 211.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	Summer 1997, as proposed.	Repeal the current chapter since it duplicates federal standards included in the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Adopt the MUTCD by reference, and provide some additional criteria unique to the Commonwealth.	Art Breneman (717) 787-3620
Hold-Down and Tie-Down Devices for Junked Vehicles and Vehicle Hulks Chapter 181	April 1997, as proposed.	Repeal—incorporate provisions in Chapter 231	Daniel Smyser (717) 787-7445
Engineering and Traffic Studies Chapter 201	Summer 1997, as proposed.	Repeal this chapter since it duplicates many federal standards included in the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Some current provisions not included in the MUTCD would be incorporated into Chapter 211	Art Breneman (717) 787-3620
Intrastate Motor Carrier Safety Requirements Chapter 231	June 1997, as proposed.	Incorporate new Federal provisions, and provisions from Chapter 181 and 183	Daniel Smyser (717) 787-7445
Hazardous Materials Transportation Chapter 403	February 1997, as proposed.	Incorporate new Federal provisions and eliminate registration requirement.	Daniel Smyser (717) 787-7445

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Distribution of Highway Maintenance Funds Chapter 453	March 1997, as proposed.	Incorporate video logging information	James Moretz (717) 787-7908
Driver's License Exam Chapter 75	December 1997, as proposed.	Regulation to be rescinded and replaced with published testing procedures. Needed to provide consistency with Commercial Driver Testing provisions.	Joy Gross (717) 787-9930

[Pa.B. Doc. No. 97-156. Filed for public inspection January 31, 1997, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed at the Historic Preservation Board Meeting

1. Jacob Isett House and Store, State Route 1013, .3 mile south of intersection with State Route 1015, Tyrone Township, Blair County.
2. Shohola Glen Hotel, 100 Rohman Road, Shohola Township, Pike County (Historic and Architectural Resources of the Upper Delaware Valley, New York and Pennsylvania Multiple Property Submission).
3. Oakdale Public School, 33 Hastings Street, Oakdale, Allegheny County.
4. James Thome Farm, 213 Linnwood Road, North Strabane Township, Washington County.
5. Selma, NW corner of Airy and Selma Streets, Norristown, Montgomery County.
6. Pocono Manor Historic District, SR 314, Manor Drive, Laurel and Summit Avenue, Oak Lane, Swiftwater, Lake and Cliff Roads, Pocono and Tobyhanna Townships and Mt. Pocono Borough, Monroe County.
7. Buckingham Friends Meeting, 5684 Lower York Road, Buckingham Township, Bucks County.
8. West End Wheelman's Club, 439 South Franklin Street, Wilkes-Barre, Luzerne County.
9. Uptown Somerset Historic District Boundary Increase, roughly bounded by West Union Street, North Center Avenue, West Main Street and North Edgewood Avenue, Somerset Borough, Somerset County.

BRENT P. GLASS,
Executive Director

[Pa.B. Doc. No. 97-157. Filed for public inspection January 31, 1997, 9:00 a.m.]

INSURANCE DEPARTMENT

Children's Health Insurance Program Grantee Applications

The Management Team for the Children's Health Insurance Program (CHIP), established under the Children's Health Care Act (62 P. S. §§ 5001.101—5001.3015) (act),

will accept applications from health insurance entities for grants to administer the CHIP program. Potential grantees should request grant applications from Lowware Holliman-Murry, CHIP Project Manager, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, or call (717) 783-1437 or (717) 705-0009. A public informational meeting to answer questions concerning the CHIP Program and application instructions is scheduled for February 14, 1997 in Room 812, Health and Welfare Building, Harrisburg, PA 17102 at 1 p.m. Final proposals are due from potential grantees on March 7, 1997 by 4:30 p.m. at the offices identified in the application.

Applications from all interested companies are encouraged and preference will be given to managed health care entities (for example, HMOs or PPOs with primary care gatekeepers). Applicants must hold a valid Certificate of Authority issued by the Insurance Department and have secured the required approvals from the Department of Health.

CHIP is funded by the proceeds from a per pack cigarette tax and provides health insurance for low to moderate income uninsured Pennsylvania children.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-158. Filed for public inspection January 31, 1997, 9:00 a.m.]

Filing for 65 Plus I Prescription Drug Program Rates; Filing No. 1-65P-97-WP

Highmark Blue Cross Blue Shield submitted filing number 1-65P-97-WP for Insurance Department approval. The filing establishes new monthly rate of \$56.98 from the current rate of \$44.10, effective April 1, 1997 for those enrolled in the 65 Plus I Prescription Drug Program. This gives a requested rate increase of 29.2% effective April 1, 1997. The current rate of \$44.10 was approved effective January 1, 1994. Approximately 60,000 subscribers are covered under this program.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Straw-

berry 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. 97-159. Filed for public inspection January 31, 1997, 9:00 a.m.]

Flood Insurance: Pennsylvania Insurance Agents' Responsibilities; Notice 1997-1

During the past year, the Insurance Department staffed 38 Disaster Recovery Centers across the State to assist Pennsylvanians affected by the record-setting nine disasters declared in 1996.

Time and again, Department personnel were informed by Commonwealth residents that their insurance agent had told them that "flood insurance is not available" or "you don't qualify for flood insurance." In reliance upon this advice, some consumers did not purchase flood protection and, regrettably, suffered severe financial consequences once disaster struck.

In the event an agent misrepresents the availability of or eligibility for flood insurance, the Insurance Commissioner may find that this activity violates The Unfair Insurance Practices Act (40 P.S. §§ 1171.1—1171.15) which prohibits persons from making an untrue, deceptive or misleading statement regarding the business of insurance. In addition, the Commissioner may make other findings, including that agents who make false statements regarding the availability of or eligibility for flood insurance coverage no longer meet the competency requirement for licensure (40 P.S. § 234); 31 Pa. Code §§ 37.46 and 37.47 (relating to standards for denial of certificate/license; and revocation, suspension, nonrenewal of certificates and licenses).

After an administrative enforcement hearing is held, if the Commissioner finds a violation of law has occurred, the Commissioner may impose sanctions against the violator. Available sanctions include the issuance of a cease and desist order; suspension, revocation or refusal to renew the agent's certificate of qualification; or imposition of a civil penalty of \$1,000 for each and every violation (40 P.S. §§ 279, 1171.9 and 1171.11).

Agents are expected to be familiar with the National Flood Insurance Program, and the eligibility criteria under that program. In addition, some companies participate in the Write-Your-Own Program, and agents for such companies are expected to be familiar with such program. Agents are also expected to be familiar with the limits and exclusions which apply to flood insurance, and to respond accurately to consumer inquiries about risk mitigation techniques which could be employed in light of such limits and exclusions. The Department also encourages knowledgeable agents to assist their customers in considering the purchase of any necessary flood insurance during the assessment of the consumer's overall insurance and risk protection needs.

The Department encourages agents to attend courses on flood insurance. During the past year, the National Flood Insurance Program offered several free seminars throughout the Commonwealth for agents to learn more about the program. To assist this effort, the vendor which manages the Department's continuing education program (Insurance Testing Corporation) has made it possible for

the National Flood Insurance Program to offer continuing education credits for these seminars by waiving the candidate reporting fees.

The Insurance Department will diligently investigate allegations that an agent has misinformed a consumer about the availability of or eligibility for flood insurance. If such investigation reveals a violation of law, the violator will face appropriate enforcement action by this Department.

Questions concerning the information in this notice may be directed to Carolyn Montgomery, Director, Bureau of Consumer Services, 1321 Strawberry Square, Harrisburg, PA 17120, (717) 783-2153.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-160. Filed for public inspection January 31, 1997, 9:00 a.m.]

John T. Jernigan; Pennsylvania Assigned Risk Plan; Doc. No. PH97-01-006

Under the Pennsylvania Assigned Risk Plan, section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741, notice is hereby given that John T. Jernigan has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan Governing Committee that his certification is revoked and that he will no longer be entitled to submit new applications to the Plan, and may no longer perform certain other activities related to the Plan.

The hearing will be held on March 19, 1997, at 1 p.m. in Hearing Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.193, 35.225—35.251, unless specific exemption is given.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-161. Filed for public inspection January 31, 1997, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Wyoming County, Wine & Spirits Shoppe # 6601, 49 S. Bridge Street, Tunkhannock, PA 18657-1501.

Lease Expiration Date: August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500

net useable square feet of new or existing retail commercial space within 1 mile of the intersection of U. S. Route 6 and PA Route 29, Tunkhannock Borough.

Proposals due: February 28, 1997, 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. 97-162. Filed for public inspection January 31, 1997, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of PECO Energy Company for Issuance of Qualified Rate Order Under Sections 2808 and 2812 of the Public Utility Code; Doc. No. R-00973877

The Pennsylvania Legislature recently passed and Governor Ridge signed a law that will begin to allow customers to choose their electric generation supplier by 1999, with all customers provided choice by 2001. The law also provides utilities with the opportunity to seek recovery of certain transition costs and to refinance some of their property, passing the savings associated with refinancing on to customers in the form of reduced rates.

On January 22, 1997, PECO Energy filed with the Pennsylvania Public Utility Commission (Commission) an application for approval to refinance approximately \$3.6 billion of such property (plus associated costs of refinancing). Subject to Commission approval, this amount of refinancing will result in an estimated \$95 million overall decrease in customer rates, or approximately 2.9%, depending on market interest rates at the time of refinancing. The monthly bill for a typical residential customer using 500 kWh would decrease by \$1.93, or 2.7%.

For more information contact PECO Energy at 1 (800) 494-4000. Persons should contact the Commission at P. O. Box 3265, Harrisburg, PA 17105-3265 within 15 days of publication of this notice, referencing the above docket number, if they wish to file a complaint or participate in the proceedings regarding PECO Energy's application.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-163. Filed for public inspection January 31, 1997, 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 February 24, 1997, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

A-00113665. Bellhop Services, Inc., t/d/b/a Bellhop Paratransit/Errand Service (2664 Jacks Mill Road, Chambersburg, Franklin County, PA 17201)—persons in paratransit service between points in the county of Franklin; which is to be a transfer of the right authorized under the certificate issued at A-00110617 to Deborah Ann Bellows and Rodney L. Cline, Copartners, t/d/b/a Bellhop, subject to the same limitations and conditions.

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 February 18, 1997.

- A-00113675 Charles and Bradley Kishbaugh, Copartners, t/d/b/a C & B Excavating R. R. 1, Box 1857, Nescopek, PA 18635; Bob Bull, 106 Market Street, Berwick, PA 18603
- A-00113666 Michael W. Neal and Robert D. Clegg, t/d/b/a M & R Trucking Company Route 414, R. R. 2, Box 250A, Canton, PA 17724
- A-00113667 Richard D. Becher 5 Applegate Lane, Drums, PA 18222
- A-00113668 Falzone's Towing Service, Inc. 365 Pierce Street, Kingston, PA 18704; Frederick W. Alcaro, Esquire, Alcaro & Maguire Law Firm, 109 Park Building, 400 Third Avenue, Kingston, PA 18704
- A-00113676 Larry L. Thomas, t/d/b/a L. L. Thomas Trucking R. D. 3, Box 354A, Latrobe, PA 15650
- A-00113677 Carrier Haulers, Inc. P. O. Box 98, Florence, NJ 08518
- A-00113678 James N. Beirlair, t/d/b/a James N. Beirlair Trucking R. D. 1, Box 146, Houtzdale, PA 16651
- A-00113669 Dennis M. Bregande Excavating and Contracting, Inc. 1320 Valley Road, Glen Mills, PA 19342
- A-00113670 Randy L. Martin 1069 Red Run Road, Stevens, PA 17578
- A-00113671 Quantum Transport, Inc. 101 Kappa Drive, Ridc Park, Pittsburgh, PA 15238; William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383

- A-00113672 R. L. Phillips Hauling, Inc.
1920 Rockvale Road, Lancaster, PA
17602
- A-00113674 Edward M. Toth and Stephen G. Hudak,
Copartners, t/d/b/a H & T Quality
Service Company
405 East Lynnwood Street, Allentown,
PA 18103

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-164. Filed for public inspection January 31, 1997, 9:00 a.m.]

Stock Transfer Without Hearing

A-130175 F5000. Harrisburg Steam Works, Ltd.
Application of Harrisburg Steam Works, Ltd., for authori-
zation to transfer its stock to Atlantic Thermal Systems,
Inc., and Eastern Power Corporation.

This application may be considered without a hearing.
Protests or petitions to intervene can be filed with the
Pennsylvania Public Utility Commission, Harrisburg,
with a copy served on the applicant on or before February
1, 1997, under 52 Pa. Code (relating to public utilities).

Applicant: Harrisburg Steam Works; By and Through
Counsel: Louise A. Knight, Esquire, Malatesta, Hawke
and McKeon, 100 North Tenth Street, P. O. Box 1778,
Harrisburg, PA 17105-1778.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-165. Filed for public inspection January 31, 1997, 9:00 a.m.]

Water Service Without Hearing

A-211110F2000. The Grandview Water Company.
Application of The Grandview Water Company for ap-
proval of the abandonment in whole of the service
provided by it to 141 customers in South Whitehall
Township, Lehigh County, PA and transfer of this service
to South Whitehall Township.

This application may be considered without a hearing.
Protests or petitions to intervene can be filed with the
Pennsylvania Public Utility Commission, Harrisburg,
with a copy served on the applicant on or before February
17, 1997, under 52 Pa. Code (relating to public utilities).

Applicant: Grandview Water Company, 3009 Fairmount
Street, Allentown, PA 18105, By and Through
Counsel: Emil W. Kantra II, Esquire, Kellar and Kantra,
34 South Fifth Street, P. O. Box 4127, Allentown, PA
18105.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-166. Filed for public inspection January 31, 1997, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will
accept sealed proposals for Project No. 9626.6, Fire Alarm
System Supervision at Tioga Marine Terminal, Sheds No.
1, No. 3 and No. 2, at until 2 p.m. on Thursday, February
20, 1997. The bid documents can be obtained from the
Procurement Administrator, PRPA, 210 W. Washington
Sq., 8th Flr., Philadelphia, PA 19106, (215) 928-9100 and
will be available February 4, 1997. The cost of the bid
document is \$35 (includes 7% Pa Sales Tax). The cost is
nonrefundable. PRPA is an equal opportunity employer.
Contractor will be required to comply with all applicable
equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held Febru-
ary 13, 1997, 10 a.m. at Tioga Street and Delaware
Avenue.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 97-167. Filed for public inspection January 31, 1997, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71
Pa.C.S. Part XXV (relating to State Employees' Retirement
Code), in connection with the State Employees' Retirement
System's denial of claimants' requests concerning the
indicated accounts.

The hearings will be held before a hearing examiner at
the State Employees' Retirement System, 30 North Third
Street, Harrisburg, PA 17108:

March 5, 1997	James G. Dee (Frozen Present Value)	1 p.m.
March 14, 1997	Kirk Junker (Service Credit)	1 p.m.
March 28, 1997	Michael W. Gaynor (Service Credit)	1 p.m.

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 4 Pa.
Code § 250.01, (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.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 97-168. Filed for public inspection January 31, 1997, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Bids

The Turnpike Commission is requesting a sealed bid for: Window Replacement at Wyoming Valley Maintenance Building, Luzerne County. Mandatory Site Inspection: February 18, 1997 at 10 a.m., at Wyoming Valley Maintenance Building, M. P. A94.6, Pittston, Luzerne County. Open Date: March 4, 1997 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Department, (717) 939-9551, ext. 2830.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 97-169. Filed for public inspection January 31, 1997, 9:00 a.m.]

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 95-018-RL68. ADA upgrade of public restrooms at the Valley Forge Int., Mid-County Int., Fort Washington Int., Willow Grove Int., and the Philadelphia Int., PA.

Bid Opening Date: February 26, 1997, 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 \$25 per paper copy 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. 97-170. Filed for public inspection January 31, 1997, 9:00 a.m.]

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 95-018-RJ50. ADA upgrade of public restrooms at the Carlisle Int., Harrisburg East Int., Reading-Lancaster Int., Morgantown Int., and Downingtown Int., PA.

Bid Opening Date: February 26, 1997, 11:30 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 \$25 per paper copy 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. 97-171. Filed for public inspection January 31, 1997, 9:00 a.m.]

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 94-002-FS50. Construction of Mon/Fayette Expressway S.R. 0043, Section 52F1 and Bridge No. MF-303/304, MP M-42.26 in Washington County, PA.

Bid Opening Date: March 5, 1997, 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 by check or P. O. Money Order (no cash), to the Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. Selection of the desired materials shall be by the following designations with proper respective remittance (do not add sales tax). No refund for plans, cross sections, specifications and contract documents will be made for any reason.

Description	Price
A. Construction Plans including roadway, structures and subsurface profiles	\$40
B. Cross Sections	\$50
C. Specifications and Contract Bid Documents	\$25

Total Package \$115

A mandatory prebid meeting for the project under the direction of the Engineer is scheduled for 10 a.m., February 12, 1997, at the field office of the project's Construction Manager, Trumbull Corporation, 600 Park Avenue, Monongahela, PA 15063, telephone (412) 258-9234.

Failure to be represented and registered with the engineer at this prebid meeting will be cause for rejection of bid.

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. 97-172. Filed for public inspection January 31, 1997, 9:00 a.m.]

Retention of Engineering Firm

Lehigh County Reference No. 5-033

The Turnpike Commission will retain an engineering firm or construction management firm to provide a staff of approximately five field inspection personnel for the complete construction inspection, management, administration and documentation of the Lehigh Valley Interchange Rehabilitation and Expansion project. Construction will include a new 13-lane toll plaza, utility building, plumbing, electrical, HVAC, ramp and structure rehabilitation, and various items of drainage, excavation, signing and roadway lighting.

The total cost of this construction contract is estimated at \$8,000,000. This agreement is anticipated to start in September, 1997 and terminate in May, 1999. Duration of the inspection management services is anticipated to be 22 months.

The selected firm will be required to provide sufficient office personnel, managers, engineers, technicians and clerical staff to support the field functions.

The selected firm will be required to attend the prebid meeting and the preconstruction conference with the Commission.

The selected firm will be required to write all project correspondence, coordinate and monitor drawings with the designer, approve materials, and inspect the manufacture of selected construction materials. In addition, the selected firm will be required to keep records utilizing the Turnpike's Construction Documentation System (CDS), document the construction work, prepare current and final estimates for payment to the construction contractor, prepare change orders, conduct monthly job conferences, monitor the monthly progress, provide liaison with affected utilities and communities, conduct semifinal and final inspections, determine from project records the final quantities of each contract item, and perform other duties as may be required.

Sixty percent of the inspection staff assigned to this Commission construction project must meet any of the following requirements:

(1) Be certified by the National Institute for Certification in Engineering Technologies (NICET) as a Transportation Engineering Technician—Construction, Level 2 or higher.

(2) Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with 1 year of highway experience acceptable to the Commission.

(3) Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with 2 years of highway experience acceptable to the Commission.

(4) Hold a Bachelor of Science degree in Civil Engineering with 2 years of highway experience acceptable to the Department or a Bachelor of Science degree in Civil Engineering Technology with 2 years of highway experience acceptable to the Commission.

(5) Hold an Associate degree in Civil Engineering Technology with 3 years of highway experience acceptable to the Commission.

The remaining 40% assigned to each Commission construction project shall meet the following minimum education and experience requirements:

Education—Graduation from high school or equivalent certification or formal training. Completion of a training program in construction inspection approved by the Commission may be substituted for high school graduation.

Experience—One year of experience in construction inspection or workmanship which required reading and interpreting construction plans and specifications or 1 year of experience in a variety of assignments involving the testing of materials used in highway or similar construction projects. A 2 to 4 year engineering college degree may be substituted for 1 year of experience.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, the order of selection will be established for the purpose of entering into an agreement with the highest selected firm. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

Direct inquiries to Matthew J. Wagner at (717) 939-5951, extension 5210.

General Requirements and Information

Firms interested in performing the above services are invited to submit letters of interest to Paul A. Edmunds, P.E., Acting Deputy Executive Director—Engineering/Chief Engineer, Administration Building located on Eisenhower Boulevard at the Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letters of interest must include in the heading the firm's Federal Identification Number and the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement must be submitted for the firm, each party in a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each letter of interest. DOT Form D-427 (as revised 6/89) must be completed to show an indication of both the prime consultant's and subconsultant's current workload by listing all Department of Transportation and Turnpike Commission projects.

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 this project.

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.

The Turnpike Commission 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 Commission currently limits its participation in the consultant's indirect payroll costs (overhead) to 130% and the consultant's field indirect payroll costs (overhead) to 100% or the consultant's actual audited overhead rate, whichever is less.

The following factors 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) The prime consultant's and subconsultant's current workload as indicated on DOT Form D-427 (as revised 6/89). Letters of interest not including Form D-427 are subject to nonconsideration by the Selection Committee.

(D) Location of consultant's and subconsultant's office where the work will be performed.

(E) Listing of subconsultants intended. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission.

(F) Previous experience in construction inspection of large highway, building or public works projects.

(G) Other factors, if any, specific to the project.

The letters of interest and required forms must be received by 4 p.m., Friday, February 28, 1997. Any letters of interest received after this date and time will be time-stamped and returned.

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

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 97-173. Filed for public inspection January 31, 1997, 9:00 a.m.]