

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 July 7, 1998.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
7-1-98	Citizens Bancshares, Inc., Salineville, Ohio to acquire up to 10.13% of the common stock of NSD Bancorp, Inc., Pittsburgh, Pennsylvania	Salineville, OH	Approved and Effective

Foreign Bank Organization Offices

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-30-98	Seoul Bank 10-1 Namdaemun-No, 2-ga Chung-gu Seoul, Korea	401 City Line Ave. Philadelphia Philadelphia County	Discontinued

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-1-98	Juniata Valley Bank, Mifflintown, and Lewistown Trust Company, Lewistown Surviving Institution— Juniata Valley Bank, Mifflintown	Mifflintown	Effective

All branch offices of Lewistown Trust Company will become branch offices of Juniata Valley Bank upon consummation of the merger including the former main office of Lewistown Trust Company located at:

100 East Market Street
Lewistown
Mifflin County

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-1-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 1000 Easton Road Wyncote Montgomery County	Approved
7-1-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 421 South 69th Blvd. Upper Darby Delaware County	Approved
7-2-98	Farmers First Bank Lititz Lancaster County	Mobile Branch Facilities at various locations in Lancaster, Lebanon and York Counties	Commenced Operations
7-6-98	PFC Bank Ford City Armstrong County	Route 68 and 356 Butler Township Butler County	Filed
7-7-98	The Drovers & Mechanics Bank York York County	Route 15 and Spring Lane Dillsburg Carroll Township York County	Filed

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-6-98	Lebanon Valley Farmers Bank Lebanon Lebanon County	<i>To:</i> 9th and Cumberland Sts. Lebanon Lebanon County <i>From:</i> 817 Cumberland Street Lebanon Lebanon County	Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 98-1153. Filed for public inspection July 17, 1998, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 1998

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of August, 1998, is 8 1/4 %.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.78 to which was added 2.50 percentage points for a total of 8.28 that by law is rounded off to the nearest quarter at 8 1/4 %.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 98-1154. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Keystone Recreation, Park and Conservation Fund; Land Trust Grant Program

The Department of Conservation and Natural Resources (Department) has announced an open application

period for the 1998—1999 fiscal year of funding for land trust projects from the Keystone Recreation, Park and Conservation (Keystone) Fund. The Keystone Land Trust Grant Program is administered by the Department's Bureau of Recreation and Conservation.

The Department has mailed an announcement of this open application period, program manual and application forms to the following 55 organizations which are prequalified as eligible land trust applicants. The deadline for receipt of completed grant applications by the Department is 5 p.m. on September 25, 1998. No applications will be accepted by fax.

Allegheny Land Trust (Pittsburgh, PA)
American Farmland Trust (Washington, D.C.)
Armstrong County Conservancy (Kittanning, PA)
Back Mountain Regional Land Trust (Shavertown, PA)
Berks County Conservancy (Wyomissing, PA)
Brandywine Conservancy (Chadds Ford, PA)
Brandywine Valley Association (West Chester, PA)
Buck Hill Conservation Foundation (Buck Hill Falls, PA)
Central Pennsylvania Conservancy (Harrisburg, PA)
Chartiers Nature Conservancy (Crafton, PA)
ClearWater Conservancy (State College, PA)
Conneaut Lake—French Creek Valley Conservancy (Conneaut Lake, PA)
Conservation Fund (Philadelphia, PA)
Ecologically Concerned of Zelenople (Butler, PA)
Edward L. Rose Conservancy (Brackney, PA)
Farm and Natural Lands Trust (York, PA)
Fox Chapel Land Conservation Trust (Pittsburgh, PA)
French & Pickering Creeks Conservation Trust (Pottstown, PA)
Friends of Pennypack Park (Philadelphia, PA)
Friends of the Wissahickon (Philadelphia, PA)
Hawk Mountain Sanctuary Association (Kempton, PA)
Headwaters Charitable Trust (DuBois, PA)
Heritage Conservancy (Doylestown, PA)
Hollow Oak Land Trust (Moon Township, PA)

Lacawac Sanctuary Foundation (Lake Ariel, PA)
 Lackawanna River Corridor Association (Mayfield, PA)
 Lancaster County Conservancy (Lancaster, PA)
 Loyalhanna Watershed Association (Ligonier, PA)
 Merrill W. Linn Land & Waterways Conservancy (Lewisburg, PA)
 Moraine Preservation Fund (Zelienople, PA)
 National Audubon Society (Camp Hill, PA)
 Natural Lands Trust (Media, PA)
 Nature Conservancy (Philadelphia, PA)
 Neighborhood Gardens Association (Philadelphia, PA)
 Northcentral Pennsylvania Conservancy (Williamsport, PA)
 Northern Allegheny Conservation Association (Warren, PA)
 Open Land Conservancy of Chester County (Paoli, PA)
 Penn Soil Conservancy Charitable Trust (Clarion, PA)
 Pennsylvania Environmental Council (Philadelphia, PA)
 Pennypack Ecological Restoration Trust (Huntingdon Valley, PA)
 Perkiomen Valley Watershed Association (Schwenksville, PA)
 Pine Creek Valley Watershed Association (Oley, PA)
 Presque Isle Audubon Society (Erie, PA)
 Rails-to-Trails Conservancy (Harrisburg, PA)
 Red Clay Valley Association (West Chester, PA)
 Roaring Run Watershed Association (Spring Church, PA)
 Rocky Mountain Elk Foundation (Missoula, MT)
 Schuylkill River Greenway Association (Wyomissing, PA)
 Scott Conservancy (Pittsburgh, PA)
 Southern Alleghenies Conservancy (Bedford, PA)
 Trust for Public Land (Washington, D. C.)
 Western Pennsylvania Conservancy (Pittsburgh, PA)
 White Clay Watershed Association (Landenberg, PA)
 Wildlands Conservancy (Emmaus, PA)
 Wissahickon Valley Watershed Association (Ambler, PA)

The Keystone Fund was established by passage of the Keystone Recreation, Park and Conservation Fund Act (Act 1993-50) signed on July 2, 1993. On November 2, 1993, the voters of the Commonwealth overwhelmingly approved a public referendum incurring bond indebtedness by the Commonwealth in the amount of \$50 million to provide for the funding of nature preserves and wildlife habitats, and for improvements to and expansion of State parks, community parks and recreation facilities, historic sites, zoos and public libraries. The Keystone Fund is currently supported by a 15% allocation from the State Realty Transfer Tax revenues. The Department receives 10% of the State Realty Transfer Tax allocation for matching grants to assist land trusts with planning and acquisition projects involving natural areas and open space. Approximately \$3.5 million will be available in this fifth round of funding for land trust projects.

A land trust is defined in Act 1993-50 as a nonprofit conservation or preservation organization, conservancy or land trust whose primary purpose is the conservation and preservation of open space, park lands or natural areas

for public benefit. To qualify for Keystone funding, a land trust must be tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986; registered with the Bureau of Charitable Organizations, PA Department of State, and in existence for at least 5 consecutive years.

Land trusts must prequalify as eligible applicants in accordance with procedures published at 24 Pa.B. 4216 (August 20, 1994). Land trust organizations that are not prequalified for this fifth round of funding may do so prior to announcement of the next open application period. A prequalification form and instructions may be obtained from the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-2656.

Persons with a disability who wish to submit a land trust prequalification form or grant application and require assistance should contact Darrel J. Siesholtz at (717) 783-2661 to discuss how the Department may best accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 98-1155. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Bucknell University for Approval of Amendment of Articles of Incorporation; Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Bucknell University for a Certificate of Authority approving the institution's request for amendment of its Articles of Incorporation that will add a new Section, Article VII, as required by Act 55 of 1997, The Institutions of Purely Public Charity Act.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code § 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-6576 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Department may best accommodate their needs.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 98-1156. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (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, (610) 832-6130.

PA 0057517. Sewage, **Pual Chicos**, 1436 Monk Road.

This application is for issuance of an NPDES permit to discharge treated sewage from the Chicos residence STP in Lower Merion Township, **Montgomery County**. This is a new discharge to an unnamed tributary to the Schuylkill River.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0055778. Sewage, **John and Lynn Savon**, 47 Carter Road, Thornton, PA 19373.

This application is for renewal of an NPDES permit to discharge treated sewage from a single residence sewage treatment plant in Thornbury Township, **Delaware County**. This is an existing discharge to a dry swale tributary to West Branch Chester Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 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 0051331. Sewage, **Girl Scouts of Southern Pennsylvania**, 594 South New Middletown Road, Media, PA 19063.

This application is for renewal of an NPDES permit to discharge treated sewage from Camp Laughing Waters STP in Upper Frederick Township, **Montgomery County**. This is an existing discharge to Swamp Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 45,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)	20	40
Phosphorus (as P)		
(4-1 to 10-31)	2.0	4.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine		
(issuance through year 2)	0.8	2.0
(year 3 through expiration)	0.5	1.2

Other Conditions:

The EPA waiver is in effect.

Conditions for future permit modification.

Effective disinfection.

PA 0057541. Sewage, **Mr. and Mrs. William Sellers**, 1378 Clearview Drive, Denver, PA 17517.

This application is for issuance of an NPDES permit to discharge treated sewage from a single residence STP in Upper Salford Township, **Montgomery County**. This is a new discharge to UNT to Vaughns Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2553.

PA 0062251. Sewerage, **Valley Gorge Mobile Home Park**, George Swerdon, R. D. 1, White Haven, PA 18661.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed Tributary to Wildcat Run in White Haven Borough, **Luzerne County**.

The receiving stream is classified for the following uses: high quality, 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/proposed downstream potable water supply (PWS) considered during the evaluation is Northampton Water Supply on the Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.010 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	20.0	40.0
(11-1 to 4-30)	25.0	50.0
Total Suspended Solids	30.0	60.0
NH ₃ -N		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(5-1 to 9-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine		
(Months 1 through 36)	monitor and report	
(Months 37 through 60)	0.8	1.9

The EPA waiver is in effect.

PA 0031127. Sewerage, **Borough of Northampton**, 1516 Main Street, Northampton, PA 18067.

This proposed action is for renewal of an NPDES permit to discharge sewage into Hokendauqua Creek in Northampton Borough, **Northampton 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 NO₂-NO₃, the existing downstream potable water supply (PWS) considered during the evaluation is Northampton Water Supply on Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 1.5 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	28	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	14.5		29
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		

The EPA waiver is not in effect.

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

PA 0084638. SIC Code 4951, Industrial waste, **Borough of Boyertown**, 100 South Washington Street, Boyertown, PA 19512-1521.

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

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
pH	6.0 to 9.0 at all times		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine (Interim)		monitor and report	
(Final)	0.321		1.05
Total Aluminum	1.61	3.22	4.03
Total Manganese	1.0	2.0	2.5
Total Iron	2.0	4.0	5.0
Total Copper	0.037	0.074	0.093

The EPA waiver is in effect.

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

PA 0209660. Sewerage, SIC: 4952, **Cooper Township Municipal Authority**, P. O. Box 446, Winburne, PA 16879.

This proposed action is for issuance of an NPDES permit for an existing discharge of treated sewage wastewater to Moshannon Creek in Cooper Township, **Clearfield County**.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.225 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Total Cl ₂ Residual	1.00		3.3
Fecal Coliforms (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH		6.0 to 9.0 at all times	

The EPA waiver is in effect.

PA 0209678. Sewerage, SIC: 4952, **Cooper Township Municipal Authority**, P. O. Box 446, Winburne, PA 16879.

This proposed action is for issuance of an NPDES permit for new discharge of treated sewage wastewater to Unnamed Tributary of Moshannon Creek in Cooper Township, **Clearfield County**.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.12 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Total Cl ₂ Residual	1.0		3.3
Fecal Coliforms (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH		6.0 to 9.0 at all times	

The EPA waiver is in effect.

PA 0026557. SIC: 4952, **The Municipal Authority of the City of Sunbury**, 225 Market Street, Sunbury, PA 17801.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to Shamokin Creek in the City of Sunbury, **Northumberland 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 downstream potable water supply (PWS) considered during the evaluation is the Dauphin Borough.

The proposed effluent limits for Outfall 001 based on a design flow of 3.5 mgd, are:

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Chlorine Residual	0.5		1.6
Fecal Coliform (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 SU at all times.	

Other Conditions:

(1) Total Chlorine Residual limits effective 3 years from permit issuance date. Monitoring and reporting required in the interim.

(2) Monitoring of combined sewer overflow (CSO) Outfalls 002—007 for cause, frequency, duration and quantity; development of a long term CSO control plan.

The EPA waiver is not in effect.

PA 0113883. SIC: 4952. **George E. Bittner**, R. R. 1, Box 4, Trout Run, PA 17771.

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

The receiving stream is classified for the following uses: cold water fishery and aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is the PA American Water Company located approximately 45 miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.01925 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Total Chlorine Residual	1.0	2.3
Fecal Coliform (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 SU at all times.

The EPA waiver is in effect.

PA 0038865. Sewerage, SIC: 4952, **Zerbe Township**, 800 Mahanoy Street, Trevorton, PA 17881.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Zerbe Run in Zerbe Township, **Northumberland County**.

The receiving stream is classified for the following uses: cold 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 Dauphin Consolidated Water Company located at Dauphin.

The proposed effluent limits for Outfall 001 based on a design flow of 0.28 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Total Cl ₂ Residual	1.0		3.3
Fecal Coliforms (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

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

PA 0020613. Sewage, **Borough of Waynesburg**, 90 East High Street, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from the Waynesburg STP in Franklin Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Fork Tenmile, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Water Authority.

Outfall 001: existing discharge, design flow of 0.80 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	4.0	6.0		8.0
Lead				
1st month—36th month	monitor and report			
37th month—expiration	.007		.014	.018
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.15			0.5
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0204285. Sewage, **Reesman Mobile Home Park**, Box 99B, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from the Reesman Mobile Home Park STP in Morgan Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary of South Fork Tenmile Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of .0175 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.0			8.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	.03			.07
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). 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 Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period

will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program 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 the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0032999	Commonwealth of Pennsylvania Hickory Run State Park R. R. 1, Box 81 White Haven, PA 18661	Carbon Kidder Township	Hickory Run	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

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

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

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, (717) 826-2511.

A. 3598401. Sewerage. **Tall Timbers Village Mobile Home Park**, 1559 Main Street, Peckville, PA 18452-2016.

Application for modification of an existing sewage treatment plant, located in LaPlume Township, **Lackawanna County**. Application received in the Regional Office June 29, 1998.

A. 4898201. Industrial waste. **Tirenergy Corporation**, 918 Cloverhill Road, Wynnewood, PA 19096-1631. Application to discharge noncontact cooling water to existing quarry, located in Plainfield Township, **Northampton County**. Application received in the Regional Office June 30, 1998.

Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707.

A. 0698404. Sewage, submitted by **Lower Heidelberg Township Municipal Authority**, 720 Brownsville Road, Sinking Spring, PA 19608-9727 in Lower Heidelberg Township, **Berks County** to construct a sanitary sewer pump station (Rosewood Hills Pump Station) was received in the Southcentral Region on June 22, 1998.

A. 2198406. Sewage, submitted by **Carlisle Suburban Authority**, 240 Clearwater Drive, Carlisle, PA 17013 in North Middleton Township, **Cumberland County** to construct the Longs Gap Road and Hilltop Manor Area Sewer Extension was received in the Southcentral Region on June 22, 1998.

A. 2198405. Sewage, submitted by **Carlisle Suburban Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1100 in North Middleton Township, **Cumberland County** to construct a municipal wastewater pumping station (North Ridge Development Wastewater Pumping Station) was received in the Southcentral Region on June 25, 1998.

A. 3698404. Sewage, submitted by **Mount Joy Borough Authority**, 121 East Main Street, Mount Joy, PA 17552 in Mount Joy Borough, **Lancaster County** to replace an existing low pressure sewer service with gravity sewer service (Wood Street Temporary Pumping Station) was received in the Southcentral Region on June 26, 1998.

A. 0698405. Sewage, submitted by the **City of Reading**, 815 Washington Street, Reading, PA 19601 in Reading City, **Berks County** to upgrade the Fritz Island Wastewater Treatment Plant was received in the Southcentral Region on June 29, 1998.

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

WQM Permit No. 4298202. Sewage, **Hazel Hurst Water Association**, P.O. Box 197, Hazel Hurst, PA 16733. This project is for the construction of underground settling/holding tanks for treatment and discharge of water treatment plant filter backwash water in Hamlin Township, **McKean County**.

WQM Permit No. 2098408. Sewage, **David L. Kralj, SRSTP**, R.R. 2, Box 752, Meadville, PA 16335. This project is for the construction of a Single Residence Sewage Treatment Plant in Hayfield Township, **Crawford County**.

WQM Permit No. 4398414. Sewage, **Bruce Powell, SRSTP**, 429 Greenville Rd., Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in Sugar Creek Township, **Mercker County**.

WQM Permit No. 2098409. Sewage, **Allen W. and Linda S. Dreisbach**, 11312 State Highway 198, Conneautville, PA 16406-3214. This project is for the construction of a Single Residence Sewage Treatment Plant in Summerhill Township, **Crawford County**.

WQM Permit No. 2098410. Sewage, **Kathleen A. and Ronald A. Suich**, 511 W. Arrowhead Ct., Louisville,

CO 80027. This project is for the construction of a Single Residence Sewage Treatment Plant in Fairfield Township, **Crawford County**.

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER FROM OIL AND GAS ACTIVITIES

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

PA 0206075. Industrial waste, SIC: 4925, **Canton Oil and Gas Company**, 22811 Titusville Road, Pleasantville, PA 16341.

This application is for issuance of an NPDES permit to discharge water produced during coalbed methane production to Blacklick Creek in Burrell Township, **Indiana County**. This is an existing discharge.

The receiving stream is classified for trout stocking and the Statewide list. For the purpose of evaluating effluent requirements for TDS the existing downstream water supply considered during the evaluation is located in Saltsburg, PA approximately 21.77 miles downstream of the discharge point.

The proposed discharge limits for Outfall No. 001 are:

Parameter	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow		0.48 mgd	333 gpm
Total Iron (mg/l)	3.5		7
Oil and Grease (mg/l)	15		30
TSS (mg/l)	30		60
Acidity (mg/l)	monitor only		
Alkalinity (mg/l)	greater than acidity		
pH	6 to 10 at all times		
TDS (mg/l)	monitor only		
Chloride (mg/l)	monitor only		

The EPA waiver is in effect.

INDIVIDUAL PERMITS (PAS)

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. 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 office noted above the application within 30 days from the date of this public notice. 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 Department the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

NPDES Permit PAS10-G325. Stormwater. **Thomas and Ann Ashton**, 1935 Horseshoe Trail, Chester Springs, PA 19425, has applied to discharge stormwater from a construction activity located in West Pikeland Township, **Chester County**, to Pickering Creek.

NPDES Permit PAS10-G326. Stormwater. **Honey Brook Golf Club**, 1420 Cambridge Road, Honey Brook, PA 19344, has applied to discharge stormwater from a construction activity located in Honey Brook Township, **Chester County**, to West Branch Brandywine Creek.

NPDES Permit PAS10-G327. Stormwater. **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19355, has applied to discharge stormwater from a construction activity located in West Bradford Township, **Chester County**, to Broad Run.

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

Carbon County Conservation District, District Manager, 5664 Interchange Rd., Lehighton, PA 18235-5114, (610) 377-4894.

NPDES Permit PAS101302-1R. Stormwater. **Vacation Charters, Ltd.**, One Lake Drive, P. O. Box 592, Lake Harmony, PA 18624 has applied to discharge stormwater from a construction activity located in Kidder Township, **Carbon County**, to Shingle Mill Creek.

Northcentral Regional Office, Regional Water Management Program Manager, 208 W. 3rd St., Suite 101, Williamsport, PA 17701, (717) 327-3574.

Lycoming County Conservation District, 2130 County Farm RD., Suite 6, Montoursville, PA 17754.

NPDES Permit PAS103912. **Amanda Welker Estates**, R. R. 3, Jersey Shore, PA 17740 has applied to discharge stormwater from a construction activity located in Mifflin Township and Salladasburg Borough, **Lycoming County** to Second Fork and Larry's Creek.

Tioga County Conservation District, 5 East Avenue, Wellsboro, PA 16901.

NPDES Permit PAS106606. Stormwater. **United Salt Northeast LLC**, 4800 San Felipe, Houston, TX 77057 has applied to discharge stormwater from a construction activity located in Tioga Township, **Tioga County** to Crooked Creek.

SAFE DRINKING WATER

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

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

A. 1598504. Public water supply. **Philadelphia Suburban Water Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010. This proposal involves the construction of a booster pump station with chlorination facilities in West Whiteland Township, **Chester County**.

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

A. 0598503. Public water supply. **Rainsburg Borough Council**, Municipality: Rainsburg Borough,

Bedford County. *Responsible Official:* William A. Cessna, President, Rainsburg Borough Council, R. D. 4, Box 199, Bedford, PA 15522. *Type of Facility:* Installation of a sodium hydroxide chemical treatment system for corrosion control treatment of lead and copper within the Borough's water distribution system. *Consulting Engineer:* Daniel J. Carbaugh, P. E., Keller Engineers, Inc., 418 Allegheny Street, Hollidaysburg, PA 16648.

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

A. M. A. The Department has received a construction permit application from **PA American Water Company** (105 Sodom Road, Milton, PA 17847-9762; Borough of Milton, **Northumberland County**) for permit of three additional treatment chemicals at both the Milton and White Deer Creek Filter Plants.

A. 4146426. The Department has received a operating permit application from **H2O To Go** (49 Village Square Drive, Marietta, PA 17547; Northcentral Region, **Centre County**) for operation of vended water system located at Weis Store #31, JPM Road, Lewisburg, PA 17837.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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

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

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

Pine Instrument Company (former Cooper Energy Services Steel) has submitted a Notice of Intent to Remediate Soil. The site has been found to be contaminated with PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was reported to be published in the *Allied News* on June 24, 1998.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

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

Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

46-0054A: Abington Memorial Hospital (1200 Old York Road, Abington, PA 19001) for the operation of a Facility VOC/NOx RACT in Abington Township, **Montgomery County**.

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

01-303-008: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201) for the operation of a batch asphalt plant located in Cumberland Township, **Adams County**. This source is subject to 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities.

07-310-025: Grannas Bros. Stone & Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648) for the operation of a limestone crushing and screening plant controlled by a wet suppression system in Catherine Township, **Blair County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

22-317-010C: Moyer Packing Co. (P. O. Box 395, Souderton, PA 18964) for the operation of a continuous cooker controlled by an air condenser and series with a scrubber and packed tower in Washington Township, **Dauphin County**.

28-318-012D: Letterkenny Army Depot (Building 1 North, Chambersburg, PA 17201-4150) for the operation of chrome plating tanks controlled by a composite mesh pad chrome mist eliminator in Greene Township, **Franklin County**. This source is subject to 40 CFR 63, Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks.

36-302-130A: R. R. Donnelley & Sons Co. (216 Greenfield Road, Lancaster, PA 17601) for the operation of a natural gas/no. 6 fuel oil fired boiler located in Lancaster City, **Lancaster County**.

38-2002: Aluminum Co. of America (3000 State Drive, Lebanon, PA 17042) for the operation of the facilities VOC RACT sources located in South Lebanon Township, **Lebanon County**.

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

59-302-015: Dietrich's Milk Products, LLC (100 McKinley Avenue, Reading, PA 19605-2199) for the operation of a natural gas/#2 fuel oil fired boiler previously owned and operated by Dietrich's Milk Products, Inc. in Middlebury Township, **Tioga County**.

59-317-003: Dietrich's Milk Products, LLC (100 McKinley Avenue, Reading, PA 19605-2199) for the operation of a powdered milk spray dryer and associated air cleaning devices (two fabric collectors) previously owned and operated by Dietrich's Milk Products, Inc. in Middlebury Township, **Tioga County**.

59-317-004: Dietrich's Milk Products, LLC (100 McKinley Avenue, Reading, PA 19605-2199) for the operation of a lactose spray drying system and associated air cleaning devices (two fabric collectors) previously owned and operated by Dietrich's Milk Products, Inc. in Middlebury Township, **Tioga County**.

AIR QUALITY OPERATING PERMITS

Notice of Intent to Issue Title V Operating Permits

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

127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Copies of the Title V application, proposed permit and other relevant information are available for public inspection and additional information may be obtained by contacting the regional office noted.

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

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

Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.

15-00027: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087-1816) located in Tredyffrin Township, **Chester County**. The facility is a manufacturer of catalytic converters for major motor companies. This is a major facility for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) emissions. The VOC and NOx emissions are the results of the thermal breakdown of the coatings applied on the catalyzers.

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

30-00089: Consolidated Natural Gas Transmission Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) for their Crayne Compressor Station located in Franklin Township, **Greene County**. The facility's major sources include natural gas compressor engines which emit major quantities of NOx.

PLAN APPROVALS

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

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

06-1007P: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) for the modification of five heating furnaces in Muhlenberg Township, **Berks County**.

06-5092A: Reading Body Works, Inc. (P. O. Box 650, Reading, PA 19607-0650) for the construction of a stakebody topcoat and E-coating finishing booth controlled by dry filters in Reading, **Berks County**.

21-310-025A: Hempt Brothers, Inc. (205 Creek Road, Camp Hill, PA 17011) for the construction of a secondary crusher at the Camp Hill Quarry in Lower Allen Township, **Cumberland County**.

31-310-025E: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411) for the modification of a silica sandstone dry screening operation controlled by a fabric collector at their Mapleton Depot Plant in Brady Township, **Huntingdon County**.

31-310-031: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411) for the construction of a stone crushing operation at their Mapleton Depot Plant in Brady Township, **Huntingdon County**.

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

14-399-009G: Murata Electronics North America, Inc. (1900 West College Avenue, State College, PA 16801-2799) for construction of ten ceramic chip capacitor kilns (NRK kilns) and associated air cleaning devices (electrically-heated afterburners) in Ferguson Township, **Centre County**.

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

25-318-119A: General Electric Transportation Systems (2901 East Lake Road, Bldg. 9-2, Erie, PA 16531) for minor modification to locomotive paint booth (Bldg. 9D) in Erie, **Erie County**.

Notice of Intent to Issue

Plan Approval No. 59-309-009

United Salt Northeast, LLC (4800 San Felipe, Houston, TX 77056) has submitted an application to the Department of Environmental Protection (Department) for approval to construct a brine evaporation/salt plant in Tioga Township, **Tioga County**. The information provided by the applicant and the Department's own analysis indicates that this plant may potentially result in the emission of 67.77 tons per year (tpy) of nitrogen oxides, 84.92 tpy of carbon monoxide, 20.06 tpy of volatile organic compounds and 81.26 tpy of particulate matter. This plant will also emit sulfur oxides, however, the amount will be negligible. A preliminary review of the information submitted by United Salt Northeast indicates that the proposed construction will meet all applicable air quality requirements. Based on this finding, the Department intends to approve the application and issue a plan approval to construct a brine evaporation/salt plant comprised of a 125 million BTU/hr gas turbine and a 60.4 million BTU/hour steam boiler, as well as numerous conveyors, bucket elevators, storage bins, crushers, grinding mills, screening operations, bagging operations and loading stations for processing salt.

In order to ensure compliance with all applicable standards, the Department proposes to place the following conditions in the respective plan approval:

1. The salt plant is to be constructed in accordance with the plans submitted with the application (as approved herein).

2. This plan approval is issued for the construction of a brine evaporation/salt plant consisting of the following sources:

a. A natural gas fired 125 million BTU per hour Solar Titan 130-T18000 gas turbine equipped with low NOx burners, as well as for the construction of a 50,600 pound per hour (steam output) Energy Recovery International model S4-3614 heat recovery steam generator.

b. A natural gas fired 60.4 million BTU per hour, 1500 Horsepower Series 509 Johnson Boiler Company steam boiler equipped with low NOx burners and flue gas recirculation.

c. A fluidized bed dryer/cooler, the air contaminant emissions from which shall be controlled by a cyclone separator and a model 7310 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

d. A central distribution system comprised of two bucket elevators, two distribution hoppers and five conveyors, the air contaminant emissions from which shall be controlled by a model 735 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

e. A pellet system comprised of surge bin, a bucket elevator, a single deck screen, two storage bins, two screen feeders, a bagging hopper, a bag filler and a dump station, the air contaminant emissions from which shall be controlled by a model 735 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

f. A pellet cooler, the air contaminant emissions from which shall be controlled by a model 739 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

g. An ice control system comprised of a surge bin, a crusher, two conveyors, a bucket elevator and two triple deck screens, the air contaminant emissions from which shall be controlled by a model 734 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

h. An ice control cooler, the air contaminant emissions from which shall be controlled by a model 739 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

i. A block press system comprised of two conveyors, a surge hopper, a dump hopper, a block press and a crusher, the air contaminant emissions from which shall be controlled by a model 732.5 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

j. A flake and flour system comprised of a surge bin, a conveyor, two bucket elevators, two flake mills, a flour mill, two double deck screens, a triple deck screen, four storage bins and four screen feeders, the air contaminant emissions from which shall be controlled by a model 735 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

k. A bulk storage and bulk loading area comprised of four conveyors, three bucket elevators, two storage silos, two scalping screens, two truck loadouts and a rail loadout, the air contaminant emissions from which shall be controlled by a cyclone and a model 736 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister.

l. A granulated bagging area comprised of a belt conveyor, a surge bin, a scalping feeder, a bagging hopper and a bag filler; an anti-caking system comprised of three storage tanks; a storage bin and four conveyors for the ice control system; two bagging machines for the flake and flour area; as well as, a bagging hopper and a bag filler for the pellet area, the air contaminant emissions from which shall be controlled by a cyclone and a model 735 Heil countercurrent packed bed scrubber equipped with a multi-layered structural pad demister. This scrubber system shall be referred to herein as "dry processing area—yps".

3. The scrubbers, described in conditions 2c through 2l herein, shall be equipped with instrumentation to continuously monitor the differential pressure across each scrubber. This instrumentation shall be maintained in operable condition at all times.

4. The scrubbers, described in conditions 2c through 2l herein, shall be equipped with instrumentation to continuously monitor the recirculation and make up feed flow rates. This instrumentation shall be maintained in operable condition at all times.

5. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the air contaminant emissions from the gas turbine shall not exceed, for each pollutant, the following limitations: (Note: ppmvd = parts per million by volume, dry basis, corrected to 15% oxygen)

nitrogen oxides (as NO₂)
carbon monoxide
volatile organic compounds

25 ppmvd or 12.44 pounds per hour
50 ppmvd or 15.15 pounds per hour
25 ppmvd or 4.34 pounds per hour

6. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the air contaminant emissions from the steam boiler shall not exceed, for each pollutant, the following limitations:

nitrogen oxides (as NO₂)
carbon monoxide
volatile organic compounds

2.12 pounds per hour
4.24 pounds per hour
0.24 pounds per hour

7. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the particulate matter emissions from scrubbers controlling sources described in conditions 2.c) through 2.l) herein, shall not exceed the following limitations: (Note: gr/dscf = grains per dry standard cubic foot)

fluidized bed dryer / cooler
pellet system
pellet cooler
ice control system
ice control cooler
central distribution system
block press system
flake & flour system
bulk storage & loading
dry processing area—yps

0.0119 gr/dscf or 3.30 pounds per hour
0.0121 gr/dscf or 0.88 pounds per hour
0.0121 gr/dscf or 3.00 pounds per hour
0.0121 gr/dscf or 0.65 pounds per hour
0.0121 gr/dscf or 3.00 pounds per hour
0.0121 gr/dscf or 0.75 pounds per hour
0.0121 gr/dscf or 0.25 pounds per hour
0.0121 gr/dscf or 0.85 pounds per hour
0.00033 gr/dscf or 0.03 pounds per hour
0.00027 gr/dscf or 0.01 pounds per hour

8. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the gas turbine and the steam boiler described herein shall only be fired on natural gas.

9. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, all open-top trucks shall be loaded by truck load-outs that are equipped with a spout retraction device to prevent the emission of fugitive particulate matter.

10. All open-top trucks hauling salt from this facility shall have their loads securely tarped. A sign or signs stating the existence of this requirement shall be posted in a prominent location near all truck load-outs.

11. Within 150 days following start up of the facility, but not later than 90 days from the time the facility first achieves full production, the company shall perform concurrent nitrogen oxides, carbon monoxide and volatile organic compound testing of the gas turbine using test methods and procedures deemed acceptable to the Department. The testing shall be performed while the turbine is operating under conditions typical of full load.

12. Within 150 days following start up of the facility, but not later than 90 days from the time the facility first achieves full production, the company shall perform concurrent nitrogen oxides, carbon monoxide and volatile organic compound testing of the steam boiler using test methods and procedures deemed acceptable to the Department. The testing shall be performed while the boiler is operating under conditions typical of full load.

13. Within 150 days following start up of the facility, but not later than 90 days from the time the facility first achieves full production, the company shall perform particulate matter testing upon the exhaust of scrubbers controlling sources described in conditions 2k through 2l herein, using test methods and procedures deemed acceptable to the Department. This testing shall be performed under conditions typical of maximum production.

14. At least 60 days before the performance of testing required by Conditions 11, 12 and 13 herein, the company shall submit two copies of a pretest protocol to the Department for review. The protocol shall describe the test methods and procedures to be used in the performance of testing, and shall include dimensioned sketches of the sources' exhaust systems showing the locations of all proposed sampling ports. The protocol shall also identify all process data which will be monitored and recorded during testing.

15. At least 10 days prior to the performance of any testing required by Conditions 11, 12 and 13 herein, the company shall notify the Department of the actual date(s) and time(s) that testing will occur so that Department personnel can arrange to be present during testing.

16. Within 60 days following the completion of testing required by Conditions 11, 12 and 13 herein, the company shall submit two copies of a test report to the Department. This report shall contain the results of the testing (expressed as both pounds per hour and parts per million by volume, dry basis, corrected to 15% O₂ for the turbine), a description of the test methods and procedures used, copies of all raw test data with sample calculations and copies of all process data recorded during testing.

17. The gas turbine is subject to Subpart GG of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.330—60.335 and the steam boiler is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources. 40 CFR 60.40c—

60.48c. In addition, all conveyors, bucket elevators, storage bins, crushers, grinding mills, screening operations, bagging operations as well as, truck and rail loading stations, that process salt at this facility, are subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.670—60.676. The company shall comply with all applicable requirements of these Subparts as well as any other applicable Subpart of the Standards of Performance, including any recordkeeping and reporting requirements. Under 40 CFR 60.4 of the Standards of Performance, the submission of all requests, reports, applications, submittals and other communications required by the Standards of Performance must be made to both the Department of Environmental Protection and the Environmental Protection Agency. The Environmental Protection Agency copies may be sent to: Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

18. The company shall immediately notify the Department of any malfunction of the sources or associated air cleaning devices which results in, or may possibly be resulting in, the emission of air contaminants in excess of the limitations specified in, or established under any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department or in excess of the limitations specified in any condition contained herein or which otherwise results in, or may possibly be resulting in, noncompliance with the requirements specified in any condition contained herein.

19. Issuance of an operating permit for the aforementioned sources are contingent upon the sources being constructed, the control devices being installed, and the sources and associated air cleaning devices being maintained and operated, as described in the application and supplementary materials submitted for plan approval, as well as in accordance with all conditions contained herein, and upon satisfactory demonstration that any air contaminants emitted from the sources are in compliance with the requirements specified in all conditions contained herein and in sections 123.1, 123.11, 123.13, 123.21, 123.22 and 123.41 of Chapter 123 of Article III of the rules and regulations of the Department of Environmental Protection as well as in compliance with the requirements specified in, or established under, any other applicable rule or regulation contained in Article III.

20. The company shall not at any time operate sources at this facility without the simultaneous operation of the associated air cleaning device.

21. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

a. The Department must receive written notice from the Owner/Operator of the completion of construction and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. This notice should state when construction will be completed and when Operator expects to commence operation.

b. Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of

commencement of operation, provided the Department receives notice from the Owner/Operator under Subpart (a), above.

d. The Owner/Operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established.

e. The notice submitted by the Owner/Operator under Subpart (a), above, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

22. Any notification required as a result of any condition herein should be directed to Joseph J. Dwyer, Air Pollution Control Engineer, Air Quality Program, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3642.

In accordance with 25 Pa. Code § 127.45 the conditions listed in this plan approval do one or more of the following:

1. Identify the sources and location.
2. Establish allowable emission rates.
3. Establish monitoring, recordkeeping, testing and reporting requirements.
4. Ensure proper operation and adequate maintenance.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the address listed.

Any person wishing to provide the Department with additional information which he/she believes should be considered prior to the issuance of the plan approval may submit the information to the Department at the address listed. A 30 day comment period, from the date of publication, will exist for the submission of comments. Each written comment shall include the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 59-309-009; and concise statement regarding the relevancy of the information or any objections to issuance of the plan approval.

A public hearing may be held, if the Department in their discretion, decides that such a hearing is warranted

Coating

topcoats

Sealers

Washcoats

All Other Coatings

The Department also proposes to establish 28.45 tons of volatile organic compound emission reduction credits (ERCs) for the shutdown of the wood furniture finishing operations at the respective facility.

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

based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper of general circulation in the county in which the source is to be located or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. All comments and requests must be received by the Department no later than 30 days after final publication of this notice.

Written comments or requests for a public hearing should be directed to David W. Aldenderfer, Regional Air Quality Program Manager, Department of Environmental Protection, Northcentral Region—Field Operations, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3648.

For additional information regarding the Department's analysis of the application, contact Joseph J. Dwyer, Air Pollution Control Engineer, Air Quality Program, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3642.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

Proposed Revision to the State Implementation Plan for Oxides of Nitrogen and Volatile Organic Compounds and Notice of Public Hearing

Approval of Reasonably Available Control Technology (RACT) plan for Cabinet Industries, Inc.

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a wood furniture manufacturing facility (Water Street Plant) owned and operated by Cabinet Industries, Inc. in Danville Borough, Montour 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 United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The preliminary RACT determination for various wood furniture finishing operations which previously existed at this facility is the use of coatings with volatile organic compound (VOC) contents of not greater than the following:

VOC Content Limit

1.8 pounds per pound of coating solids

1.9 pounds per pound of coating solids

7.0 pounds per gallon of coating (minus water)

7.0 pounds per gallon of coating (minus water)

September 2, 1998, at 1 p.m. at the Department's 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 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David Aldenderfer, Air Quality Environmental Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by September 17, 1998.

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.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 (Department). 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. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102,

88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 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.

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

Coal Applications Received:

32823005. Permit Renewal, **Blairsville Associates, Inc.** (P. O. Box 157, Blairsville, PA 15717-0157), commencement, operation and restoration of bituminous strip mine in Burrell and West Wheatfield Townships, **Indiana County**, affecting 367.0 acres, receiving stream a tributary to Black Lick Creek and Palmers Run and unnamed tributaries to Roaring Run, application received June 23, 1998.

11960107. Permit Revision, **T. J. Mining, Inc.** (P. O. Box 370, Carrolltown, PA 15722) for the purpose of adding augering in Cresson Township, **Cambria County**, affecting 62.0 acres, receiving stream unnamed tributary to Burgoon Run, application received June 30, 1998.

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

17980112. **P & N Coal Co., Inc.** (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous surface mine-auger, sand and gravel permit in Burnside Borough and Township, **Clearfield County** affecting 98.8 acres, receiving streams: West Branch Susquehanna River, application received May 28, 1998.

17820181. **Larson Enterprises, Inc.** (P. O. Box 96, Kylertown, PA 16847-0096), renewal of an existing bituminous surface mine permit in Cooper Township, **Clearfield County** affecting 181 acres, receiving streams: unnamed tributary to Sulphur Run, to Sulphur Run, and Sulphur Run, to Moshannon Creek to West Branch Susquehanna River to Susquehanna River, application received May 12, 1998.

17813093. **Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine-coal refuse disposal-shale and fly ash disposal permit in Lawrence Township, **Clearfield County** affecting 112.5 acres, receiving streams: unnamed tributary to Wolf Run to Susquehanna River, application received May 20, 1998.

17880101. Hepburnia Coal Co. (P. O. Box 1, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Brady Township, **Clearfield County** affecting 262.3 acres, receiving streams: an unnamed tributary of Laurel Branch Run to Laurel Branch Run, Laurel Branch Run to East Branch Mahoning Creek, East Branch Mahoning Creek to Mahoning Creek, Mahoning Creek to Allegheny River, Allegheny River to Ohio River, Ohio River to Mississippi River, and Little Anderson Creek to Anderson Creek, Anderson Creek to West Branch Susquehanna River, application received May 29, 1998.

17980113. Beth Contracting, Inc. (R. D. 1, Box 208-C, Glen Campbell, PA 15742), commencement, operation and restoration of a bituminous surface mine permit in Gulich Township, **Clearfield County** affecting 137.8 acres, receiving streams: unnamed tributary to Little Muddy Run, application received June 12, 1998.

17960117. Thunder Coal Company (R. D. 1, Box 477, Grampian, PA 16838), revision to an existing bituminous surface mine permit for a Change in Acreage from 125.3 to 133.1 acres, Pike Township, **Clearfield County**, receiving streams: Hartshorn Run and Welch Run, application received June 9, 1998.

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

24930102. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853). Revision to an existing bituminous surface strip and auger operation in Horton Township, **Elk County** affecting 234.0 acres. Receiving streams: An unnamed tributary to Johnson Run and an unnamed tributary to Brandy Camp Creek. Revision to include a post mining landuse change from "forestland" to "unmanaged natural habitat" on the lands of John L. and Margaret A. Buhler. Application received June 19, 1998.

24930101. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853). Revision to an existing bituminous surface strip, auger and coal ash placement operation in Horton Township, **Elk County** affecting 65.3 acres. Receiving streams: Johnson Run. Revision to include a post mining landuse change from "forestland" to "unmanaged natural habitat" on the lands of John L. and Margaret A. Buhler. Application received June 19, 1998.

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

54980102. Triple T. Mining Company (101 West Main Street, P. O. Box 376, Ringtown, PA 17967), commencement, operation and restoration of an anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 140.0 acres, receiving stream—none. Application received June 29, 1998.

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

Small Industrial Minerals Applications Received:

32980801. William Paul Sharp (Box 131, Shelocta, PA 15774), commencement, operation and restoration of a small industrial minerals mine in Armstrong Township, **Indiana County**, affecting 5 acres, receiving stream unnamed tributary to Crooked Creek to Crooked Creek, application received June 24, 1998.

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

Noncoal Applications Received:

37930303. Rose Point Sand & Gravel (R. D. 4, Box 496, New Castle, PA 16101). Renewal of an existing sand and gravel operation in Slippery Rock and Muddy Creek Townships, **Lawrence and Butler Counties** affecting

38.5 acres. Receiving streams: An unnamed tributary to Muddy Creek and Muddy Creek. Application received June 23, 1998.

37800303. Slippery Rock Materials, Inc. (R. D. 2, Box 228, Volant, PA 16156). Renewal of an existing sand and gravel operation in Plain Grove Township, **Lawrence County** affecting 127.0 acres. Receiving streams: Taylor Run. Application received June 23, 1998.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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 (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, (717) 826-5485.

E35-297. Encroachment. Sun Pipeline Company, 1801 Market Street, Philadelphia, PA 19103-1699. To remove approximately 250 linear feet of 6-inch pipeline in Gardners Creek (CWF). The project is located northeast of the intersection of S. R. 3001 (Newton Ransom Boulevard) and S. R. 3007 (Ransom, PA Quadrangle N: 6.2 inches; W: 8.5 inches), in Ransom Township, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E35-298. Encroachment. P.E.I. Power Corporation, 1 P.E.I. Center, Wilkes-Barre, PA 18711-0601. To construct and maintain an 85 foot long, 12-foot × 10-foot reinforced concrete arch extension to the existing 588 foot long stream enclosure in Laurel Run Creek (CWF). The project is to provide access to the proposed P.E.I. Power Park and is located downstream of the intersection of S. R. 6006 and Laurel Run Creek (Olyphant, PA Quadrangle N: 20.9 inches; W: 4.3 inches), in Archbald Borough, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E35-299. Encroachment. **J. B. Real Estate Development Group**, 1 Dunham Drive, Dunmore, PA 18512-2664. To fill in 0.17 acre of wetlands and to place and maintain fill in and along the floodway of Little Roaring Brook (CWF). The project is associated with the J.B.R. Development, is located immediately north of the intersection of S. R. 0380 in Tigue Street (Olyphant, PA Quadrangle N: 7.2 inches; W: 12.7 inches), in Dunmore Borough, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E45-357. Encroachment. **Eldred Township**, P. O. Box 600, Kunkletown, PA 18058. To remove the existing structure and to construct and maintain an open-bottom, corrugated aluminum box culvert having a span of 22 feet 1 inch and underclearance of approximately 4.5 feet in Princess Run (CWF). The project is located along Township Road T369 (Beagle Run Road) (Kunkletown, PA Quadrangle N: 22.3 inches; W: 6.3 inches), in Eldred Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E45-359. Encroachment. **Milford Commons, Ltd.**, 1520 Royal Palm Square Boulevard, Suite 360, Fort Myers, FL 33919. To place fill in 0.29 acre of PSS/FO wetlands for the purpose of constructing two wetland crossings along an access road to serve the proposed Milford Commons Townhouse Community. The project is located near Lake Valhalla, approximately 0.8 mile north-east of the intersection of S. R. 2012 (Business Route 209) and S. R. 0447 (East Stroudsburg, PA Quadrangle N: 5.5 inches; W: 7.0 inches) in Smithfield Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E54-249. Encroachment. **Minersville Sewer Authority**, 2 East Sunbury Street, Minersville, PA 17954. To construct and maintain a building addition within the floodway of the West Branch Schuylkill River (CWF), for the purpose of accommodating new sludge dewatering equipment at the Minersville Sewage Treatment Plant. The building addition has a footprint of approximately 1,500 square feet. The project is located on the east side of S. R. 0901, approximately 400 feet south of the Minersville Borough/Branch Township boundary (Minersville, PA Quadrangle N: 11.1 inches; W: 0.8 inch), in Branch Township, **Schuylkill County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E46-811. Encroachment. **Cellco Partnership d/b/a Bell Atlantic Mobile**, 5175 Campus Drive, Plymouth Meeting, PA 19462. To construct and maintain an addition to the existing Bell Atlantic Mobile Facility located at 600 Righters Ferry Road, Ward #9 at the Connelly Container Corporation property situated along the southern bank of the Schuylkill River (WWF) within 100-year floodway. The proposed addition consists of a 20-foot by 30-foot prefabricated building installed on a concrete pier foundation. The site is located approximately 1 mile northeast from the intersection of Righters Ferry Road and Belmont Avenue, adjacent to the Conrail Railroad tracks (Germantown, PA Quadrangle N: 3.6 inches; W: 13.0 inches) in Lower Merion Township, **Montgomery County**.

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

E67-629. Encroachment. **North Hopewell Township**, Bruce Grove, 13081 High Point Road, Felton, PA 17322. To remove an existing structure and to construct and maintain an 81-inch by 59-inch corrugated metal culvert in the North Branch of Muddy Creek on Lebanon Church Road approximately 500 feet north of Mountain Road (Stewartstown, PA Quadrangle N: 16.0 inches; W: 11.25 inches) in Hopewell Township, **York County**.

E67-630. Encroachment. **Gerry Golden**, 201 S. Fileys Road, Dillsburg, PA 17019. To place fill in 0.094 acre of wetlands for the purpose of constructing the Hemlock Drive cul-de-sac and stormwater detention facility located in the proposed Hemlock Hollow subdivision west of Steigerwalt Hollow Road and south of Lewisberry Road (Lemoyne, PA Quadrangle N: 14.0 inches; W: 0.8 inch) in Fairview Township, **York County**. The permittee is required to provide a minimum of 0.094 acre of replacement wetlands.

E67-631. Encroachment. **Codorus and Manheim Townships**, Daniel Baugher, R. D. 2, Box 2650, Brodbeck, PA 17329. To remove an existing structure and to construct and maintain a 20-foot wide box culvert having an underclearance of 3 feet, 6 inches on the Codorus Creek at Pentland Road (T-370) located west of Hill Climb Road (Seven Valleys, PA Quadrangle N: 9.0 inches; W: 15.5 inches) in Codorus and Manheim Townships, **York County**.

Northcentral Region, Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.

E53-315. Encroachment. **PA Dept. of Transportation**, Engineering Dist. 2-0, 1924-30 Daisy St., Clearfield, PA 16830. To construct and maintain two stormwater outfall structures: 1) a 50-foot long rock-lined and vegetated channel 2) a 100-foot long rock-lined and vegetated channel to collect sediment discharges in the West Branch Pine Creek floodplain located immediately north of the intersection of SR 1020 with Third Street and with Fourth Street, respectively (Galeton, PA Quadrangle N: 19.5 inches; W: 2.5 inches) in the Borough of Galeton, **Potter County**. Estimated stream disturbance is 130 feet; stream classification is HQ-CWF.

E14-328. Encroachment. **Smith Partnership**, James Smith, P. O. Box 679, State College, PA 16804. To construct and maintain a low flow culvert crossing using seven 30-inch CMP pipes in Bullit Run off Bullit Run Road approximately 1 mile north of Route 150 (Mingoville, PA Quadrangle N: 21.75 inches; W: 13.75 inches) in Howard Township, **Centre County**. Estimated stream disturbance is approximately 20 feet with no wetland impact; stream classification is CWF.

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

E02-1238. Encroachment. **Pittsburgh Harlequin Rugby Football Association**, 208 Braddock Road, Pittsburgh, PA 15221. To place and maintain fill in approximately 0.41 acre of wetlands (PEM) on the left bank of Deer Creek (CWF) for the purpose of constructing an athletic field for rugby and soccer. The project is located on the south side of Eisele Road, approximately 450 feet west from the intersection of Eisele Road and Cove Run Road (New Kensington West, PA Quadrangle N: 14.9 inches; W: 15.7 inches) in Indiana Township, **Allegheny County**. The permit applicant proposes to meet the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

E02-1239. Encroachment. **Allegheny Valley Joint Sewage Authority**, 2400 Freeport Road, P. O. Box 158, Cheswick, PA 15204. To construct and maintain a bank rehabilitation project consisting of placing rip rap and gabion baskets along the right bank of the Allegheny River (WWF) for a distance of approximately 200 feet for the purpose of preventing further stream bank erosion. The project is located approximately 1,300 feet upstream from the Hulton Bridge (New Kensington West, PA Quadrangle N: 5.6 inches; W: 13.5 inches) in Harmar Township, **Allegheny County**.

E65-701. Encroachment. **Redevelopment Authority of the County of Westmoreland**, Courthouse Square—Suite 601, 2 North Main Street, Greensburg, PA 15601. To operate and maintain an existing 14-foot × 16-foot floating dock and to construct and maintain a 40-foot × 60-foot concrete launching ramp in and along the Monongahela River (WWF) for the purpose of providing public recreational boat access. This project also includes developing a parking area and a site access roadway along the Monongahela River (WWF). The project is located at approximately River Mile 38.6 (Donora, PA Quadrangle N: 6.5 inches; W: 7.2 inches) in Rostraver Township, **Westmoreland County**.

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

E10-281. Encroachment. **Philip Litwak**, 100 Deniston Street #7, Pittsburgh, PA 15206. To authorize the after-the-fact excavation of approximately 1.03 acres of a wetland area (PEM/PSS) for the creation of a pond, the restoration of 0.05 acre of impacted wetland, and the creation of at least 2.20 acres of replacement wetlands (PEM/PSS). The project is located approximately 3,000 feet southeast of the intersection of SR 4010, Atwell Road, and Harrisville Road (West Sunbury, PA Quadrangle N: 15.6 inches; W: 4.7 inches) located in Cherry Township, **Butler County**.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appro-

priate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Industrial waste and sewerage actions 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, (717) 826-2511.

Permits Issued

NPDES Permit No. PA-0061760. Sewerage. **Blue Mountain School District**, Red Dale Road, Orwigsburg, PA 17961-0279, is authorized to discharge from a facility located in Wayne Township, **Schuylkill County**, to an unnamed tributary to Schuylkill River.

NPDES Permit No. PA-0063100. Sewerage. **Harford Township Board of Supervisors**, P. O. Box 250, Harford, PA 18823, is authorized to discharge from a facility located in Harford Township, **Susquehanna County**, to Nine Partners Creek.

NPDES Permit No. PA-0060437. Sewerage. **Pine Grove Estates Sewer Company**, R. R. 1, Box 1416, Beach Lake, PA 18405, is authorized to discharge from a facility located in Damascus Township, **Wayne County**, to an unnamed tributary of Delaware River.

Permit No. 3998401. Sewerage. **Coplay Whitehall Sewer Authority**, 3213 MacArthur Road, Whitehall, PA 18052. Permit to replace existing sewage pump station located in Whitehall Township, **Lehigh County**.

Permit No. 4898401. Sewerage. **Borough of Northampton**, 1401 Laubach Avenue, P. O. Box 70, Northampton, PA 18067-0070. Permit to construct gravity sewer interceptor to serve Allen Township, **Northampton County**.

Permit No. 5498401. Sewerage. **Eagle Rock Community Association**, 1031 Valley of Lakes, Hazleton, PA 18201. Permit to construct a low pressure sewer and lift station system for the Western Summit Section of Eagle Rock Community Association, located in North Union Township, **Schuylkill County**.

Permit No. 5897402. Sewerage. **Flying J, Inc.**, 50 West 990 South, Brigham City, UT 84302. Permit to construct sewage treatment plant facilities located in New Milford Township, **Susquehanna County**.

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

NPDES Permit No. PA0024325. Sewerage. **Muncy Borough Municipal Authority**, 14 North Washington Street, Muncy, PA 17756. Renew permit to discharge treated sewage from facility located at Muncy Borough, **Lycoming County**.

NPDES Permit No. PA0024406, Amendment No. 1. Sewerage. **Borough of Mount Carmel**, 100 North Vine St., Mt. Carmel, PA 17851. The amendment grants an extension of the total chlorine residual limit. The facility is located at Mt. Carmel Township, **Northumberland County**.

NPDES Permit No. PA0209619. Sewerage. **N E Hub Partners, L P.**, P. O. Box 878, Wellsboro, PA 16901. Applicant granted permission to discharge treated sewerage to intermittent channel of Crawford Hollow. Facility located at Lawrence Township, **Tioga County**.

NPDES Permit No. PA0209601. Sewerage. **N E Hub Partners, L P.**, P. O. Box 878, Wellsboro, PA 16901. Applicant granted permission to discharge treated sewerage to intermittent channel of Cummings Creek. Facility located at Farmington Township, **Tioga County**.

NPDES Permit No. PA0114120. Sewerage. **Lycoming County Recreation Authority**, R. R. 1, Box 183, Montgomery, PA 17752. Applicant renewed permit to discharge to Black Hole Creek facility located at Clinton Township, **Lycoming County**.

WQM Permit 4198404. Sewerage. **Peter D & Linda L. Schultz**, R. D. 5, Box 452, Williamsport, PA 17701. Granted permission to construct a single residence sewer treatment facility located at Loyalsock Township, **Lycoming County**.

WQM Permit 1795408-A31T1. Sewerage. **Bradford Township/Myers**, P. O. Box 79, Woodland, PA 16881. Transfer was completed to the new property owner for a single residence treatment system located at Bradford Township, **Clearfield County**.

WQM Permit 5998405. Sewerage. **N E Hub Partners L. P., Site B**, P. O. Box 878, One Charles Street, Wellsboro, PA 16901. Permittee granted permission to construct a septic system to discharge to intermittent channel of Cummings Creek. Facility located at Farmington Township, **Tioga County**.

WQM Permit 5998404. Sewerage. **N E Hub Partners L. P., Site A**, P. O. Box 878, Wellsboro, PA 16901. Permittee granted permission to construct a septic system to discharge to intermittent channel of Cummings Creek. Facility located at Lawrence Township, **Tioga County**.

WQM Permit 4198402. Sewerage. **Coder, Christopher**, 336 Louisa St., Williamsport, PA 17701. Applicant granted permission to construct a single residence sewerage facility located at Loyalsock Township, **Lycoming County**.

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

NPDES Permit No. PA0091685. Industrial waste, **U. S. Steel Group**, A Unit of USX Corporation, 600 Grant Street, Pittsburgh, PA 15219-2749 is authorized to discharge from a facility located at Taylor Industrial Landfill, West Mifflin Borough, **Allegheny County** to Unnamed Tributaries to Streets Run.

NPDES Permit No. PA0042234. Sewage, **Kittanning Borough**, 300 South McKean Street, Kittanning, PA 16201 is authorized to discharge from a facility located at Kittanning Borough STP, Kittanning Borough, **Armstrong County** to the Allegheny River.

NPDES Permit No. PA0217522—Amendment No. 1. Sewage, **Municipal Authority of the Borough of Smithton**, P. O. Box 350, Smithton, PA 15479 is authorized to discharge from a facility located at Smithton Borough Sewage Treatment Plant, Smithton Borough, **Westmoreland County**.

INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream</i>
PAS10-G308	Francis MJ Reardon 1505 Greenlawn Road Paoli, PA 19301	West Brandywine Township Chester County	Unnamed Tributaries to West Branch Brandywine Creek

INDIVIDUAL PERMITS

(PAR)

The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices, and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specified General Permit.

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

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

*List of NPDES and/or other
General Permit Type*

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

General Permit Type—PAG 2

Facility Location

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Franklin Township Carbon County	PAR101319	Otto's Camping Resort Lehighton Land Company 1500 Rock Street Lehighton, PA 18235	Pohopoco Creek	Carbon CD (610) 377-4894
Upper Mt. Bethel Township Northampton County	PAR10U093	Dr. Palmer Cotturo 45 N. 11th Street Bangor, PA 18013	Allegheny Creek	Northampton CD (610) 746-1971
City of Bethlehem Northampton County	PAR10092	Bethlehem Steel Corp. 1170 Eighth Ave.— Room 1923 Bethlehem, PA 18016-7699	Saucon Creek	Northampton CD (610) 746-1971
Athens Township Bradford County	PAR100812	Raven Holding Co., LLC 225 Colonial Dr. Horseheads, NY 14845	Chemung River	Bradford County CD R. R. 5, Box 5030C Towanda, PA 18848
College Township Centre County	PAR10F69	Sports Complex Parking Lot Expansion—PA State Univ. Office of Physical Plant University Park, PA 16802	Private Storm Sewer to Big Hollow	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16830
Spring & Walker Townships Centre County	PAR10F072	Springfield Subdivision Kerstetter & Payne Partnership 699 Weaver Hill Rd. Bellefonte, PA 16823	Nittany Creek	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16830
College Township Centre County	PAR10F065	State College Assembly of God 2643 West College Ave. State College, PA 16801	Slab Cabin Run	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16830
Mt. Carmel Township Northumberland County	PAR104922	Mt. Carmel Borough 131 South Oak St. Mt. Carmel, PA 17851	Shamokin Creek	Northumberland County CD R. R. 3, Box 238C Sunbury, PA 17801
Crawford County Vernon Township	PAR102314	Joseph B. Roosa Staples Shopping Plaza P. O. Box 67 Salamanca, NY 14779	Van Horne Run	Crawford Conservation District 1012 Water Street Suite 18 Meadville, PA 16335 (814) 724-1793

NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Crawford County Pine Township	PAR102315	Michael W. Drexler Drexler Allotment P. O. Box 55 Harmonsburg, PA 16422	UNT Pymatuning Reservoir	Crawford Conservation District 1012 Water Street Suite 18 Meadville, PA 16335 (814) 724-1793
Lawrence County Wayne Township	PAR103730	Lariat Development Dutch Ridge No. 2 331 Fanker Road Harmony, PA 16037	Squaw Run/ Tributary to Connoquenessing Creek	Lawrence Conservation District Lawrence Co. Government Center 430 Court Street New Castle, PA 16101-3593 (724) 652-4512
Upper Merion Township Montgomery County	PAR10-T432	Shorty and Dave's Truck Parts 588 Swedeland Road King of Prussia, PA 19406	Matsunk Creek	Southeast Regional Office Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Whitpain Township Montgomery County	PAR10-T433	National Assisted Living 2150 Goodlette Road Naples, FL 34102	Stony Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Pennsburg Township Montgomery County	PAR10-T423	Trim Development Company 229 Congo-Niantic Rd. Barto, PA 19504	Perkiomen Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lower Salford Township Montgomery County	PAR10-T421	WB Homes, Inc. 538 East Main Street Lansdale, PA 19446	West Branch Skeppack Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Skeppack Township Montgomery County	PAR10-T456	Constitution Bank 1608 Walnut St. Philadelphia, PA 19103	Unnamed Tributary to Perkiomen Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lower Salford Township Montgomery County	PAR10-T439	Westrum Land Development Company 370 Commerce Drive Ft. Washington, PA 19034	West Branch Skeppack Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Springfield Township Montgomery County	PAR10-T424	Cornerstone Communities 771 East Lancaster Avenue Villanova, PA 19085	Schuylkill River	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Hanover Township Montgomery County	PAR10-T422	Texas Eastern Transmission Corporation 5444 Westheimer WT-485 Houston, TX 77056	Perkiomen Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
<i>General Permit Type—PAG 3</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Clearfield County Sandy Township	PAR324805	American Rock Salt Co. LLC 1510 Pennsylvania Avenue Peckville, PA 18452	Sandy Lick Creek Tributary	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Adams Township Butler County	PAR208334	Keystone Aluminum, Inc. P. O. Box 807 Mars, PA 16046	Breakneck Creek Water Shed	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Butler Township Butler County	PAR238301	Air Products and Chemicals, Inc. P. O. Box 1528 Butler, PA 16001	Connoquenessing Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG 4</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lycoming County Loyalsock Township	PAG045013	Peter D. & Linda A. Schultz R. R. 5, Box 452 Williamsport, PA 17701	Unnamed tributary of Graffius Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Bradford Township	PAG045003	Jeannie A. Myers R. D. 1, Box 336B West Decatur, PA 16878	Roaring Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Lycoming County Loyalsock	PAG045016	Christopher Coder 336 Louisa St. Williamsport, PA 17701	Unnamed tributary to Mill Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Pine Grove Township Warren County	PAG048519	Shirley L. Gertsch 2250 Conewango Ave. Warren, PA 16365	Unnamed Tributary to Conewango Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Hayfield Township Crawford County	PAG048517	Russell W. and Ellen D. Byham 14933 State Highway 198 Meadville, PA 16335	Unnamed Tributary of Cussewago Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Hayfield Township Crawford County	PAG048516	Dwight R. and Yolanda E. Williams 17027 Townhouse Rd. Saegertown, PA 16433	Unnamed Tributary of Kerns Run	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG 5

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Ferndale Borough Cambria County	PAG056121	Chris A. Riley 421 Ferndale Ave. Johnstown, PA 15905	Stony Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

SEWAGE FACILITIES ACT**PLAN APPROVAL**

The Department of Environmental Protection (Department) has taken actions on municipal requests for Act 537 Plan Approval.

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

Actions under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Southeast Regional Office, Sewage Planning Specialist Supervisor, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Plan Approval is granted for a revision to the **Official Sewage Facilities Plan of Thornbury Township, Chester County** to provide for the elimination of the spray irrigation system, the installation of 40,000 gallons per day (gpd) drip irrigation system, and stream discharge of the balance of the 103,000 gpd not being applied to the drip irrigation system at the Brandywine at Thornbury development (AKA Bridlewood Farms). The Department and township commit to future re-evaluation of the drip irrigation system to determine if application rates may be increased. The township commits to further planning to eliminate any of the remaining stream discharge and providing for a 100% land application disposal, should an expansion of the treatment system beyond 103,000 gpd be proposed.

SAFE DRINKING WATER

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

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

Permit No. 0597501. Public water supply. **St. Clairsville Area Water Corporation**, East St. Clair

Township, **Bedford County**. *Responsible Official*: Ella Imler, President, P. O. Box 284, Osterburg, PA 16667. *Type of Facility*: Modifications to the system include sedimentation tank, diatomaceous earth filtration, corrosion control treatment, booster pumps, 101,000 gallon storage tank and sludge holding tank.

Permit No. 2298501. Public water supply. **Steelton Borough Authority**, Borough of Steelton, **Dauphin County**. *Responsible Official*: Albert Gornik, Authority Chairperson, 123 N. Front Street, Steelton, PA 17113. *Type of Facility*: Construction of a 150,000 gallon elevated storage tank with a chlorine booster facility.

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

A. 4496453-M.A1. The Department issued a construction permit application to **Augusta Boys, Inc.** (P. O. Box 132B, Sunbury, PA 17801; Ralpho Township, **Northumberland County**) for installation of vending machines for drinking water at three locations in the Northcentral Region.

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

Permit No. 4398501. Public water supply. **Buhl Community Water Company**, 372 Old Ash Road, Mercer, PA 16137 has been issued a Construction Permit for their existing system. Existing pumps are being replaced and also expanding the filtration system in Springfield Township, **Mercer County**. *Type of Facility*: Community Water Supply. *Consulting Engineer*: Daniel F. Schmidt, P. E., Gibson—Thomas Engineering Co., Inc., P. O. Box 853, Latrobe, PA 15650. *Permit to Construct Issued*: July 1, 1998.

Permit No. 1097506. Public water supply. **Lake Arthur Estates**, 2925 New Castle Road, Portersville, PA 16051 has been issued a Construction Permit for a new filtration system with other associated controls, tanks and piping in Muddy Creek Township, **Butler County**. *Type of Facility*: Community Water Supply. *Consulting Engineer*: William P. Deemer, P. E., William P. Deemer & Associates, 205 B S Duffy Road, Butler, PA 16001. *Permit to Construct Issued*: June 30, 1998.

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

Prompt Interim Response under the Hazardous Sites Cleanup Act

Susquehanna Road Drum Site Dresher, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), initiated a prompt interim response at the Susquehanna Road Drum Site in June 1998. The Susquehanna Road Drum Site is located at 1668 Susquehanna Road, Dresher, Montgomery County, PA. The site involved releases and potential releases of hazardous substances and materials from deteriorated drums and compressed gas cylinders being improperly stored in a barn. Hazardous substances and materials present included silicon tetrachloride, hydrogen chloride, lithium hydride, and silane. These releases and potential releases posed a substantial danger to the public health and safety of the environment and the Department determined that a prompt interim response was appropriate at this site. The prompt interim

response was implemented under the authority of sections 501(a) and 505(b) of HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The Department's objective was to eliminate the threats to human health and safety caused by the release of hazardous substances. The Department considered the following alternative responses:

1. No Action.
2. Waste characterization and removal.

Since threats would not be eliminated under the No Action alternative it was rejected. The Department chose Alternative #2, waste characterization and removal, as the preferred course of action. Under this alternative all hazardous substances would be removed from the site for appropriate reuse, recycling, treatment or disposal at an approved facility.

Information pertaining to this site, contained in the administrative record, is available for public inspection and copying from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA. Please call Kevin Hess at (610) 832-6194 in order to make an appointment to review the administrative record at the Department's Southeast Regional Office.

Written comments concerning the Department's prompt interim response and related to information contained in the administrative record will be accepted in person, if delivered, or by mail, if postmarked, on or before November 2, 1998. Written comments should be directed to the attention of Kevin Hess, PA DEP Project Officer, Suite 6010 Lee Park, 555 North Lane, Conshohocken, PA 19428, (610) 832-6194.

In addition, the public will have an opportunity to present oral comments at a public hearing. The public hearing has been scheduled for September 1, 1998, at 6:30 p.m., at the Upper Dublin Township Building, 801 Loch Alsh Avenue, Fort Washington, PA. The meeting will be held in the Commissioner's Meeting Room. Persons wishing to present oral comments may register on or before the date of the public hearing by contacting John Gerdelmann, DEP Community Relations Coordinator, at (610) 832-6228.

Persons with a disability who wish to attend the public hearing discussed above and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Kevin Hess directly at (610) 832-6194 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the DEP may accommodate their needs.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)). The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90-day public comment period on the administrative record, as provided, under that act.

Notice of Proposed Settlement

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. § 6020.1113), notice is given by the Department of Environmental Protection (Department) that the Department has entered into a proposed settlement with the **Estate of H. Leroy Beaver, Shirley Beaver Bowen and Reclamation Resources, Inc. of Hatfield Township, Montgomery County**, for the reimbursement of certain response costs incurred by the Department.

The Department now proposes to enter into a Consent Order and Agreement with the Estate of H. Leroy Beaver, Shirley Beaver Bowen and Reclamation Resources, Inc. which provides for the following:

(1) the Department determined that Settlor cannot fully reimburse the Commonwealth for all response costs incurred; (2) In 1984 Mr. Beaver sold the property and established an escrow account in the amount of approximately \$60,000 to clear up any and all obstructions that clouded the title to the property; (3) the Department and Settlor agreed to enter into this financial-inability-to-pay settlement; (4) Settlor shall authorize the release of all monies remaining in the escrow account to be paid to the Department.

Copies of the Consent Order and Agreement may be obtained from the Department's Project Officer, David Ewald, or counsel to the Department, Anderson Lee Hartzell, at the Department's offices in Lee Park in Conshohocken, PA 19428.

Under section 1113 of HSCA, the Department will provide a 60 day comment period on the proposed settlement commencing on the date of publication of this notice. Interested persons may submit written comments to the Department which shall be addressed to David Ewald, Department of Environmental Protection, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. At the close of the comment period, the Department shall file a response to significant public comments. The settlement shall then become final, and this notice, the written comments, and the Department's response thereto shall constitute the written record upon which the settlement may be reviewed.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final report(s).

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

Pennsylvania Power & Light Company (PP&L) Distribution Pole #62540S47627, Whitehall Township, **Lehigh County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

Pennsylvania Power & Light Company (PP&L) Distribution Pole #59930S45020, Lower Macungie Township, **Lehigh County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

Pennsylvania Power & Light Company (PP&L) Distribution Pole #63219S50608, Allen Township, **Lehigh County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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.

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

Permit No. 101659. Champion Recycling, Trestle Business Center, Lot #9, Downingtown, PA 19335. This permit is issued for the construction and operation of a Construction and Demolition Waste transfer and processing facility to be located at Trestle Bridge Business Center in East Caln Township, **Chester County**. Permit was issued in the Southeast Regional Office on June 30, 1998.

Northcentral Regional Office, Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3653.

Permit No. 301315. PP&L, Montour SES, Ash Basin No. 1, Pennsylvania Power & Light Co. (Two North 9th Street, Allentown, PA 18101-1179). Permit for Residual Waste disposal impoundment, located in Derry Township, **Montour County**, issued in the regional office on June 29, 1998.

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.

Southcentral Regional Office, Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.

Permit No. 602484. Kenneth Andrews Farm, Cumberland Township Authority (1370 Fairfield Road, Gettysburg, PA 17325). This permit has been revoked at the applicants request for a site in Cumberland Township, **Adams County**. Permit revoked in the Regional Office June 23, 1998.

AIR QUALITY OPERATING PERMITS

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, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

09-313-084: AtoHaas North America, Inc. (Old Route 13 & Route 413, Bristol, PA 19007) issued for the operation of an Acrylic Molding Resin Line 15 in Bristol Township, **Bucks County**.

15-312-029: Sun Company, Inc. (R&M) (601 East Lincoln Highway, Exton, PA 19341) issued for the operation of a Vapor Recovery Unit in West Whiteland Township, **Chester County**.

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

Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.

40-309-004A: The Celotex Corp. (P. O. Box 663, Pittston, PA 18640) for the minor modification of the mineral wool cupola air pollution control system at Route 92, Exeter Township, **Luzerne County**.

48-310-025A: Eastern Industries, Inc. (Jacoby Creek Road, P. O. Box 207, Mount Bethel, PA 18343) for the minor modification of the stone crushing plant in Upper Mount Bethel Township, **Northampton County**.

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

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

GP3-05-03008: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16648), issued for a Portable Nonmetallic Mineral Processing Plant in Snake Spring Township, **Bedford County**.

Administrative Amendment of 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, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

46-320-021: Universal Packaging Corp. (Formerly Flexofirst, Inc.) (1196 Easton Road, Horsham, PA 19044) issued June 30, 1998, for a Flexographic Printing Press in Horsham Township, **Montgomery County**.

46-320-031: Universal Packaging Corp. (Formerly Careco, Inc.) (1196 Easton Road, Horsham, PA 19044) issued July 1, 1998, for Three Flexographic Printing Presses in Horsham Township, **Montgomery County**.

PLAN APPROVALS

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

Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

15-0069: Champion Recycling, Inc. (Trestle Place, Downingtown, PA 19335) issued June 30, 1998, for the operation of a Diesel Engine in East Caln Township, **Chester County**.

46-0057: Hale Products, Inc. (433 Washington Street, Conshohocken, PA 19428) issued July 1, 1998, for the operation of a Kloster Sand Heater in Plymouth Township, **Montgomery County**.

46-0060: PA Department of Public Welfare, Norristown State Hospital (1001 East Sterigere Street, Norristown, PA 19401) issued July 6, 1998, for the operation of a #2 Fuel Oil Fired Boilers in Norristown Borough, **Montgomery County**.

Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.

40-320-007: Offset Paperback Mfg. Co. (Route 309, P. O. Box N, Dallas, PA 18612) issued June 30, 1998, for the installation of a lithograph non-heat sheet fed press in Dallas Borough, **Luzerne County**.

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

21-0521A: Scranton-Altoona Terminals Corp. (P. O. Box 2621) issued June 29, 1998, for construction of three gasoline (or distillate) storage tanks at the Star Mechanicsburg Terminal located in Silver Spring Township, **Cumberland County**. These sources are subject to 40 CFR 60, Subpart Kb, Standards of Performance for New Stationary Sources.

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

61-064A: Con Air Group, Franklin Division (Route 8 North, Franklin, PA 16323) issued July 1, 1998, for the operation of a painting process in Sugar creek Township, **Venango County**.

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

Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

15-318-018: Graco Children's Products, Inc. (47 Park Avenue, Elverson, PA 19520) issued June 29, 1998, for the operation of a Powder Coating System in Elverson Borough, **Chester County**.

46-318-051: Wesco Manufacturing Co. (206 Progress Drive, Montgomeryville, PA 18936) issued July 2, 1998, for the operation of a Paint Spray Booth in Montgomery Township, **Montgomery County**.

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

06-1023: Maier's Bakery (640 Park Avenue, Reading, PA 19611) issued June 18, 1998, to authorize temporary operation of the bread and hard roll bakery covered by this Plan Approval until October 15, 1998, in Reading, **Berks County**.

07-327-001A: Chicago Rivet & Machine Co., Inc. (Industrial Park, Tyrone, PA 16686) issued May 19, 1998, to authorize temporary operation of the batch vapor degreaser in Tyrone Borough, **Blair County**. This source is subject to 40 CFR 63, Subpart T, National Emission Standards for Hazardous Air Pollutants.

22-02005: Harrisburg Steam Works, Ltd. (P. O. Box 2151, Harrisburg, PA 17105) issued June 13, 1998, to authorize temporary operation of the four No. 6 Oil/Gas boilers in the City of Harrisburg, **Dauphin County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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).

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

Coal Applications Issued:

56880103. Permit Renewal. Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous strip mine in Summit Township, **Somerset County**, affecting 785.0 acres, receiving stream unnamed tributary to Casselman River, the Casselman River, two unnamed tributaries to Lick Run, Lick Run, two unnamed tributaries to Bigby Creek, and one unnamed tributary to Cranberry Run, application received January 28, 1998, permit issued June 24, 1998.

56920106. Permit Renewal. Cooney Brothers Coal Company (Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in Shade Township, **Somerset County**, affecting 276.0 acres, receiving stream unnamed tributary to Hinson Run, unnamed tributary to Shade Creek, unnamed tributary to Stony Creek, application received January 21, 1998, permit issued June 29, 1998.

11860104. Permit Renewal. Cooney Brothers Coal Company (Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in Conemaugh Township, **Cambria County**, affecting 456.0 acres, receiving stream Bear Run and unnamed tributaries to and Little Conemaugh River, application received March 24, 1998, permit issued June 29, 1998.

32970111. Dutch Run Coal, Inc. (R. D. 2, Box 366, Shelocta, PA 15774), commencement, operation and restoration of a bituminous strip mine in Conemaugh Township, **Indiana County**, affecting 48.2 acres, receiving stream unnamed tributaries to and Sulfur Run, application received September 18, 1997, permit issued June 30, 1998.

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

Coal Permits Issued:

14820103. Al Hamilton Contracting Co. (R. D. 1, Box 87, Woodland, PA 16881), revision to an existing bituminous surface mine permit for a change in Permit Acreage from 335.5 to 379.7 acres, Rush Township, **Clearfield County**, receiving streams: unnamed tributary to Trout Run and unnamed tributary to Moshannon Creek to Moshannon Creek, to West Branch Susquehanna River, to Susquehanna River, application received August 27, 1997, permit issued June 3, 1998.

17970114. Sky Haven Coal, Inc. (R. D. 1, Box 180, Penfield, PA 15849), commencement, operation and restoration of a bituminous surface mine permit in Goshen Township, **Clearfield County** affecting 70 acres, receiving streams: Little Trout Run to the West Branch of the Susquehanna River to the Susquehanna River, application received September 10, 1997, permit issued May 26, 1998.

17960121. K & J Coal Co., Inc. (P. O. Box 189, Westover, PA 16692), revision to an existing bituminous surface mine-auger permit for a Change in Permit Acreage from 290.0 to 297.5 acres, Chest and Ferguson Townships, **Clearfield County**, receiving streams: unnamed tributary to Wilson Run and McMasters Run and its unnamed tributary and an unnamed tributary to Chest Creek, application received February 6, 1998, permit issued June 16, 1998.

17970119. Penn Grampian Coal Company (P. O. Box 249, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine-auger permit in Gulich Township, **Clearfield County**, affecting 52.7 acres, receiving streams: Muddy Run, application received December 23, 1997, permit issued June 11, 1998.

17980902. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of an Incidental Coal Extraction permit in Bigler Township, **Clearfield County** affecting 13.3 acres, receiving streams: Japling Run to Clearfield Creek to West Branch Susquehanna River, application received May 7, 1998, permit issued June 22, 1998.

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

65920107. M. B. Energy, Inc. (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Revision issued to change post mining land use from forestland to pastureland, land occasionally cut for hay on the property of Thomas and Nancy Wandrisco, at a surface mining site located in Derry Township, **Westmoreland County**, affecting 86.1 acres. Application received April 3, 1998. Revision issued June 18, 1998.

65950102R. Seven Sisters Mining Co., Inc. (200 U. S. Route 22, Delmont, PA 15626). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Upper Burrell Township, **Westmoreland County**, affecting 82.5 acres. Receiving streams: unnamed tributaries to Pucketa Creek, to Pucketa Creek. Application received March 4, 1998. Renewal issued June 19, 1998.

03960107. 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 Burrell Township, **Armstrong County**, affecting 130.1 acres. Receiving streams: unnamed tributary to Cherry Run to Crooked Creek. Application received December 16, 1996. Permit issued June 19, 1998.

03860111R. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Renewal permit issued for continued operation and reclamation of a bituminous surface auger mine located in East Franklin Township, **Armstrong County**, affecting 624.2 acres. Receiving streams: unnamed tributaries to the Allegheny River. Renewal application received April 20, 1998. Renewal permit issued June 24, 1998.

03940101R. TDK Coal Sales, Inc. (P. O. Box 627, Clarion, PA 16214). Renewal permit issued for continued operation and reclamation of a bituminous surface mine located in Bradys Bend Township, **Armstrong County**, affecting 129.2 acres. Receiving streams: unnamed tributary to Holder Run and to Holder Run to Sugar Creek. Renewal application received April 17, 1998. Renewal permit issued June 24, 1998.

65910109R. Laurel Land Development, Inc. (P. O. Box 629, Carrolltown, PA 15722). Renewal permit issued for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 60.9 acres. Receiving streams: unnamed tributaries to Saxman Run and one unnamed tributary to Miller Run. Renewal application received April 21, 1998. Renewal permit issued July 1, 1998.

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

33880109. Colt Resources, Inc. (R. D. 3, Box 48A, Clarion, PA 16214). Renewal of an existing bituminous strip and auger operation in McCalmont Township, **Jefferson County**, affecting 136.5 acres. This renewal is issued for reclamation only. Receiving streams: Four unnamed tributaries of Camp Run. Application received April 27, 1998. Permit issued June 22, 1998.

10820122. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous strip, auger and limestone removal operation in Mercer and Marion Townships, **Jefferson County**, affecting 598.6 acres. Receiving streams: Two unnamed tributaries to the North Branch Slippery Rock Creek. Application received April 24, 1998. Permit issued June 22, 1998.

37930106. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip operation in Shenango Township, **Lawrence County**, affecting 158.0 acres. This renewal is issued for reclamation only. Receiving streams: Five unnamed tributaries to McKee Run. Application received April 27, 1998. Permit issued June 22, 1998.

33930104. John R. Zenzi, Jr. (P. O. Box 287, Anita, PA 15711). Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County**, affecting 336.0 acres. Receiving streams: Unnamed tributary to Trout Run and Unnamed tributary to Front Run. Application received April 23, 1998. Permit issued June 22, 1998.

10820142. Thomas E. Siegel (208 Woodland Rd., Shipperville, PA 16254). Renewal of an existing bituminous strip and auger operation in Parker Township, **Butler County**, affecting 111.0 acres. Unnamed tributaries of Bear Creek and Bear Creek. Application received March 9, 1998. Permit issued June 19, 1998.

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

40663024T. Coal Contractors (1991), Inc. (Gowen Mine, Fern Glen, PA 18241), transfer of an existing anthracite surface mine operation in Hazle Township, **Schuylkill County**, affecting 925.0 acres, receiving stream—none. Transfer issued June 30, 1998.

Knox District Office, P. O. Box 669, Knox, PA 16232.
Noncoal Issued:

3175SM11. Medusa Aggregates Company (3008 Monticello Boulevard, Cleveland Heights, OH 44118). Renewal of NPDES #PA0121631, Taylor and Shenango Townships, **Lawrence County**. Receiving streams: Unnamed tributary to McKee Run. Application received May 6, 1998. Permit issued June 22, 1998.

4675SM18. G. L. Carlson, Inc. (Box 97, Turtlepoint, PA 16750). Renewal of NPDES #PA0211222, Annin Township, **McKean County**. Receiving streams: Allegheny River. Application received April 30, 1998. Permit issued June 22, 1998.

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

40980301. Brdaric Excavating, Inc. (230 Bunkerhill Road, Wyoming, PA 18644), commencement, operation and restoration of a quarry operation in Kingston Township, **Luzerne County**, affecting 44.8 acres, receiving stream—unnamed tributaries to Susquehanna River. Permit issued June 26, 1998.

39870302C3. Haines & Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474), renewal of NPDES Permit #PA0594326 in South Whitehall Township, **Lehigh County**, receiving stream—Jordan Creek. Renewal issued July 2, 1998.

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

Small Industrial Mineral Authorizations Granted:

17980801. H & H Clearing & Excavating (R. R. 1, Box 5, DuBois, PA 15801), commencement, operation and restoration of a Small Industrial Mineral (Shale) permit in Sandy Township, **Clearfield County**, affecting 5.2 acres, receiving streams: Clear Run and unnamed tributary to Clear Run, application received January 7, 1998, authorization granted May 26, 1998.

59980801. Terry Jacobson (R. R. 4, Box 1109, Westfield, PA 16950), commencement, operation and restoration of a Small Industrial Mineral (Topsoil, Sand, Gravel) permit in Nelson Township, **Tioga County**, affecting 1.25 acres, receiving streams: Cowanesque, application received April 7, 1998, authorization granted June 2, 1998.

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

General Small Noncoal Authorizations Granted:

35970801. James T. O'Hara, Inc. (R. R. 9, Box 9433, Moscow, PA 18444), commencement, operation and restoration of a quarry operation in Springbrook Township, **Lackawanna County**, affecting 3.0 acres, receiving stream—none. Authorization granted June 23, 1998.

58970819. Monna and Lynn Adams (R. R. 1, Box 302, Kingsley, PA 18826), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County**, affecting 1.0 acres, receiving stream—none. Authorization granted June 23, 1998.

58980811. P. Tim McGavin (P. O. Box 312, Meshoppen, PA 18630), commencement, operation and restoration of a small bluestone quarry operation in Bridgewater Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—none. Authorization granted July 1, 1998.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The Department of Environmental Protection (Department) 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)).

Persons aggrieved by this action may appeal under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of the 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 Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

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

E39-340. Encroachment. Borough of Emmaus, 28 South Fourth Street, Emmaus, PA 18049. To remove the existing structure and to construct and maintain a 250 foot long, 6-foot × 3-foot concrete box stream enclosure in a Tributary to Little Lehigh Creek. The project is located along the southwestern side of Klines Lane immediately upstream of the intersection of S. R. 2005 (Main Street) and Klines Lane (Allentown East, PA Quadrangle N: 7.3 inches; W: 15.5 inches) in Emmaus Borough, **Lehigh County**.

E40-482. Encroachment. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501-0111. To remove the existing structure and to construct and maintain a road crossing of Big Wapwallopen Creek, consisting of an 18.0-foot by 9.0-foot precast reinforced box culvert, with its invert depressed 1.0-foot below stream bed elevation. The project is located on S. R. 0437, Section 371, Segment 0230, Offset 0000, approximately 1.0 mile southeast of the intersection of S. R. 0437 and S. R. 0309 (Wilkes-Barre East, PA Quadrangle N: 7.3 inches; W: 15.7 inches), in Fairview Township, **Luzerne County**.

E58-227. Encroachment. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a road crossing of Butler Creek, consisting of twin 18.0-foot by 11.25-foot reinforced concrete box culverts, with their inverts depressed 1.0 foot below streambed elevation. One of the culverts will contain a 1.1-foot-high weir at the inlet. The project is located on S. R. 0547, Section 570, Segment 0180, Offset 0067 (Harford, PA Quadrangle N: 9.7 inches; W: 2.7 inches), in Gibson Township, **Susquehanna County**.

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

E05-264. Encroachment. Pennsylvania Turnpike Commission, Andrew Lutz, P. O. Box 67676, Harrisburg, PA 17106. To rehabilitate eight existing stream crossings on unnamed tributaries to the Raystown Branch of the Juniata River as part of roadway widening and repaving located between Milepost 133.40 and 138.04 on the Pennsylvania Turnpike (Schellsburg, PA Quadrangle N: 2.0 inches; W: 4.1 inches) in Juniata and Napier Townships, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E22-381. Encroachment Londonderry Township, Brenda Shuey, 783 S. Geyers Church Rd., Middletown, PA 17057. To remove an existing structure and to construct and maintain an 8-foot × 4-foot box culvert in the channel of Iron Run at a point at Snavely Road (Middletown, PA Quadrangle N: 18.1 inches; W: 6.4 inches) in Londonderry Township, **Dauphin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E36-642. Encroachment. Seyval Sun, Spencer Stober, 5 Market Plaza, Reinholds, PA 17569. To construct and maintain: (1) an 8-inch sanitary sewer main across 670 feet of wetlands and tributary to Little Muddy Creek located between Manholes S-3.1 and S-7; (2) a 10-inch waterline across about 60 feet of wetlands located on south side of SR 272 at the northwest corner of the

Meadows at Adamstown; and (3) to bore an 8-inch waterline under a box culvert on Lancaster Avenue (SR 272) carrying a tributary to Little Muddy Creek. The utilities will serve Seyval Sun (west phase) and The Meadows at Adamstown developments (east phase). This permit also authorizes the filling of 0.11 acre of wetlands for construction of Meadow Drive across two wetland areas located within the Meadows at Adamstown (Terre Hill, PA Quadrangle N: 20.5 inches; W: 9.25 inches) in Adamstown Borough, **Lancaster County**. The permittee is required to provide 0.11 acre of replacement wetlands and to create an additional 0.64 acre of wetlands to compensate for indirect impacts created in The Meadows at Adamstown development. This permit also includes 401 Water Quality Certification.

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

E18-251. Encroachment. **Robert and Darla Aungst**, R. R. 2, Box 252, Mill Hall, PA 17751. To place and maintain fill in the floodway of Bald Eagle Creek for the upgrade of a private aboveground swimming pool. The fill encompassing the above ground swimming pool shall not exceed the dimensions of 30 feet × 70 feet × 5 feet or 648 cubic yards. The project is located along the eastern right-of-way of SR 0150 approximately 2,000 feet east of the intersection of SR 0150 and Crystal Road (Beech Creek, PA Quadrangle N: 19.1 inches; W: 0.5 inch) in Bald Eagle Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

E18-254. Encroachment. **Sean A. Haines**, 216 East Park St., Lock Haven, PA 17745. To construct an 18 foot by 24 foot by 18.5 foot high pavilion on a 70 acre site adjacent to the West Branch of the Susquehanna River. The proposed pavilion is located off the banks of the east side of the river and Route 120 approximately 4,500 feet north of the intersection of Route 120 with SR 2020 (Lock Haven, PA Quadrangle N: 6.2 inches; W: 13.2 inches) in Woodward Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

E59-360. Encroachment. **Middlebury Township Supervisors**, R. R. 2, Box 293A, Middlebury Center, PA 16935. To remove two gravel bars (approximately 40 feet wide × 200 feet long and 50 feet wide × 250 feet long) on an as needed basis and to maintain a low flow channel for a period of 5 years in Crooked Creek located upstream and downstream of the bridge on T-613 near the intersection of T-613 with RT 249 (Kenneyville, PA Quadrangle N: 19.5 inches; W: 11.8 inches) in Middlebury Township, **Tioga County**.

E59-361. Encroachment. **Middlebury Township Supervisors**, R. R. 2, Box 293A, Middlebury Center, PA 16935. To remove three gravel bars (400 feet by 50 feet, 400 feet by 70 feet and 200 feet by 50 feet) on an as-needed basis for a period of 5 years and to construct and maintain 100 feet of riprap dike and to operate and

maintain 400 feet of riprap dike along Crooked Creek at the confluence of State Road Creek and Crooked Creek (Kenneyville, PA Quadrangle N: 19.9 inches; W: 6.7 inches) in Middlebury Township, **Tioga County**.

E59-362. Encroachment. **Middlebury Township Supervisors**, R. R. 2, Box 293A, Middlebury Center, PA 16935. To remove two gravel bars (200 feet by 30 feet and 300 feet by 75 feet) on an as-needed basis for a period of 5 years and to operate and maintain approximately 1,575 feet of riprap dike along Locey Creek and Crooked Creek. The project centroid is located at the confluence of Locey Creek and Crooked Creek (Kenneyville, PA Quadrangle N: 19.9 inches; W: 6.7 inches) in Middlebury Township, **Tioga County**.

E59-363. Encroachment. **Middlebury Township Supervisors**, R. R. 2, Box 293A, Middlebury Center, PA 16935. To remove two gravel bars (390 feet by 90 feet and 500 feet by 150 feet) on an as-needed basis for a period of 5 years and to operate and maintain approximately 1,150 feet of riprap dike along Crooked Creek approximately 600 feet upstream of the bridge on Rt. 287 (Kenneyville, PA Quadrangle N: 19.9 inches; W: 4.1 inches) in Middlebury Township, **Tioga County**.

E59-364 Reissuance. Encroachment. **Dept. of Conservation & Natural Resources**, P. O. Box 8451, Harrisburg, PA 17105. To remove an existing structure and to construct, operate and maintain a single span prestressed concrete spread box beam bridge to carry Asaph Run Road across Asaph Run. The bridge shall be constructed with a clear single span of 60 feet, an average underclearance of 5.0 feet and a clear roadway width of 20.1 feet. The project is located along the northern right-of-way of SR 0006 approximately 1.9 miles northwest of the intersection of SR 3022 and Asaph Run Rd. (Asaph, PA Quadrangle N: 5.8 inches; W: 8.0 inches) in Shippen Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

SPECIAL NOTICES

Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 1998 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Gerald Aubrey	1517 Daws Road Blue Bell, PA 19422	Testing
Paul Bellina	199 Duffield Street Willow Grove, PA 19090	Mitigation
Cheryl Chase	P. O. Box 373 Murrysville, PA 15668	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
James Fitzgerald	P. O. Box 902 Blue Bell, PA 19422	Testing
James F. Andrews Enterprises	353 Loveville Road Warriors Mark, PA 16877	Mitigation
Paul McGowan	14520 Otis Drive North Huntingdon, PA 15642	Mitigation
Roman Paul	P. O. Box 731 Valley Forge, PA 19482	Testing
Peter Piazza	812 Menock Manor Greensburg, PA 15601	Testing
Jeffrey Porte	1962 Wager Road Erie, PA 16509	Testing Laboratory
Stanley Pryharski	214 Taft Street Wilkes-Barre, PA 18702	Testing
Michael Tokarczyk	R. D. 1, Box 504B Everett, PA 15537	Mitigation

Recycling Grant Awards under the Municipal Waste Planning, Recycling and Waste Reduction Act

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 902).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Municipalities Financial Recovery Act (Am 1992-

69) (53 P. S. §§ 11701.101—11701.501), are eligible to receive funding for an additional 10% of approved costs. 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 Carl Hursh, Chief of Recycling and Markets, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101 Section 902 Grants

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
<i>Southeast Region</i>		
Pennsbury Township Chester County	Leaf Loader and Recycling Education Program	\$16,605
Philadelphia City	Recycling Collection Trucks, Containers and Education	\$1,280,000
Subtotals	2	\$1,296,605
<i>Northeast Region</i>		
Moscow Borough Lackawanna County	Recycling Collection Truck and Curbside Collection Containers	\$17,809
Exeter Borough Luzerne County	Front-end Loader for Recycling Center	\$116,694
Subtotals	2	\$134,503
<i>Southcentral Region</i>		
Conewago Township Adams County	Recycling Education, Curbside Recycling Containers and Drop-off Recycling Trailer Lease	\$12,459
Menallen Township Adams County	Wood Recycling Equipment	\$16,047
Birdsboro Borough Berks County	Leaf Collection Equipment	\$13,380
Blair County	Composting Site Development and Equipment	\$205,200
Greene Township Franklin County	Yardwaste Composting Site Development, Equipment and Recycling Education Programs	\$182,577
Denver Borough Lancaster County	Leaf Collection Equipment	\$12,082

<i>Applicant</i>	<i>Project Type</i>	<i>Award</i>
Lancaster County	Wood Recycling Equipment	\$20,746
Lancaster Township Lancaster County	Leaf Collection Equipment and Christmas Tree Chipper Rental	\$33,975
Providence Township Lancaster County	Wood Recycling Equipment	\$25,888
Subtotals	9	\$522,354
<i>Northcentral Region</i>		
Lawrence Township Clearfield County	Leaf Collection Equipment	\$20,250
North Centre Township Columbia County	Recycling Education and Drop-off Collection Containers	\$1,817
Montour County	Recycling Collection Truck	\$31,680
Middleburg Borough Snyder County	Leaf Collection Equipment	\$12,960
Mifflinburg Borough Union County	Recycling Education, Collection Containers and Recycling Center Improvements	\$49,147
New Berlin Borough Union County	Recycling Education, Collection Containers and Recycling Center Improvements	\$41,409
Subtotals	6	\$157,263
<i>Southwest Region</i>		
Swissvale Borough Allegheny County	Leaf Collection Equipment	\$60,750
New Brighton Borough Beaver County	Recycling Education and Leaf Collection Equipment	\$48,942
Cambria Township Cambria County	Recycling Education and Leaf Collection Equipment	\$39,163
Greene County	Recycling Center Addition and Collection Containers	\$109,950
Sewickley Township Westmoreland County	Recycling Education and Leaf Collection Equipment	\$43,775
Subtotals	5	\$302,580
<i>Northwest Region</i>		
Summit Township Erie County	Wood Recycling Equipment and Recycling Education Program	\$28,826
Tionesta Borough Forest County	Backyard Composting Bins and Education Program	\$8,575
Bradford Township McKean County	Curbside Recycling Truck, Containers and Recycling Education Program	\$78,130
Conewango Township Warren County	Leaf Collection Equipment and Wood Recycling Equipment	\$32,504
Subtotals	4	\$148,035
TOTAL	28	\$2,561,340

[Pa.B. Doc. No. 98-1157. Filed for public inspection July 17, 1998, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1998 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1998.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Jonathan Brightbill at (717) 783-8727.

Final Draft Technical Guidance—New Guidance

DEP ID: 253-0300-100 Title: Land Recycling Program Technical Manual Description: This manual provides suggestions and examples on how to best approach site characterization and remediation under the Land Recycling Program. Effective Date: December 1997 Page Length: 400 pages Location: Vol 05, Tab 32 Contact: Dave Harris at (717) 787-9870

Draft Technical Guidance—New Guidance

DEP ID: 273-4000-008 Title: Policy for Sampling and Determination of Compliance with Low RVP Gasoline Requirements in the Pittsburgh-Beaver Valley Ozone Non-attainment Area Description: Clarifies the procedures to implement the provisions of the low Reid Vapor Pressure (RVP) requirements found under Chapter 126, Subchapter C. Deadline of Submittal of Comments: August 17, 1998 Contact: Scott Kepner at (717) 772-2330

Notice of Intent to Rescind Draft Technical Guidance

DEP ID: 580-2200-005 Title: Section 242(c): Criteria for Authorizing Entries in Common with the Belt Conveyor Entry Under Section 702 Description: DEP determined it will not develop an industry-wide variance for ventilating entries in common with the belt entry. Anticipated Effective Date: July 18, 1998 Contact: Richard E. Stickler at (724) 439-7469

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-1158. Filed for public inspection July 17, 1998, 9:00 a.m.]

Retention of an Archaeological Consulting Firm**Project Reference No. DEP-BWE-98:1**

The Department of Environmental Protection hereby issues this Request for Proposals to retain an Archaeological Consultant to conduct Phase 1, 2 and 3 surveys on proposed water related project sites. The Consultant's area of responsibility shall include projects throughout the entire Commonwealth. The Bureau of Waterways Engineering personnel will identify and assign projects to be reviewed.

The services will include, but are not limited to, a preliminary meeting for each project in the Bureau of Waterways Engineering office in Harrisburg, Pennsylvania, a site visit and the required archeological surveys and subsequent reports with his recommendations for each project. It is important that upon assignment of a specific project, the selected firm must be capable of completing the necessary work and submitting a report in a timely manner. The selected firm may be required to perform work on multiple sites concurrently and complete and submit reports to the Bureau in a format acceptable to the Pennsylvania Historical and Museum Commission. The contract shall be based on the hours of service and qualifying expenses not exceeding the contract amount.

The reports will be reviewed and, when acceptable, will be approved by personnel of the Bureau of Waterways Engineering.

Interested professionals and firms must be listed in the most recent edition of *Archaeological Consultants* as maintained by the Pennsylvania Historical and Museum Commission. Personnel involved in providing these services shall have at least the minimum educational and professional experience requirements as defined by the Pennsylvania Historical and Museum Commission in Appendix B of *A Comprehensive State Plan for the Conservation of Archaeological Resources, Volume 1*: PHMC: 1985.

General Requirements and Information

Firms interested in performing the required services for this project are invited to submit proposals to Michael D. Conway, P.E., Director, Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460. The Bureau of Waterways Engineering is located on the 3rd Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

A complete proposal shall consist of the following:

1. *Letter of Interest*

Each Letter of Interest must include the firm's Federal Identification Number and the Project Reference Number. The Letter of Interest shall also include three examples and brief descriptions of the most recently completed projects similar to this work being sought. Descriptions shall include the client with contact person and phone number, the cost of the work performed by your firm, the project manager, and names and positions of all personnel who made major contributions to the project.

2. *Standard DGS Forms 150 and 150-S*

The standard DGS Forms must accompany the Letter of Interest and shall indicate the individual in charge.

3. *Serb Information*

Commitment to Enhance Socially/Economically Restricted Businesses (SERB).

The Commonwealth of Pennsylvania strongly encourages the submission of proposals by SERBs.

To achieve the objective of enhancing SERB participation, the Commonwealth has established SERG utilization as a selection criteria in the evaluation process.

The Bureau of Contract Administration and Business Development (BCABD) will evaluate the aforementioned criteria and will assign a point value to be considered within the overall RFP total point tabulation.

Proposals submitted by individuals claiming SERB status or proposals submitted by individuals reflecting joint venture and subcontracting opportunities with SERBs must submit documentation verifying their claim.

SERBs are businesses whose economic growth and development has been restricted based on social and economic bias. The businesses are BCABD certified minority and women-owned businesses and certain restricted businesses whose development has been impeded because their primary or headquarter facility is physically located in an area designated by the Commonwealth as being in an enterprise zone. Businesses will not be considered socially/economically restricted if one of the conditions listed below exists:

1. The business has gross revenues exceeding \$4 million annually.

2. The concentration of an industry is such that more than 50% of the market is controlled by the same type of SERB (Minority Business Enterprise (MBE)/Women Business Enterprise (WBE)) or businesses within designated enterprise zones.

3. Proposers not considered to be socially/economically restricted businesses seeking to identify such businesses for joint ventures and subcontracting opportunities are encouraged to contact:

Department of General Services
Bureau of Contract Administration and Business
Development
Room 502, North Office Building
Harrisburg, PA 17125
Phone (717) 787-7380
FAX (717) 787-7052

SERB Information. SERBs are encouraged to participate as prime proposers. SERBs qualifying as an MBE/WBE must provide their BCABD certification number. SERBs qualifying as a result of being located in a designated enterprise zone must provide proof of this status.

Proposers not considered to be SERBs must describe, in a narrative form, their company's approach to enhance SERB utilization on a professional level in the implementation of this proposal.

The following options will be considered as part of the final criteria for selection:

Priority Rank 1. Proposals submitted by SERBs.

Priority Rank 2. Proposals submitted from a joint venture with a Commonwealth approved SERB as a joint venture partner.

Priority Rank 3. Proposals submitted with subcontracting commitments to SERBs.

Each proposal will be rated for its approach to enhancing the utilization of SERB. The optional approach used will be evaluated with Option Number 1 receiving the greatest value and the succeeding options receiving a value in accordance with the above-listed priority ranking.

Note: Affirmative action and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices are unacceptable in reference to the following questions.

1. Is the prime proposer a SERB? If yes, provide evidence of SERB status.

2. Does the prime proposer qualify as a Minority Business Enterprise (MBE) or Woman Business Enterprise (WBE)? If yes, provide the BCABD certification number.

3. Is the prime proposer a qualifying SERB as a result of being located in a designated enterprise zone? If yes, provide proof of this status.

4. If the prime proposer is not considered to be a SERB then describe the company's approach/commitment to enhance SERB utilization on a professional level in the implementation of any contract that may result from this RFP.

5. Is the proposal submitted as a joint venture with a Commonwealth-approved SERB as a joint partner. If yes, answer the following:

a. What work, goods, or services will the SERB(s) perform or provide?

b. Where will the SERB(s) perform these services?

c. When will the SERB(s) provide or deliver the goods or services?

d. Why was the SERB(s) selected?

e. Identify each SERB, and provide a contact person and telephone number for each.

f. How will the SERB(s) be compensated?

g. What percentage of the total value of the services or products required by this RFP will be provided by the SERB(s)?

h. In the SERB participation value portion of the proposal, provide the estimated dollar value of the contract to the SERB(s).

6. Is the proposal submitted with subcontracting commitments to SERBs that would be directly associated with the professional performance of any contract that may be entered into as a result of this RFP? If yes, answer the following:

a. What work, goods, or services will the SERB(s) perform or provide?

b. Where will the SERB(s) perform these services?

c. When will the SERB(s) provide or deliver the goods or services?

d. Why was the SERB(s) selected?

e. Identify each SERB, and provide a contact person and telephone number for each.

f. How will the SERB(s) be compensated?

g. What percentage of the total value of the services or products required by this RFP will be provided by the SERB(s)?

h. In the SERB participation value portion of the proposal, provide the estimated dollar value of the contract to the SERB(s), including total estimate and dollar commitment to each SERB.

7. Is the proposal committed to the utilization of SERBs to perform or provide goods or services indirectly associated with the performance of the proposal as a support function, such as general office equipment, office space, transportation, etc.? If yes, answer the following:

a. What work, goods, or services will the SERB(s) perform or provide?

b. Where will the SERB(s) perform these services?

c. When will the SERB(s) provide or deliver the goods or services?

d. Why was the SERB(s) selected?

e. Identify each SERB, and provide a contact person and telephone number for each.

f. How will the SERB(s) be compensated?

g. What percentage of the total value of the services or products required by this RFP will be provided by the SERB(s)?

h. In the SERB participation value portion of the proposal, provide the estimated dollar value of the contract to the SERB(s).

Note: This portion of the proposal must be identified as socially/economically restricted business (SERB) information and bound and sealed separately from the remainder of the proposal.

The dollar value designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal. Contractor proposals should also include the SERB value in the Cost and Price Analysis section of the proposal. The applicable items shown in the Cost and Price Analysis section should also be used to prepare and detail the proposed SERB commitment value including, if applicable, fiscal year breakdown. The selected contractor's SERB commitment amount will be included as a contractual obligation when a contract is entered into.

4. *Cost and Price Analysis*

In addition to the Letters of Interest, the DGS Forms 150 and 150-S, and SERB information, a single copy of the hourly rates of the persons who will be working on the projects shall be submitted. Such copy shall be in a sealed envelope clearly identified as to its contents. The contents of this envelope will be opened after the evaluation committee submits its report to the Director on other aspects of the proposal.

The hourly rates shall be itemized to show the basic rates plus fringe benefits, profits, administrative costs, etc., for these persons. Examples of such people shall include a firm principal, professional staff, draftspersons and secretary. Travel expenses shall be based on the current State rates per mile of automobile travel and for subsistence. Miscellaneous expenses such as telephone, printing and mailing shall be reimbursed at cost upon approval by the Department.

This contract will be a multiple year contract for a period of 4 years with an anticipated effective date of July 1, 1998. The extent of work for the second, third and fourth years will be dependent on the availability of additional funds and additional projects. Should hourly rates change during the second, third or fourth year of the contract, these rates must also be included in the sealed proposal on a fiscal year basis.

5. *Criteria for Selection*

The following factors will be considered during the evaluation of the firm's proposal.

a. *Understanding the problem.* This refers to the contractor's understanding of the agency needs that generated the RFP, of the agency's objectives in asking for the services or undertaking the study, and of the nature and scope of the work involved.

b. *Contractor Qualifications.* This refers to the ability of the contractor to meet the terms of the RFP, especially the time constraint and the quality, relevancy, and recency of studies and projects completed by the contractor. This also includes the contractor's financial ability to undertake a project of this size.

c. *Personnel Qualifications.* This refers to the competence of professional personnel who would be assigned to the job by the contractor. Qualifications of professional personnel will be measured by experience and education, with particular reference to experience on studies/services similar to that described in the RFP. Particular emphasis is placed on the qualifications of the project manager.

d. *Soundness of Approach.* Emphasis here is on the techniques for collecting and analyzing data, sequence and relationships of major steps, and methods for managing the study/service. Of equal importance is whether the technical approach is completely responsive to all written specifications and requirements contained in the RFP and if it appears to meet agency objectives.

e. *SERB Participation.* Emphasis here is placed on:

1. Proposals submitted by MWBEO approved SERBs.
2. Commitments by proposers not considered to be SERBs which significantly utilize approved SERBs in joint ventures.

3. Commitments by proposers not considered to be SERBs which aggressively pursue the utilization of approved SERBs in subcontracting opportunities.

f. *Cost.* While this area will be weighted heavily, it will not normally be the deciding factor in the selection process.

Maximum weights for each major criterion have been established by the developers of the RFP prior to the review of the proposals.

The first four criteria will be rated by a panel of at least four members. BCABD will rate the "SERB Participation" criterion. The cost criterion will be rated by the Bureau Director and other Department personnel, independent of the first five criteria.

Five copies of the letter of interest, the required standard DGC forms, and the SERB information, and a single separately sealed copy of the cost and price analysis must be received no later than 4 p.m. on August 18, 1998. The envelope containing the proposal should be clearly marked "PROPOSAL—DEP PROJECT NO. DEP-BWE-98:1."

The Commonwealth reserves the right to reject any and all proposals received as a result of this request, or to negotiate separately with competing contractors.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-1159. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Insurance Broker Services

Project No. DGS 570-27 Construction of a New Close-Security State Correctional Institution Western Pennsylvania

P. J. Dick Incorporated will receive written proposals for technical qualifications for risk management and insurance broker services for a controlled insurance program (CIP) for the design and construction of the proposed Western Pennsylvania State Correctional Institution. The facility is to be located in the southwestern region of this Commonwealth within approximately 50 miles of the city of Pittsburgh, PA.

Separate and sealed proposals will be received by the Construction Manager, P.J. Dick Incorporated, 1020 Lebanon Road, West Mifflin, PA 15122, until 2 p.m. on Thursday, August 20, 1998. Proposals will be opened privately and reviewed by the Construction Manager. At the Construction Manager's option, one or more of the proposers may be required to make an oral presentation at the offices of the Construction Manager. The presentation will be within 10 calendar days of the date established for receipt of written proposals.

Copies of the Request for Technical Qualifications may be obtained upon written request, on or after July 16, 1998, at the office of: P.J. Dick Incorporated, 1020 Lebanon Road, West Mifflin, PA 15122, Phone—(412) 462-9300, Fax—(412) 462-2588.

A preproposal conference will be held at the office of P. J. Dick Incorporated on Thursday, July 30, 1998, at 2 p.m.

Proposals shall be submitted in the form described in the request for proposal and must include responses to all items described therein in order to be considered.

For purposes of clarification, the following information is provided:

Owner of Project: Commonwealth of Pennsylvania, Department of General Services

Construction Manager: P. J. Dick Incorporated

Design Professional: L. Robert Kimball & Associates

The CM reserves the right to accept or reject any or all proposals.

Work under this aforementioned contract is subject to the requirements of the Pennsylvania Prevailing Wage Act.

P. J. Dick Incorporated is an Equal Opportunity Employer and does not discriminate against an applicant for employment, an independent contractor or any other person because of race, color, religion, creed, ancestry, national origin, age or sex.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 98-1160. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Gregg Uliano	3465 Central Avenue Huntingdon Valley, PA 19006-4128	06/03/98
J. Demby, Sr., Enterprises, and Joseph E. Demby, Sr. (Fed. ER Tax I. D. No. 22-3214361)	848 Rancocas Road Mt. Holly, NJ 08060	06/12/98

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 98-1161. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Harley-Davidson Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Harley-Davidson instant lottery game rules that were published at 28 Pa.B. 2545 (May 30, 1998).

Due to an overwhelming response to the Pennsylvania Harley-Davidson instant lottery game, the Lottery has determined that an additional 4,080,000 tickets will be printed for the Pennsylvania Harley-Davidson instant lottery game. Accordingly, the Lottery is also increasing the total number of prizes available for the Second Chance drawing.

The total number of winners and a description of prizes for the Second Chance Drawing is as follows:

<i>Description of Prizes</i>	<i>Number of Winners</i>
Harley-Davidson Sportster 1200 Custom Motorcycle	4
Gift Certificate—\$400 Value	16
Harley-Davidson Stadium Blanket	800
Harley-Davidson Telephone	1,800
Harley-Davidson Umbrella	3,400
Harley-Davidson Baseball Cap	4,100
Harley-Davidson Play Cards Set	9,000

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-1162. Filed for public inspection July 17, 1998, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation under 71 P. S. § 513(e)(7) intends to sell certain land owned by the Department.

The following property is available for sale by the Department. A parcel of unimproved land located in Radnor Township, Delaware County. Vacant land was formerly identified as being owned by Richard G. Lonsdorf and Alice B. Lonsdorf at 110 Willowburn Road, Villanova, Pennsylvania 19085 and consists of 35,452 square feet more or less or Parcel #51 on the highway plan. The Department has determined that the land is no longer needed for present or future transportation purposes. The appraised value is \$36,000.

Interested public entities are invited to express their interest in purchasing this site within thirty (30) calendar days from the date of publication of this notice to Mr. Andrew Warren, District Administrator-Transportation, District 0600, 200 Radnor-Chester Road, St. Davids, PA

19087-5178, ATTENTION: Matthew J. Kulpa, Jr., Real Estate Technician, King of Prussia Annex, Telephone No. (610) 768-3101.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1163. Filed for public inspection July 17, 1998, 9:00 a.m.]

Decentralized Driver Licensing and Vehicle Registration Services by Messenger Service Center Mainframe Connection

In accordance with Act 92-166, the Department of Transportation has installed several types of pilot programs of private sector, decentralized services for motor vehicle and driver license services. As one component of decentralization, the Department is expanding the On-Line Messenger Pilot. The Department will allow authorized messenger services to provide some vehicle registration and driver licensing services via a mainframe connection with the Department at up to 50 additional sites. Each of the service vendors will provide face-to-face decentralized services via at least one site. Applicants must be currently authorized messenger services who have been actively engaged in messenger services in Pennsylvania since October 16, 1995. Applicants shall not have been sanctioned by the Department for violations of 75 Pa.C.S. or Department regulations since October 16, 1995. The term of the project will be January 4, 1999 to January 4, 2004.

Interested messenger services may obtain a copy of the application procedures and program requirements by contacting Donna Moyer, 1101 South Front Street, 4th Floor, Harrisburg, PA, 17104, Phone Number (717) 783-5923. Questions should be submitted in writing to Donna Moyer by 4:00 PM, August 3, 1998. In addition, a meeting will be held at 10:00 AM on August 13, 1998 on the second floor of the Rachel Carson Building, 400 Market Street, Harrisburg, PA 17101 to address all questions from prospective applicants. Completed applications must be received by 4:00 PM, October 16, 1998. Applications should be mailed to Driver and Vehicle Program Services, Attention: Donna Moyer, 1101 South Front Street, Fourth Floor, Riverfront Office Center, Harrisburg, PA 17104, or should be delivered to Ms. Moyer at 1101 South Front Street, Fourth Floor, Riverfront Office Center, Harrisburg. Late applications will not be considered.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1164. Filed for public inspection July 17, 1998, 9:00 a.m.]

Retention of Engineering Firms

Beaver County Project Reference No. 08430AG2218

The Department of Transportation will retain an engineering firm to perform preliminary engineering, environmental studies, final design, shop drawing review and consultation during construction for the replacement of the Herman Road Bridge (S. R. 0588, Section B05). The structure being replaced is a seventy-eight foot simple span pony truss over Brush Creek. This project will also

involve approximately one thousand feet of roadway realignment in order to meet current design criteria. The project is located on S. R. 0588 over Brush Creek in Marion Township approximately 300 feet west of the intersection with S. R. 1019 in Beaver County.

Required services will include preliminary and final geotechnical engineering, right-of-way investigation and final right-of-way plan, hydrologic and hydraulic report, type, size and location submission, Step 9 submission, field survey in preliminary and final design, final bridge design plans, value engineering, utility coordination and investigation, final roadway design, also plans (lighting, pavement marking and signing), Maintenance and Protection of Traffic, final P. S. & E. submission construction consultation and shop drawing review.

The design of this project will be developed in metric units.

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. Ability to package and present the letter of interest in accordance with the "General Requirements and Information" section.
- b. Specialized experience and technical competence of firm.
- c. Experience and abilities to key personnel (project manager, bridge engineer, etc.) that will be assigned to the project.
- d. Past record of performance for similar type projects with respect to cost control, work quality and ability to meet schedules.
- e. Subconsultants assigned to this project.
- f. Special requirements of project.
- g. Other factors, if any, specific to the project.

The District will announce the firms that have been shortlisted at an open public meeting to be held at Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017 at 10 a.m. on Thursday September 10, 1998. Please specify a contact person, phone number and address in the letter of interest.

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

Limits to the letter of interest submittals in addition to the General Requirements and Information are as follows:

- a. Resumes five (5) total pages of resumes, one-sided.
- b. Standard Form 255, Item 8 (Number of project descriptions which demonstrate the firm's competence) five (5) project descriptions.

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Henry Nutbrown, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention Mr. Richard T. Curry, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Robert Collins, P.E., District 11-0, at (412) 429-4928.

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

**Bradford, Tioga, Lycoming, Sullivan,
Columbia, Montour, Northumberland,
Snyder, and Union Counties
Project Reference No. 08430AG2219**

The Department of Transportation will retain two (2) engineering firms for two (2) Open-End Contracts for various engineering and/or environmental services on various projects located in Engineering District 3-0, that is Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties. Each Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of each Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating two (2) Open-End Contracts based on the Department's evaluation of the 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. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.
- c. Project workload for the next two (2) years.
- d. Available staffing for this assignment.
- e. Specialized experience and technical competence of firm.
- f. Location of consultant in respect to the District.
- g. Resumes of all *key* personnel.
- h. Relative size of firm to size of projects that may be completed under these contracts.
- i. Capability for fast response time.

The work and services required under these Contracts may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under these Contracts include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring

layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under these Contracts may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under these Open-End Contracts.

The District's copy of the letter of interest and required forms (see "General Requirements and Information" section) shall be sent to: Mr. Paul E. Heise, P.E., District Engineer, District 3-0, 715 Jordan Avenue, Montoursville, PA 17754.

Any technical questions concerning the requirements for this project should be directed to: Mr. Robert M. Hippenstiel, P.E., District 3-0, at (717) 368-4346.

Any questions concerning the submittal of the letter of interest for this Open-End Contract can be directed to the Consultant Agreement Division at (717) 783-9309.

**Bucks County
Project Reference No. 08430AG2220**

The Department of Transportation will retain an engineering firm to perform environmental mitigation design, final design, and construction consultation for S. R. 0202, Section 721, U.S. 202 Relocation in Doylestown Township and Warrington Township, Bucks County. This project involves final design and construction of a portion of the New Alignment Alternative for U.S. 0202 between Warrington and Doylestown, Bucks County as outlined in the U.S. 0202, Section 700, Final Environmental Impact Statement (October, 1997).

The limits of the design project are U.S. 0202 at Pickertown Road in Warrington Township, Bucks County to a point just north of the S. R. 0611 interchange in Doylestown Township, Bucks County, a distance of approximately four (4) miles. The estimated construction cost of this portion is \$70 million.

The selected firm will be required to provide environmental mitigation services to complete the following:

groundwater protection; and noise abatement. These services will be conducted to complete the design and construction proposals. The selected firm will be required to provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, conduct agency and public involvement activities, and prepare reports and plans. The reports and other written graphic material to be prepared may include, but are not limited to, meeting minutes; and coordinating the development of the design with various agencies and special interest groups.

The selected firm will be required to provide the following engineering and design services: surveys; roadway design; pavement design; preparation of cross sections; soils and geological investigations; erosion and sedimentation control design; highway lighting design; right-of-way investigation and plan preparation; structure design; hydrologic and hydraulic analysis; preparation of traffic control, pavement marking and signing plans; traffic signal design; sign lighting plans; utility coordination and design; highway lighting; coordination with PUC, PennDEP, US Army Corps of Engineers, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; and construction consultation.

Firms that are currently serving, or are being considered for selection as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Tim O'Brien, at the telephone number listed below.

The consultant selection meeting will be held in the District 6-0 Engineering Office, 200 Radnor-Chester Road, St. Davids, PA on August 14, 1998.

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

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, Engineering District 6-0, 200 Radnor-Chester Road, St. Davids, Pa 19087.

Any technical questions concerning the requirements for this project should be directed to: Mr. Tim O'Brien, P.E., District 6-0, at (610) 964-6526, or Mr. Randy Wanger, P.E., District 6-0, at (610) 964-6548.

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

**Westmoreland and Fayette Counties
Project Reference No. 08430AG2221**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately fifteen (15) inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services for the following two (2) projects in Engineering District 12-0:

1. S. R. 0022, Section B03, Westmoreland County This project involves the construction of a new interchange at the intersection of Traffic Route 22 with Traffic Route 66 in Delmont Borough.

2. S. R. 0031, Section 122, Fayette County This project involves the construction of turning lanes on Traffic Route 31 at the intersection with Traffic Route 982 in Laurelville.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Number of available inspectors in each payroll classification.
- c. Number of NICET certified inspectors in each payroll classifications.
- d. Review of inspectors' resumes with emphasis on construction inspection capabilities.
- e. CDS Experience.
- f. Past Performance.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	9 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (0)

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

- 1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
- 2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

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

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1998:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$38.21
(TCI)	\$33.44
(TA)	\$22.98

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

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

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 2 Nuclear Densometer Gauges/License
- 2 Vehicles for the Transportation of Nuclear Gauges

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

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	4
TCI	11

No resumes are required for the TA Classification.

The District's copy of the letter of interest and required forms, (see general requirements and information section

shall be sent to: Mr. Michael H. Dufalla, P.E., District Engineer, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401.

Any technical questions concerning the requirements for this project should be directed to: Mr. Anthony M. Dzurko, P.E., District 12-0 at (724) 439-7137.

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

**Washington County
Project Reference No. 08430AG2222**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately twelve (12) inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on S. R. 0079, Section N11 in Washington County. This project involves the reconstruction of Interstate 79 in the Meadow Lands area.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Number of available inspectors in each payroll classification.
- c. Number of NICET certified inspectors in each payroll classifications.
- d. Review of inspectors' resumes with emphasis on construction inspection capabilities.
- e. CDS Experience.
- f. Past Performance.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (5)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1998:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$38.21
(TCI)	\$33.44
(TA)	\$22.98

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

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

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauges/License
- 1 Vehicles for the Transportation of Nuclear Gauges

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

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

positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	4
TCI	9

No resumes are required for the TA Classification.

The District's copy of the letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Michael H. Dufalla, P.E., District Engineer, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401.

Any technical questions concerning the requirements for this project should be directed to: Mr. Anthony M. Dzurko, P.E., District 12-0 at (724) 439-7137.

Any 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 are required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to: Mr. Charles W. Alwein, P.E., Chief, Consultant Selection Committee, 7th Floor, Forum Place, 555 Walnut Street, P. O. Box 3060, Harrisburg, Pennsylvania 17105-3060. Note: The Zip Code for express Mailing is 17101-1900.

The Letter of Interest and required information must be received within twenty (20) 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 twentieth day.

The second copy of the letter of interest and required information 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 corporate which is permitted under the 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 (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the 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).

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

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information *must be* packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart must show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

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.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B must specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do *not* include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant may include no more than one page each for Items 10 and 11.

If a Disadvantaged 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 DBE 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.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and *each* subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or 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.

These Forms must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (For Construction Inspections Services, if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees must be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

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. Overhead Rates (one page)

A single page summary must indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the

latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1165. Filed for public inspection July 17, 1998, 9:00 a.m.]

Retention of Engineering Firms

Lawrence County Project Reference No. 08430AG2223

The Department of Transportation will retain an engineering firm to perform preliminary engineering, environmental studies, final design, shop drawing review and consultation during construction for the replacement of the Vangorder Mill Road Bridge (S. R. 2005, Section L02). The structure being replaced is a 277 foot simple span over the Slippery Rock Creek. This project will also require roadway realignment in order to meet current design. This project is located on S. R. 2005 in Perry and Wayne Townships approximately 1.5 miles north of S. R. 0488 in Lawrence County.

Required services will include Preliminary and Final Geotechnical Engineering, Right-of-Way Investigation and Final Right-of-Way Plan, Hydrologic and Hydraulic Report, Type, Size and Location Submission, Step 9 Submission, Field Survey in Preliminary and Final Design, Final Bridge Design Plans, Value Engineering, Utility Coordination and Investigation, Final Roadway Design, Also Plans (lighting, pavement marking and signing), Maintenance and Protection of Traffic, Final P. S. & E. Submission, Construction Consultation and Shop Drawing Review.

The design of this project will be developed in metric units.

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

1. Ability to package and present the letter of interest in accordance with the "General Requirements and information" section.
2. Specialized experience and technical competence of firm.
3. Experience and abilities of key personnel (project manager, bridge engineer, etc.) that will be assigned to this project.
4. Past record of performance for similar type projects with respect to cost control, work quality and ability to meet schedules.

5. Subconsultants assigned to this project.
6. Special requirements of project.
7. Other factors, if any, specific to the project.

The District will announce the firms that have been shortlisted at an open public meeting to be held at Engineering District 11-0, 45 Thomas Run Road, Bridgeville, PA 15017 at 10:00 AM on Thursday, September 10, 1998. Please specify a contact person, phone number and address in the letter of interest.

The goal for Disadvantaged Business Enterprise (DBE) participation in the 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.

Limits to the letter of interest submittals in addition to the General Requirements and Information are as follows:

- a. Resumes—five total pages of resumes, one-sided
- b. Standard Form 255, Item 8 (Number of project descriptions which demonstrate the firm's competence)—five (5) project descriptions

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Henry Nutbrown, P.E. District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention: Richard T. Curry, P.E.

Any technical questions concerning the requirements for this project should be directed to Robert Collins, P.E., District 11-0, at (412) 429-4928.

Any question 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 are required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to: Mr. Charles W. Alwein, P.E., Chief, Consultant Selection Committee, 7th Floor, Forum Place, 555 Walnut Street, P. O. Box 3060, Harrisburg, Pennsylvania 17105-3060. Note: The Zip Code for express Mailing is 17101-1900.

The Letter of Interest and required information must be received within twenty (20) 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 twentieth day.

The second copy of the letter of interest and required information 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 corporate which is permitted under the 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 sepa-

rate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the 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).

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

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information *must be* packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart must show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

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.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B must specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do *not* include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant may include no more than one page each for Items 10 and 11.

If a Disadvantaged 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 DBE 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.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and *each* subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or 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.

These Forms must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (For Construction Inspections Services, if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees must be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

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. Overhead Rates (one page)

A single page summary must indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1166. Filed for public inspection July 17, 1998, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 499, Printers Number 526 (O'Pake), the Home Health Care Reimbursement Act, which would require all health insurance policies providing reimbursement for medically necessary services to also offer "optional health insurance benefits payable with respect to home health care in accordance with a home health care plan of treatment prescribed by a physician."

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on May 2, 1998, with documentation due to the Council by July 2, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until August 7, 1998. Any additional comments on this information must be received by this time. Council offices are located at: 225 Market Street,

Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

Senate Bill 499 Submissions

1. Managed Care Association of Pennsylvania (Kimberly Kockler, Executive Director)

- Letter addressing Section 9 requirements, opposing Senate Bill 499.

- Attachments addressing home health care and long term care.

2. The Insurance Federation of Pennsylvania (John R. Doubman, Secretary and Counsel)

- Letter addressing Section 9 requirements and opposing Senate Bill 499.

3. Highmark (Bruce R. Hironimus, Vice President, Government Affairs)

- Statement addressing Section 9 requirements and opposing Senate Bill 499.

- Attachments addressing home health care and long term care.

4. AFLAC—American Family Life Assurance Company of Columbus (Richard J. Gmerek and Elvira O. Guida from the Law Offices of Maley, Williamson, Hayden & Gmerek)

- Statement of AFLAC requesting that language be added to Senate Bill 499 excluding certain types of supplemental policies.

5. Pennsylvania Business Roundtable (Michael T. McCarthy, President)

- Letter opposing mandates in general, including those proposed in Senate Bill 499.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1167. Filed for public inspection July 17, 1998, 9:00 a.m.]

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 590, Printers Number 622 (Williams), which requires health insurance companies and private and public health programs to provide coverage of acupuncture services at the same reimbursement whether the provider is a licensed physician or licensed acupuncturist.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on May 2, 1998, with documentation due to the Council by July 2, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until August 7, 1998. Any additional comments on this information must be received by this time. Council offices are located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

Senate Bill 590 Submissions

1. American Academy of Medical Acupuncture (Dr. Marshall H. Sager, D.O., Board Member)

- Letter addressing Section 9 requirements and opposing Senate Bill 590.

2. The Insurance Federation of Pennsylvania, Inc. (John R. Doubman, Secretary and Counsel)

- Letter addressing Section 9 requirements and opposing Senate Bill 590.

3. Highmark (Bruce R. Hironimus, Vice President, Government Affairs)

- Statement addressing Section 9 requirements and opposing Senate Bill 590.
- Attachments addressing acupuncture.

4. AFLAC—American Family Life Assurance Company of Columbus (Richard J. Gmerek and Elvira O. Guida from the Law offices of Maley, Williamson, Hayden & Gmerek)

- Statement of AFLAC requesting that language be added to Senate Bill 590 to exclude certain types of supplemental policies.

5. Pennsylvania Business Roundtable (Michael T. McCarthy, President)

- Letter opposing mandated benefits in general, including those proposed in Senate Bill 590.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1168. Filed for public inspection July 17, 1998, 9:00 a.m.]

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 1183, Printers Number 1449 (Greenleaf), which would require every health insurance policy that provides pregnancy-related benefits to also provide coverage for the expenses of diagnosis and treatment of infertility, including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer and low tubal ovum transfer, under certain medical conditions.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on May 2, 1998, with documentation due to the Council by July 2, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until August 7, 1998. Any additional comments on this information must be received by this time. Council offices are located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

Senate Bill 1183 Submissions

1. Highmark (Bruce R. Hironimus, Vice President, Government Affairs)

- Statement addressing Section 9 requirements and opposing Senate Bill 1183.

- Attachments addressing costs, effectiveness and social issues surrounding infertility.

2. Independence Blue Cross (Mary Ellen McMillen, Vice President, Legislative Policy)

- Letter opposing Senate Bill 1183.
- Attachments about the cost/prevalence of health insurance.

3. The Managed Care Association of Pennsylvania (Kimberly J. Kockler, Executive Director)

- Letter addressing Section 9 requirements and opposing Senate Bill 1183.
- Attachments addressing costs, effectiveness and social issues surrounding infertility.

4. The Insurance Federation of Pennsylvania (John R. Doubman, Secretary and Counsel)

- Letter addressing Section 9 requirements and opposing Senate Bill 1183.
- Attachments addressing insurance costs and coverage for infertility.

5. AFLAC—American Family Life Assurance Company of Columbus (Richard J. Gmerek and Elvira Guida of the Law Office of Maley, Williamson, Haley & Gmerek)

- Statement addressing Senate Bill 1183 and requesting exemptions for certain supplemental policies.

6. The American Society for Reproductive Medicine (Sean Tipton, Public Affairs Administrator)

- Letter and attachments addressing infertility services and treatments.

7. Pennsylvania Reproductive Associates (Dr. Andrea Braverman, Director of Psychological Services)

- Letter and attachments addressing the psychological aspects of infertility.

8. RESOLVE of Philadelphia (Patti Gellman, Advocacy Committee Co-Chair)

- Statement supporting Senate Bill 1183.
- Attachments addressing effectiveness and costs of infertility.

9. RESOLVE of South Central PA (Tara Mayes)

- Letter addressing infertility issues.

10. RESOLVE, The National Infertility Association (Deborah Wachenheim, Government Affairs Director)

- Information on infertility, infertility treatment costs and insurance coverage.

11. Serono Laboratories (Nicholas L. Ruggieri, Vice President, Government Affairs)

- Information on the cost of infertility insurance benefits.

12. Dr. William F. Panak, Martha Griffin, Dr. M. Shelton Smith, Brandie Dennler, Jennifer Erickson

- Statement addressing Section 9 requirements and supporting Senate Bill 1183.
- Attachments addressing costs and effectiveness of infertility treatments.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1169. Filed for public inspection July 17, 1998, 9:00 a.m.]

Special Reports and Requests for Data

The Health Care Cost Containment Council, according to its enabling legislation, is to publish a listing of all special reports and data that have been prepared during the previous fiscal year period. The following represents a summary of the reports and requests for data generated by the Council in calendar years 1996 and 1997. Questions about these reports and procedures for obtaining access to data should be addressed to Tina Haines, Supervisor, Special Requests Unit, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, www.PHC4.org.

- Agency for Health Care Policy and Research** 1994 and 1995 inpatient discharge data will be used for the HCUP-3 Project.
- Allied Services** 1994 inpatient discharge data will be used for strategic planning and competitive analysis of rehabilitation hospital referrals and potential referrals from acute care facilities statewide.
- APM, Incorporated** Second, third and fourth quarters 1994 and first quarter 1995 inpatient discharge data will be used in a benchmarking analysis for a women's hospital in Toronto, Canada. The following hospital's data will be used as reference points in this analysis: Allegheny General Hospital, University of Pittsburgh, Mercy Hospital of Pittsburgh, St. Francis Medical Center and West Penn Hospital.
- Center for Healthcare Industry Performance Studies** 1994 and 1995 inpatient discharge data will be used in a commercial software product.
- Chambersburg Hospital** The third and fourth quarters of 1994 and the first quarter of 1995 data will be used to facilitate a better understanding of the acute care needs of residents in their service area and to identify outmigration of quantitatively evaluating the number of patients and types of services patients require, and where these patients are receiving that care.
- Chester County Memorial Hospital** First and second quarters 1994 inpatient discharge data for Regions 5, 7, 8 and 9 will be used as part of market analysis in preparation for filing merger documents between Chester County and Brandywine Hospitals. It is for research purposes only.
- Chi Systems, Inc.** 1994 inpatient discharge data will be used to look at patient migration patterns for a client.
- Children's Hospital of Philadelphia** 1990-1993 inpatient discharge data will be used for a grant proposal for an epidemiological study of meningioma.
- Cochran Research Center** 1992 and 1994 inpatient data for Regions 8 and 9 will be used by faculty in the School of Business and Management, Department of Health Administration for academic research. The Cochran Research Center is the Center which coordinates all School of Business and Management faculty research.
- Cochran Research Center** 1992 inpatient discharge data will be used by faculty in the School of Business and Management, Department of Health Administration for research (academic).
- Community General Osteopathic Hospital** 1994 and 1995 inpatient discharge data will be used to analyze the market share for hospitals in the greater Harrisburg area.
- Cooper Health System** 1992-1994 inpatient discharge data for Regions 8 and 9 will be used for public health research.
- Coopers & Lybrand** 1994 inpatient discharge data will be used to create an internal database related to market share and utilization by DRG.
- Deloitte & Touche** Third and fourth quarters of 1993 and first and second quarters of 1994 inpatient discharge data will be used to assess which counties belong together based on patient migration to hospitals.
- Eastern Mercy Health Systems** 1994 and first quarter 1995 inpatient discharge data will be used for strategic planning.
- Eastern Mercy Health Systems** Third and fourth quarter of 1995 inpatient discharge data for Regions 8 and 9 is used for the strategic planning and development process in the regional EMHS facilities. Admission patterns, utilization, competitor analysis, and some quality measurements are examined. The data is always used in a summary basis, grouped by DRG, zip code, ICD9 codes.
- Easton Hospital** 1994 inpatient discharge data will be used for internal strategic planning including market share analysis.

- Easton Hospital** 1995 inpatient discharge data for a specific list of zip codes will be used in internal strategic market planning.
- Economists Incorporated** A report for 1990 data record counts by hospital will be used to perform an analysis of geographic markets for hospital cardiovascular surgery services.
- Economists Incorporated** The request for 1990 inpatient discharge data will be used to perform an analysis of the geographic area from which Wyoming Valley Health Care received patients by different payor types.
- Federal Trade Commission** First quarter 1995 inpatient discharge data for Region 2 will be used as a geographic market definition for a hospital merger investigation.
- First Chesapeake Group** 1994 and 1995 Regions 4 & 6 inpatient discharge data will be used for consulting on behalf of Guthrie Healthcare System.
- First Chesapeake Group** 1995 inpatient discharge data for Region 7 general acute care hospitals will be used to challenge local Pennsylvania taxing authorities when trying to change local hospitals from tax-exempt to non-exempt.
- Ford Research Laboratory** 1989, 1990, and 1991 inpatient discharge data for Allegheny County will be used to determine whether there is an association between particular matter in the atmosphere and hospital admissions.
- Gilead Community House** 1989-1994 inpatient discharge data for a selected group of DRG's will be used for conducting a capitol campaign planning study for Gilead Community House and for marketing information.
- Goldberg Enterprise Services** 1995 inpatient discharge data for Region 8 will be used for a market share analysis for a physician group to support development of a capitation rate.
- Graduate Health System** 1994 inpatient discharge data will be used for comparison between our facilities and other regional hospitals.
- Hamot Medical Center** The 1993 AMI data set will be used to produce a custom market share report on average length of stay for the Medicor Cardiology Group.
- Harvard School of Public Health** 1993 inpatient discharge data will be used for research purposes using aggregated admissions data.
- Hay Health Care Consulting Group** Second, third and fourth quarters of 1994 and first quarter 1995 inpatient discharge data will be used as part of a hospital database.
- HBS International** 1994 data will be used in a commercial software product.
- HBS International** 1995 revenue code detail will be used in a commercial software product.
- HealthAmerica** 1994 inpatient discharge data will be used for internal database purposes.
- Healthcare Research Affiliates, Inc.** 1992, 1993 and the first and second quarters of 1994 will be used to provide hospitals, physician groups, managed care organizations and other health care decision makers with quality, charge and utilization statistics and market share figures.
- Healthsouth Rehabilitation Hospital of York** The 1994 inpatient discharge data will be used to determine the relationship that exists between a patient's underlying health status and the outcomes they achieve in rehab. medicine. Specifically, this project will examine the relationship between a patient's health status, as evidenced by the presence of co-morbid diseases (ICD-9-CM codes) and inpatient admission MedisGroup score, and outcome measures such as length of stay and total charges for the rehab. care.
- Hershey Medical Center** 1994 inpatient discharge data will be used for research purposes.
- Highmark** 1994 and 1995 inpatient discharge data will be used to conduct account and community reporting and consulting, selective contracting, utilization review, and applied health services research. In these instances we expect to release only aggregate data, if at all, and to credit HC4 as a data source.
- Hospital Association of Pennsylvania** 1994 and 1995 inpatient discharge data will be used to produce internal reports for Association members. The primary use will be to generate a report on payor mix by facility and by groupings of facilities.

- Hospital Council of Western Pennsylvania** 1994 inpatient discharge data will be used for two purposes: 1) for incorporation into HCMAS-PA software, and 2) to prepare reports based on HC4 data to provide or sell to other entities.
- Hospital Council of Western Pennsylvania** The 1991, 1992 and 1993 inpatient discharge data will be used to allow health providers and other organizations who use HCMAS to plan and design health care services more efficiently.
- Hospital Executive Council** Third and fourth quarters of 1994 and first quarter 1995 inpatient discharge data were used in a customized report of all acute discharges and patient days for a select group of DRG's. These data will be used to conduct a comparative analysis of hospital admission/discharge rates and length of stay for a specific area.
- Iameter, Inc.** 1994 inpatient discharge data will be used for internal research.
- Iameter, Inc.** 1995 inpatient discharge data is used to develop severity-adjusted NORMS for length of stay, charges and mortalities. It is also for use in analyzing the severity-adjusted outcomes of client hospitals in the state of Pennsylvania.
- Institute for Health Care Research and Policy** 1994 inpatient discharge data will be used to construct aggregate tabulations and multivariate statistical analyses. As part of a study of academic health center hospitals supported by The Commonwealth Fund, we will calculate relative odds of HMO patients' use of academic health centers and other hospitals categorized by teaching status and size across market areas that contain an academic health center hospital.
- Intellimed International Corporation** 1994 inpatient discharge data for two hospitals will be used for consulting purposes.
- Intellimed International Corporation** 1995 inpatient discharge data will be used in a commercial software product.
- Jefferson Medical College** The 1993 AMI data set will be used for an analysis of the PHC4 database.
- Lehigh Valley Hospital** 1994 -1996 inpatient discharge data will be used for market share analysis and released marketing research.
- Lower Extremity Amputation State Group** Third and fourth quarters of 1994 and first and second quarters of 1995 inpatient discharge data will be used to investigate geographical variations in the number of lower extremity amputations.
- Marian Community Hospital** 1993 and 1994 inpatient discharge data for Region 6 will be used for internal analysis.
- Marianne Patrylak Consulting** 1995 inpatient discharge data for a specific list of zip codes will be used by Hazleton - St. Joseph Hospital for market share analysis.
- Market Insights** 1994 inpatient discharge data will be used for internal benchmarking.
- Massachusetts Health Research Institute** 1994 and 1995 inpatient discharge data will be used to measure the "value" of particular non-profit hospital's tax exemption and to compare it to various definitions of community benefits including free care provided and debt incurred.
- McBride, Baker and Coles** 1993 and 1994 inpatient discharge data will be used by Dr. Dench to determine where patients obtain surgical services. An economist may assist in the analysis of the data.
- Medical Advisors, Inc.** 1993, 1994, and 1995 inpatient data for a specific list of zip codes and DRG's will be used to conduct analysis regarding historical trends, identify the existing market for cardiac surgical cases, project growth in cardiac surgery and assess opportunities for market expansion.
- MEDIQ Consulting Group** 1995 inpatient discharge data for Regions 8 and 9 will be used in consulting projects.
- MediQual Systems, Inc.** 1994 inpatient discharge data will be used by anyone purchasing a Pennsylvania state database for use with Atlas Market View. Usually those purchasers are Pennsylvania hospitals.
- MediQual Systems, Inc.** 1995 inpatient discharge data will be used for research purposes.

- Milliman and Robertson, Inc.** 1994 and 1995 inpatient discharge data will be used to 1) determine the level of efficiency for a hospital or payor as compared to well-managed efficient experience as defined by M&R's HealthCare Management Guidelines; 2) compare the cost and utilization by geographic region to other reporting data sources (that is, HCFA, AHA, and the like), and reconcile any discrepancies; 3) research migration patterns of patients (that is, how far do they travel for care and which hospitals do they choose); and 4) determine length of stay and charges by DRG.
- Morrison Informatics, Inc.** 1995 inpatient discharge data for a specific list of hospitals will be used in a market analysis for one hospital in the group. The results will allow the determination of the market share of patients sent to post acute care.
- Newcomb Medical Center** 1992, 1993 and 1994 inpatient discharge data will be used to identify the number of Southern New Jersey residents who travel to Delaware Valley Hospitals for cardiac catheterization procedures.
- Oconco Healthcare Consultants** The Pennsylvania 1995 inpatient discharge data will be used to investigate utilization rates and trends by zip code. It is also used to study trends in patient migration in the tri-state region.
- Oxford Health Plans** 1994 and 1995 inpatient discharge data will be used to analyze severity adjusted lengths of stay, charges, and costs across hospitals, for various clinical specialties, to determine market share for hospitals in the greater Harrisburg area.
- PA Department of Agriculture** The 1995 data on chlorine gas exposures is needed for regulatory review of Department's swimming pool certification requirements.
- PA Department of Health** The 1994 inpatient discharge data will be linked to the Pennsylvania Department of Health Emergency Medical Services data and the PA Department of Transportation Accident Reporting System data. The linked data set will be used to carry out specific research interests of all participating agencies and Departments in the 1994 Crash Outcomes and Data Evaluation Set Project (CODES '94).
- PA Department of Health** The 1993, 1994, and 1995 statewide inpatient discharge data will be used to update a comprehensive report of baseline data for Pennsylvania that corresponds to many of the several hundred public health objectives for the year 2000 as defined by the US Public Health Service in Healthy People 2000, National Health Promotion and Disease Prevention Objectives.
- PA Department of Labor and Industry** First quarter 1995 inpatient discharge data will be used to complete a workers' compensation study for the Department of Labor and Industry.
- PA Department of Public Health** Custom data for 1995 will be used to prepare annual reports of injury related data, special topical monographs, and respond to requests for aggregate data at the local level. Subcontractor will be the University of Pittsburgh, Center for Injury Research and Control.
- PA Department of Public Welfare** 1994 inpatient discharge data will be used for patient origin and market share information as part of a DPW commercial study.
- PA Office of the Attorney General** Third and fourth quarters of 1994 and first and second quarters of 1995 inpatient discharge data for 29 counties will be used to investigate the proposed merger between the University of Pittsburgh Medical Center and Shadyside Hospital in Pittsburgh, PA. Requested data will be used to determine the relevant product and geographic markets within which to analyze the competitive effect of the proposed merger.
- PA Office of the Attorney General** 1995 inpatient data will be used by Dr. Gary Bowman who is a Temple University economist we retain to help us determine the relevant geographic and product markets in reference to hospital merger cases. Dr. Bowman's analysis is utilized by the Pennsylvania Office of Attorney General only, to evaluate the competitive or anticompetitive effects of hospital mergers.
- PA Department of Aging/PACE** First and second quarters of 1993 and first through fourth quarters of 1994 data will be used in a research study of outcomes of polypharmacy in elderly persons enrolled in PACE. The Department of Aging will provide a file containing Social Security Numbers for PACE enrollees. HC4 data, matched by Social Security Number will be linked with PACE pharmacy claims and with mortality data provided by the Department of Health.
- Philadelphia Department of Public Health** The 1994 hospital discharge data set, with social security number identifiers represents an important source of information for us since it will help us to document improved outcomes and/or cost savings associated with our Title V programs.
- Philipsburg Area Hospital** 1993 inpatient discharge data for a specific range of zip codes and facilities will be used to strategically evaluate their market share in the Moshannon Valley for internal planning purposes.

- Philipsburg Area Hospital** 1995 inpatient discharge data will be used to assess the admission trends of rural PA hospitals over the past several years.
- Premier, Inc.** 1995 and 1996 inpatient discharge data will be placed into a comparative analytical tool. Current Premier member hospitals, which include approximately 30% of all PA short term hospitals, may have access to use this tool to perform various comparative analyses.
- Sachs Group, Inc.** 1994 and 1995 inpatient discharge data will be used in a commercial software product.
- Saint Vincent Health Center** 1990, 1991, 1992 and 1993 inpatient discharge data will be used, in conjunction with other community providers, to assess community health. By reviewing this information we hope to be able to determine if there is adequate access to primary care in our area. The health center and other providers will then determine the health indicators which we are lacking and as a community should begin working on.
- Sharon Regional Health System** 1994 inpatient discharge data for a specific list of zip codes will be used to study out migration in order to evaluate the number of patients from the hospitals' service area and determine what patients are seeking services in the state of Ohio.
- Soldiers and Sailors Memorial Hospital** The 1994 and 1995 inpatient data will be used to determine Tioga County residents that were discharged from a provided list of hospitals, by DRG, by physician.
- St. Joseph's University** The 1995 market report to be generated from the data will be used for educational purposes.
- St. Francis Medical Center** 1994 inpatient discharge data will be used for internal benchmarking.
- St. Luke's Hospital** 1994 inpatient discharge data for selected regions will be used as part of a market analysis in preparation for filing merger documents between St. Luke's Hospital and Allentown Osteopathic Medical Center. The data is for research purposes only.
- Sunbury Hospital** 1994 inpatient discharge data for a specific list of hospitals will be used for internal benchmarking.
- The APEX Management Group, Inc.** 1993 inpatient discharge data will be used to complete a hospital inpatient utilization analysis for a client in the Lancaster County area. We will be studying aggregate hospital utilization patterns in the Lancaster area and comparing those statistics to hospitals in other regions.
- The APEX Management Group, Inc.** 1995 inpatient discharge data will be used for hospital inpatient utilization analyses.
- The MEDSTAT Group** 1993 through 1996 inpatient discharge data will be used in a commercial software product.
- U.S. Quality Algorithms, Inc.** 1994 and 1995 inpatient discharge data will be used in a commercial software product.
- University Hospital of Cleveland** 1995 inpatient discharge data for Regions 1 and 2 will be used for analyses of total hospital usage by residents of NE Ohio.
- University of Delaware** 1992, 1993, and 1994 inpatient discharge data will be used in conjunction with the Delaware, Maryland, and NJ discharge data to try to estimate the appropriate market for the Medical Center of Delaware.
- University of Pennsylvania** 1991 through 1995 inpatient discharge data will be used for a research project, "Effectiveness of Regional Trauma Care for Children" funded by the Center for Control and Prevention.
- University of Pittsburgh Medical Center** First and second quarters of 1994 inpatient discharge data will be used to compare the cost and outcome of care at UPMC with other PA hospitals. The purpose is to enable UPMC physicians to reduce the cost and improve the quality of care.
- University of Pittsburgh Medical Center** 1993 inpatient discharge data will be used to determine whether there are differences in the outcomes (mortality rates) for patients with AMI focusing on the differences between those who live in urban and rural areas. In addition to mortality, cost differences, and length of stay, care for the individuals will also be examined.
- Valley Health** 1993 Pandora market share reports will be used for market research.
- Washington County Hospital** 1993 inpatient discharge data will be used to determine the amount of Maryland residents that are going to four PA hospitals.

Wayne Memorial Hospital 1994 and 1995 inpatient discharge data for Region 6 will be used to conduct a market analysis.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1170. Filed for public inspection July 17, 1998, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final-Form Rulemakings

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-444	Department of Public Welfare General Eligibility Provisions; Allowances And Benefits; Resources; Income	7/6/98
#14-439	Department of Public Welfare General Provisions; Application Process; Redetermining Eligibility; General Eligibility Provisions; Age; Residence; Employment and Community Work Experience Program; Transitional Child Care; Budget Group Provisions for AFDC/GA	7/6/98

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 98-1171. Filed for public inspection July 17, 1998, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Aetna Life Insurance Company, et al.; Pennsylvania Life and Health Insurance Guaranty Association; Doc. No. FC98-07-002

Under the Administrative Rules of Practice and Procedure, 1 Pa. Code § 31.1, et seq., a prehearing/settlement conference shall be held on August 12, 1998, at 11 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before August 3, 1998. A party, person or entity petitioning to intervene, shall show cause by filing objections in writing on or before August 3, 1998, why this matter should not be consolidated with Doc. No. FC98-07-001, Appeal of Canada Life Assurance Company. A date for a hearing shall be determined, if necessary, at the August 12, 1998 prehearing/settlement conference.

This is an appeal by members of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA)

from determinations of the Board of Directors of PLHIGA dated May 1, 1998 and June 26, 1998, in which the Board declined to act on the members' appeal from PLHIGA's 1997 Assessment and Recalculated Annuity Assessment. The appeal seeks recalculation of certain assessments, prohibition of PLHIGA from retrospective recalculation or reassessments, modification of the assessment scheme and segregation of certain paid assessments into a dedicated interest-bearing escrow account.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1172. Filed for public inspection July 17, 1998, 9:00 a.m.]

Appeal of Canada Life Assurance Company; Penn- sylvania Life and Health Insurance Guaranty Association; Doc. No. FC98-07-001

Under the Administrative Rules of Practice and Procedure, 1 Pa. Code § 31.1, et seq., a prehearing/settlement conference shall be held on August 12, 1998, at 11 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before August 3, 1998. A party, person or entity petitioning to intervene, shall show cause by filing objections in writing on or before August 3, 1998, why this matter should not be consolidated with Doc. No. FC98-07-002, Appeal of Aetna Life Insurance Company, et al. A date for a hearing shall be determined, if necessary, at the August 12, 1998 prehearing/settlement conference.

This is an appeal by a member of the Pennsylvania Life and Health Insurance Guaranty Association (PLHIGA) from a determination of the Board of Directors of PLHIGA dated May 1, 1998, in which the Board declined to act on the member's appeal from PLHIGA's 1997 Assessment and Recalculated Annuity Assessment. The appeal seeks recalculation of Canada Life Assurance Company's assessments, modification of the assessment scheme as applied to Canada Life, award of interest and costs to Canada Life and other relief.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1173. Filed for public inspection July 17, 1998, 9:00 a.m.]

Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of The Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department hereby publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of January 1, 1998, published at 28 Pa.B. 170 (January 10, 1998).

Persons who have questions concerning this notice should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

As of: July 1, 1998

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4001	Acceptance Insurance Company	222 South 15th Street Suite 600 North Omaha, NE 68102-1616
4002	Admiral Insurance Company	1209 Orange Street Wilmington, DE 19801
4005	Adriatic Insurance Company	314 East Thayer Avenue Bismarck, ND 58501
4010	Agricultural Excess and Surplus Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4014	Alliance General Insurance Company	6 West Hubbard Chicago, IL 60610
4017	Allianz Underwriters Insurance Company	3400 Riverside Drive Suite 300 Burbank, CA 91505-4669
4047	American Dynasty Surplus Lines Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4050	American Empire Surplus Lines Insurance Company	1209 Orange Street Wilmington, DE 19801
4052	American Equity Insurance Company	7676 East Pinnacle Peak Road Scottsdale, AZ 85255
4055	American International Specialty Lines Insurance Company	550 West 7th Street Anchorage, AK 99501
4062	American Western Home Insurance Company	600 Fidelity Plaza Oklahoma City, OK 73102
4070	Americas Insurance Company	400 Poydras Street Suite 2200 New Orleans, LA 70130
4081	Appalachian Insurance Company	Allendale Park P. O. Box 7500 Johnston, RI 02919-0500
4085	Assicurazioni Generali Di Trieste	Piazza Duca Degli Abruzzi, 2 Trieste, 34132 Italy
4090	Associated Electric & Gas Insurance Services Limited	Argus Insurance Building P. O. Box HM1064 Hamilton, HMEX Bermuda
4095	Associated International Insurance Company	21820 Burbank Boulevard, #330 Woodland Hills, CA 91367
4100	Audubon Indemnity Company	2829 Lakeland Drive Suite 1400 Jackson, MS 39208
4000	AXA Reinsurance UK plc	London Underwriting Centre 3 Minster Court, Mincing Lane London, EC3R 7DD England
4135	British Aviation Insurance Company Limited	Fitzwilliam House 10 St. Mary's Axe London, EC3A 8EQ England
4145	Caliber One Indemnity Company	1209 Orange Street Wilmington, DE 19801

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4150	Canal Indemnity Company	400 East Stone Avenue Greenville, SC 29601
4158	Centennial Casualty Company	2200 Woodcrest Place Suite 200 Birmingham, AL 35209
4159	Century American Insurance Company	3401 West End Avenue Suite 600 Nashville, TN 37209
4160	Century Surety Company	2400 Corporate Exchange Drive Columbus, OH 43231
4170	Chubb Custom Insurance Company	32 Loockeman Square Dover, DE 19901
4140	CNA Reinsurance Company Limited	Fountain House 125—135 Fenchurch Street London, EC3M 5DJ England
4180	Colony Insurance Company	9201 Forest Hill Avenue Suite 200 Richmond, VA 23235-6865
4193	Columbia Casualty Company	CNA Plaza Chicago, IL 60685
4196	Commercial Underwriters Insurance Company	200 Corporate Pointe Suite 300 Culver City, CA 90230
4200	Commercial Union Assurance Company plc	St. Helen's 1 Undershaft London, EC3P 3DQ England
4210	Commonwealth Insurance Company	595 Burrard Street, Suite 1500 Bentall Centre III Vancouver, B. C., V7X 1G4 Canada
4213	Connecticut Specialty Insurance Company	9 Farm Springs Road Farmington, CT 06032
4216	Copenhagen Reinsurance Company (UK) Limited	25/26 Lime Street London, EC3M 7HR England
4215	Copenhagen Reinsurance Company Limited	4, Lyngby Hovedgade P. O. Box 325 Lyngby, DK-2800 Denmark
4220	Coregis Indemnity Company	181 West Madison Avenue Suite 2600 Chicago, IL 60602
4225	Crusader Insurance Company	23251 Mulholland Drive Woodland Hills, CA 91364
4232	Diamond State Insurance Company	1600 Capital Ctr. S. 201 N. Illinois Street Indianapolis, IN 46204
4245	Eden Park Insurance Company	One Indiana Square Suite 1800 Indianapolis, IN 46204
4255	Empire Indemnity Insurance Company	809 Northwest 36th Street Oklahoma City, OK 73118
4268	Essex Insurance Company	1209 Orange Street Wilmington, DE 19801
4270	Evanston Insurance Company	Shand Morahan Plaza Evanston, IL 60201
4275	Everest Indemnity Insurance Company	Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
4280	Executive Risk Specialty Insurance Company	82 Hopmeadow Street Simsbury, CT 06070-7683

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4315	Fidelity Excess and Surplus Insurance Company	515 Main Street Cincinnati, OH 45202
4317	Fireman's Fund Insurance Company of Ohio	312 Walnut Street Suite 1100 Cincinnati, OH 45202
4319	First Financial Insurance Company	528 South Fifth Street Suite 210 Springfield, IL 62701-1822
4320	First Mercury Insurance Company	525 West Monroe Street, Suite 1600 Chicago, IL 60661
4321	First Specialty Insurance Corporation	237 East High Street Jefferson City, MO 65102
4329	Frontier Pacific Insurance Company	4250 Executive Square Suite 200 La Jolla, CA 92037
4331	Fulcrum Insurance Company	199 Water Street New York, NY 10038-3526
4332	Gan Insurance Company Limited	Gan House 12 Arthur Street London, EC4R 9BJ England
4335	General Agents Insurance Company of America, Inc.	4308 North Classen Boulevard Oklahoma City, OK 73118
4338	General Star Indemnity Company	695 East Main Street P. O. Box 10354 Stamford, CT 06904-2354
4345	Generali-France Assurances	5, rue de Londres Paris, 75009 France
4350	Genesis Indemnity Insurance Company	316 North Fifth Street Bismarck, ND 58501
4360	Gotham Insurance Company	330 Madison Avenue New York, NY 10017
4370	Great Lakes Reinsurance (UK) PLC	Upper Ground Floor, 1 Minster Court Mincing Lane London, EC3R 7AA England
4390	Gulf Underwriters Insurance Company	9200 Watson Road St. Louis, MO 63101
4395	Hallmark Insurance Company, Inc.	Three Bala Plaza, East Suite 300 Bala Cynwyd, PA 19004
4420	Houston Casualty Company	13403 Northwest Freeway Houston, TX 77040-6094
4427	Illinois Emcasco Insurance Company	815 Commerce Drive Oak Brook, IL 60521-1978
4432	Illinois Union Insurance Company	8755 West Higgins Road Chicago, IL 60631
4438	Indemnity Marine Assurance Company Limited	St. Helen's 1 Undershaft London, EC3P 3DQ England
4441	Indian Harbor Insurance Company	One Greenwich Plaza P. O. Box 2568 Greenwich, CT 06836-2568
4430	INEX Insurance Exchange	1 South Wacker Drive Suite 2720 Chicago, IL 60606-4617
4444	Insurance Company of North America (UK) Limited	Cigna House 8 Lime Street London, EC3M 7NA England

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4451	Interstate Fire & Casualty Company	55 East Monroe Street Chicago, IL 60603
4453	Investors Insurance Company of America	200 Schulz Drive Red Bank, NJ 07701-6741
4425	ITT Pacific Insurance Company, Limited	Hartford Plaza Hartford, CT 06115
4471	Landmark American Insurance Company	9800 South Meridian Boulevard Englewood, CO 80112
4472	Landmark Insurance Company	777 South Figueroa Street Los Angeles, CA 90017
4475	Legion Indemnity Company	190 S. LaSalle Street Chicago, IL 60603
4478	Lexington Insurance Company	1209 Orange Street Wilmington, DE 19801
4482	Liberty Mutual Insurance Company (UK) Limited	4th Floor, One Minster Court Mincing Lane London, EC3R 7AA England
4492	Lloyd's (Underwriters at)	One Lime Street London, EC3M 7HA England
4510	London and Edinburgh Insurance Company Limited	Excess House 13 Fenchurch Avenue London, EC3M 5BT England
4530	Marine Insurance Company Limited	34/36 Lime Street London, EC3M 7JE England
4540	Maritime Insurance Company Limited	P. O. Box 6 Surrey Street Norfolk, NR1 3NS England
4565	Monticello Insurance Company	1209 Orange Street Wilmington, DE 19801
4575	Mt. Hawley Insurance Company	7400 College Boulevard Suite 330 Overland Park, KS 66210
4590	NAMIC Insurance Company, Inc.	3601 Vincennes Road Indianapolis, IN 46268
4598	National Fire & Marine Insurance Company	3024 Harney Street Omaha, NE 68131-3580
4605	Nautilus Insurance Company	7273 East Butherus Drive Scottsdale, AZ 85260
4595	NIC Insurance Company	123 William Street New York, NY 10038-3871
4637	North American Capacity Insurance Company	650 Elm Street Manchester, NH 03101-2524
4645	Northern Assurance Company Limited	St. Helen's 1 Undershaft London, EC3P 3DQ England
4652	Northfield Insurance Company	12935 North Forty Drive St. Louis, MO 63141
4665	Nutmeg Insurance Company	Hartford Plaza Hartford, CT 06115
4667	Ocean Marine Insurance Company Limited	St. Helen's 1 Undershaft London, EC3P 3DQ England
4840	Odyssey Re (London) Limited	52—54 Leadenhall Street London, EC3A 2BJ England
4668	Old Republic Union Insurance Company	307 North Michigan Avenue Chicago, IL 60601

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4700	Pacific Insurance Company	c/o CT Corp 818 West 7th Street Los Angeles, CA 90017
4710	Paradigm Insurance Company	2450 One Indiana Square Indianapolis, IN 46204
4720	Phoenix Assurance plc	1 Bartholomew Lane London, EC2N 2AB England
4730	Preferred National Insurance Company	210 University Drive Suite 900 Coral Springs, FL 33071
4735	Princeton Excess and Surplus Lines Insurance Company	1013 Centre Road Wilmington, DE 19805
4740	Professional Underwriters Liability Insurance Company	50 West Broadway Salt Lake City, UT 84101
4755	QBE International Insurance Limited	14 Fenchurch Avenue London, EC3M 5BS England
4756	Queensway International Indemnity Company	27 East Robinson Street Orlando, FL 32801
4757	Realm National Insurance Company	125 Maiden Lane New York, NY 10038
4760	Reliance Insurance Company of Illinois	233 South Wacker Drive Suite 9220 Chicago, IL 60606
4787	Rock River Insurance Company	3400 80th Street Moline, IL 61265-5886
4793	Royal Surplus Lines Insurance Company	500 Winding Brook Drive Glastonbury, CT 06033
4802	SAFECO Surplus Lines Insurance Company	SAFECO Plaza Seattle, WA 98185
4810	Savers Property & Casualty Insurance Company	700 West 47th Street Kansas City, MO 64112-1802
4816	Scottsdale Insurance Company	One Nationwide Plaza Columbus, OH 43215
4819	Sheffield Insurance Corporation	3760 River Run Drive Birmingham, AL 35243
4823	Skandia International Insurance Corporation	S-103 50 Stockholm Sweden
4804	SR International Business Insurance Company Limited	71—77 Leadenhall Street London, EC3A 2PQ England
4806	St. Paul Reinsurance Company Limited	51 Lime Street London, EC3M 7BS England
4807	St. Paul Surplus Lines Insurance Company	32 Loockerman Square Dover, DE 19901
4845	Steadfast Insurance Company	Suite 202 32 Loockerman Square Dover, DE 19901
4849	Stonewall Insurance Company	31 Inverness Center Parkway Suite 200 Birmingham, AL 35242
4860	Storebrand Skadeforsikring AS	P. O. Box 1380 Vika Oslo, 0114 Norway
4875	Terra Nova Insurance Company Limited	41/43 Mincing Lane London, EC3R 7SP England
4880	Through Transport Mutual Insurance Association Limited	Windsor Place, Queen Street P. O. Box HM655 Hamilton, HMCX Bermuda

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4870	TIG Specialty Insurance Company	444 Market Street San Francisco, CA 94111
4882	Travelers Excess and Surplus Lines Company	One Tower Square Hartford, CT 06183
4884	Tudor Insurance Company	91 Court Street Keene, NH 03431
4893	U. S. Underwriters Insurance Company	316 North Fifth Street Sixth Floor Bismarck, ND 58501
4887	ULICO Indemnity Company	320 West Capital Street Suite 1000 Little Rock, AR 72201-3525
4889	Underwriters Indemnity Company	8 Greenway Plaza Suite 400 Houston, TX 77046
4890	Unionamerica Insurance Company Limited	The London Underwriting Centre 3 Minster Court, Mincing Lane London, EC3R 7DD England
4897	United Capitol Insurance Company	400 Perimeter Center Terrace Atlanta, GA 30346
4900	United Coastal Insurance Company	40 North Central Avenue Phoenix, AZ 85004
4925	Vanguard Underwriters Insurance Company	5810 East Skelly Drive Suite 700 Tulsa, OK 74135
4930	Vesta Insurance Company Limited	Folke Bernadottes vei 50 Bergen, 5020 Norway
4935	Voyager Indemnity Insurance Company	5950 Live Oak Parkway Suite 300 Norcross, GA 30093
4950	WASA International (UK) Insurance Company Limited	WASA House 26/27 Regency Square Brighton, E. Sussex, BN1 2FX England
4955	Wausau General Insurance Company	1431 Opus Place Downers Grove, IL 60515-1169
4957	Westchester Surplus Lines Insurance Company	Six Concourse Parkway Suite 2500 Atlanta, GA 30328-5346
4962	Western Heritage Insurance Company	6263 N. Scottsdale Road Suite 240 Scottsdale, AZ 85250
4963	Western Indemnity Insurance Company	820 Gessner Suite 1200 Houston, TX 77024
4966	Western World Insurance Company	91 Court Street Keene, NH 03431
4980	Yorkshire Insurance Company Limited	Pitheavlis Perth, PH2 0NH Scotland
4985	ZC Specialty Insurance Company	400 West 15th Street Suite 7 Austin, TX 78701
4990	Zurich International (Bermuda) Ltd.	Crawford House 50 Cedar Avenue Hamilton, HM 11 Bermuda
4995	Zurich Reinsurance (London) Limited	The Zurich Building 90 Fenchurch Street London, EC3M 4JX England

Since publication of the January 1, 1998 eligible surplus lines insurer list, the following significant changes have occurred:

	(Key Number)	(Company Name)	(Date)
Additions:	4595	NIC Insurance Company	04/23/98
	4275	Everest Indemnity Insurance Company	06/09/98
	4735	Princeton Excess and Surplus Lines Insurance Company	06/18/98
	4215	Copenhagen Reinsurance Company Limited	06/19/98
Deletions:	4025	Alpine Insurance Company	04/20/98
Name Changes:			
	From: 4430	Illinois Insurance Exchange	04/20/98
	To: 4430	INEX Insurance Exchange	
	From: 4840	Sphere Drake Insurance plc	05/05/98
To: 4840	Odyssey Re (London) Limited		

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1174. Filed for public inspection July 17, 1998, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Mark M. Moyer; file no. 98-210-32159; State Farm Mutual Automobile Ins. Co.; doc. no. PH98-07-004; August 12, 1998, at 1 p.m.;

Appeal of Esther L. Schneier; file no. 98-121-04123; Erie Insurance Group; doc. no. P98-07-003; August 13, 1998, at 2 p.m.;

Appeal of Geoffrey M. Smith; file no. 98-280-32326; State Farm Fire and Casualty Co.; doc. no. PH98-07-006; August 18, 1998, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1175. Filed for public inspection July 17, 1998, 9:00 a.m.]

Appeal of Saucon Valley School District under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; Doc. No. UT98-06-033

A prehearing conference shall be held on July 30, 1998 at 2 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before July 23, 1998.

The hearing shall occur on August 13, 1998 at 10 a.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1176. Filed for public inspection July 17, 1998, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

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

Executive Board

Resolution #CB-98-119, Dated, June 4, 1998. The Commonwealth of Pennsylvania entered into a Collective

Bargaining Agreement with the American Federation of State, County, and Municipal Employees, AFL-CIO, Pennsylvania Game Commission Act 111 bargaining unit; the arbitration award encompasses approximately 195 employees in a bargaining unit certified by the Pennsylvania Labor Relations Board, PF-R-92-122-E.

Governor's Office

Manual M315.1—Municipal Tax Rate Schedules—Revision No. 6—Dated June 1, 1998.

Management Directive No. 220.5—Payment of Inter-agency Billings for Centralized Services—Amended—May 21, 1998.

Management Directive No. 230.14—Foreign Areas Sub-sistence Allowances—Amended—June 1, 1998.

Management Directive No. 315.28—Taxability of State-Provided Parking—Revision No. 2—Dated—June 1, 1998.

Management Directive No. 505.11—Emergency Assignments of Employees During Emergencies—Amended—June 17, 1998.

Management Directive No. 615.3—Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet—Amended—June 5, 1998.

Administrative Circular No. 98-14—Submission of Construction Requisitions Financed by Lapsing Funds—Dated—June 1, 1998.

Administrative Circular No. 98-15—Closing Instruction No. 3, Prior Encumbrances for Act 57 Waivers and Contracted Repairs—June 1, 1998.

Administrative Circular No. 98-16—Use of Seat Belts in Commonwealth Fleet Vehicles—June 5, 1998.

Administrative Circular No. 98-17—State Employees Purchasing Vehicles at the Commonwealth Auction—June 5, 1998.

Administrative Circular No. 98-18—Workers' Compensation Rates—June 8, 1998.

Administrative Circular No. 98-19—Relocation of the Office of Inspector General—June 17, 1998.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 98-1177. Filed for public inspection July 17, 1998, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric and Steam Service

Without Hearing

P-00981405. PEI Power Corporation. Petition of PEI Power Corporation for a declaratory order concluding that the provision of electric and steam services by PEI Power Corporation to prospective property owners and tenants located within a fixed geographic area does not constitute the provision of public utility service under 66 Pa.C.S. § 102.

This Petition may be considered without a hearing. Comments may be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner on or before July 28, 1998, under 52 Pa. Code (relating to public utilities).

Petitioner: PEI Power Corporation.

Through and By Counsel: Norman J. Kennard, Esquire, Lillian S. Harris, Esquire, Malatesta, Hawke and McKeon, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17101.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-1178. Filed for public inspection July 17, 1998, 9:00 a.m.]