

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 October 20, 1998.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-14-98	Pennsylvania Business Bank Philadelphia Philadelphia County	One Commerce Square 2005 Market Street Philadelphia Philadelphia County	Filed

Correspondent:

Alan S. Fellheimer
1650 Market St., 21st Flr.
Philadelphia, PA 19103-7334

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-25-98	S & T Bank Indiana Indiana County	Indiana	Effective
	Purchase of assets/assumption of liabilities of one branch office of Mellon Bank, N.A., Pittsburgh, located at: 410 Main Street Clarion Clarion County		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-9-98	Jefferson Bank Haverford Montgomery County	7500 Bustleton Ave. Philadelphia Philadelphia County	Opened
10-8-98	Northwest Savings Bank Warren Warren County	151 Pittsburgh Road Butler Township Butler County	Opened
10-14-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 420 McDade Boulevard Folsom Delaware County	Filed
10-14-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 50 Lawrence Road Broomall Delaware County	Filed
10-14-98	Jersey Shore State Bank Jersey Shore Lycoming County	WalMart Supercenter Hogan Boulevard and Country Club Lane Bald Eagle Township Clinton County	Opened
10-15-98	Northwest Savings Bank Warren Warren County	2296 South Market Street Elizabethtown Lancaster County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-15-98	Northwest Savings Bank Warren Warren County	922 Columbia Avenue Lancaster Lancaster County	Filed
10-15-98	Northwest Savings Bank Warren Warren County	201 West Main Street New Holland Lancaster County	Filed
10-15-98	Northwest Savings Bank Warren Warren County	1195 Manheim Pike Lancaster Lancaster County	Filed
10-16-98	Firsttrust Savings Bank Flourtown Montgomery County	288 South Main Street Doylestown Bucks County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-14-98	Parkvale Savings Bank Monroeville Allegheny County	<i>To:</i> 3520 Forbes Avenue Pittsburgh Allegheny County <i>From:</i> 3530 Forbes Avenue Pittsburgh Allegheny County	Filed
10-14-98	Sun Bank Selinsgrove Snyder County	<i>To:</i> 100 Maynard Street Williamsport Lycoming County <i>From:</i> 330 Pine Street Williamsport Lycoming County	Filed
10-14-98	Jersey Shore State Bank Jersey Shore Lycoming County	<i>Into:</i> WalMart Supercenter Hogan Boulevard and Country Club Lane Mill Hall Bald Eagle Township Clinton County <i>From:</i> Millbrook Plaza Hogan Boulevard Mill Hall Clinton County	Effective
10-15-98	Northwest Savings Bank Warren Warren County	<i>To:</i> 4270 East Lake Road Erie Harborcreek Twp. Erie County <i>From:</i> 4452 East Lake Road Erie Harborcreek Twp. Erie County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-16-98	Laurel Bank Johnstown Cambria County	One Jefferson Street West Lebanon Indiana County	Approved

SAVINGS ASSOCIATIONS**Branch Relocations**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
10-20-98	Citizens Savings Association Mt. Pocono Monroe County	<i>To:</i> 335 Willow Avenue (Route 6) Honesdale Wayne County <i>From:</i> 815 Main Street Honesdale Wayne County	Approved

Voluntary Liquidations

<i>Date</i>	<i>Name of Institution</i>	<i>Action</i>
10-20-98	Union Savings and Loan Association Minersville Schuylkill County	Certificate of Election for Voluntary Dissolution filed. Effective as of close of business October 20, 1998.

CREDIT UNIONS**New Charter Application**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-19-98	The Greater Harrisburg Credit Union Harrisburg Dauphin County <i>Correspondent:</i> Carl Payne, Manager Designee Morrison Towers, 12th Fl. 351 Chestnut Street Harrisburg, PA 17105	Harrisburg	Filed

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 98-1795. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council; Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will be held on Monday, November 9, 1998. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

RANDY COOLEY,
Chairperson

[Pa.B. Doc. No. 98-1796. Filed for public inspection October 30, 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 the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

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

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

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the 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 0051519. Industrial waste, **Perkasie Industries Corporation**, P. O. Box 179, Perkasie, PA 18944.

This application is for renewal of an NPDES permit to discharge cooling water or stormwater from Perkasie Industries Corporation in Perkasie Borough, **Bucks County**. This is an existing discharge to the East Branch of Perkiomen 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 97,000 gpd are as follows:

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

The proposed effluent limits for stormwater outfall 001A are:

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

The EPA waiver is in effect.

PA 0040321. Industrial waste, **Thomas and Betts Corporation**, 8155 T and B Boulevard, Memphis, TN 38125.

This application is for renewal of an NPDES permit to discharge treated groundwater from the groundwater remediation system in East Rockhill Township, **Bucks County**. This is an existing discharge to an unnamed tributary to East Branch of Perkiomen 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 43,200 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Annual (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Tetrachloroethylene			monitor/report
1,1,1 Trichloroethane			monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Annual (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Trichloroethylene		0.003	0.036
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0026701, Amendment No. 1. Sewage, **The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville.

This application is for amendment of an NPDES permit to discharge treated sewage from Morrisville Borough's STP in Morrisville Borough, **Bucks County**. This is an existing discharge to Delaware River Estuary Zone 2.

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 7.1 are as follows: The proposed permit amendment is to incorporate the revised 20-day Carbonaceous Biochemical Oxygen Demand (CBOD₂₀) wasteload allocation, and equivalent monthly average 5-day Biochemical Oxygen Demand (BOD₅) mass effluent limitations of 1,645 lb/day. The corresponding effluent concentration limits are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅	27.8	41.7	55.6

Other Conditions

Calculation of CBOD₂₀.

The EPA waiver is not in effect.

PA 0054992. Sewage, **Michael Bird**, 2835 Mill Road, Doylestown, PA 18901.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Buckingham Township, **Bucks County**. This is an existing discharge to Wastson Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 800 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
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.

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

PA 0205486. Sewage, **Mary Jo McAuley**, R. D. 1, Box 665, Adrian, PA 16210.

This application is for renewal of an NPDES permit to discharge treated sewage from The Spot Campground Sewage Treatment Plant in Washington Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Allegheny River, 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 Armstrong Power Station.

Outfall 001: existing discharge, design flow of 0.00195 mgd.

<i>Parameter</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
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 9-30)	100,000/100 ml as a geometric mean			
(10-1 to 4-30)	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**DISCHARGE OF CONTROLLED INDUSTRIAL
WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean
Streams Law
(Part II Permits)**

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

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

WQM Permit No. 4698433. Sewage. **Upper Gwynedd Township**, Parkside Place, P. O. Box 1, West Point, PA 19486. This project is for the construction and operation to replace a sanitary sewer line located in Upper Gwynedd Township, **Montgomery County**.

WQM Permit No. 1598420. Sewage. **Royersford Congregation at Jehovah's Witnesses**, 9 Cromby Road, Phoenixville, PA 19460. This project is for the construction and operation of a small flow sewage treatment plant with spray irrigation to handle the sanitary wastewater generated by a church building located in East Vincent Township, **Chester County**.

Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications should contact Mary DiSanto at (717) 705-4732.

Application No. 0598404. Sewage, submitted by **Everett Area Municipal Authority**, 100 Mechanic Street, Everett, PA 15537-1177 in Everett Borough, **Bedford County** to rerate and alter their existing wastewater was received in the Southcentral Region on October 5, 1998.

Application No. 2898404. Sewage, submitted by **Denver L. and Karen F. Black**, 10725 Tim Road, Orrstown, PA 17244 in Lurgan Township, **Franklin County** to construct a small flow sewage treatment plant to serve their residence was received in the Southcentral Region on October 8, 1998.

Application No. 3698411. Sewage, submitted by **Earl Township Sewer Authority**, 517 North Railroad Avenue, New Holland, PA 17557 in Earl Township, **Lancaster County** to construct the Ranck Road Pump Station and sewer extension to serve the proposed subdivision was received in the Southcentral Region on October 7, 1998.

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.

Application No. 1598515. Public water supply. **Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposal involves the installation of a powder activated carbon feed system at the Fern Hill Water Treatment Plant in West Goshen Township, **Chester County**.

Application No. 4698506. Public water supply. **Andorra Springs Water Company, Inc.**, 2201 Barren Hill Road, Conshohocken, PA 19428. This proposal involves

the installation of a vending machine in the Andorra Springs existing spring water system in Whitemarsh Township, **Montgomery County**.

Application No. 1598516. Public water supply. **Mark Herr, Hillbrook Farms, Horning Farm Agency**, P. O. Box 251, Morgantown, PA 19543. This proposal involves the permitting of an existing water supply system that will serve a residential development. This proposal will also permit the applicant as a bulk water hauler in Honeybrook and Salisbury Township, **Chester and Lancaster Counties**.

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

A. 6798503. Public water supply. **West Manchester Township Authority**, West Manchester Township, **York County**. *Responsible Official:* Samuel Null, Chairperson, 2115 Log Cabin Road, York, PA 17404. *Type of Facility:* Well No. 8 at a rate of 150 gallons per minute (gpm). Treatment will consist of disinfection with chlorine gas. *Consulting Engineer:* Thomas S. Ladue, Goodkind and O'Dea, Inc., 101 Noble Boulevard, P. O. Box 340, Carlisle, PA 17013.

A. 2298503. Public water supply. **Elizabethville Area Authority**, Washington Township, **Dauphin County**. *Responsible Official:* Andrew W. Hills, Chairperson, P. O. Box 271, Elizabethville, PA 17023. *Type of Facility:* Development of Well No. 5. *Consulting Engineer:* Kent P. Bachmann, P.E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011.

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

Application No. 1798501. The Department has received a construction permit application from **Houtzdale Municipal Authority** (P. O. Box 97, 731 Kirk Street, Houtzdale, PA 16651; Houtzdale Borough, **Clearfield County**) for installation of a new water line to service Ashland, Jeffries and Sanbourn areas with storage tank and pumping station.

Application No. 4416465. The Department has received a bulk water hauling construction permit application from **Fulmer Personal Care Home** (R. R. 2, Box 146, Williamsport, PA 17701; Old Lycoming Township, **Lycoming County**) for storage of finished water provided by the Borough of Montoursville.

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

Under Act 2, 1995

Preamble 1

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (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, contact the Department's 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:

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

ICI Explosives USA Inc.—Wakefield Property, Walker Township, **Schuylkill County**. Daria L. Killinger, Counsel, ICI Explosives USA Inc., 2452 Horseshoe Trail, Chester Springs, PA 19425 has submitted a Notice of Intent to Remediate (on behalf of her client, ICI Explosives USA Inc., One River Road, Tamaqua, PA 18252) concerning the remediation of site soils and groundwater found to be contaminated with lead and other metals. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lehigh Times-News* on October 9, 1998.

AIR QUALITY

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.

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 to schedule an appointment.

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's 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 permit 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.

46-0028: Novartis Corp. (500 Virginia Drive, Fort Washington, PA 19034) for operation of a synthetic minor VOCs/NOx in Upper Dublin Township, **Montgomery County**.

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

45-317-001: Amber Milling Co. (P. O. Box 64594, Saint Paul, MN 55164) for construction of a flour mill in Pocono Township, **Monroe County**.

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

28-318-032: Grove U. S. L.L.C. (P. O. Box 21, Shady Grove, PA 17256) for operation of a paint spray booth and drying oven in Antrim Township, **Franklin County**.

28-323-010: Grove U. S. L.L.C. (P. O. Box 21, Shady Grove, PA 17256) for operation of two hard chromium electroplating tank systems controlled by mist eliminator and composite mesh pad systems in Quincy Township, **Franklin County**. The tanks are subject to 40 CFR Part 63, Subpart N of the National Emission Standards for Hazardous Air Pollutants.

36-315-016A: R. R. Donnelley & Sons Co. (1375 Harrisburg Pike, Lancaster, PA 17601) for operation of a waste paper handling system controlled by a cyclone/fabric collector in Lancaster City, **Lancaster County**.

67-323-050: AMP, Inc. (50 West Clearview Drive, Shrewsbury, PA 17361) for operation of chrome electroplating tanks no. 1 and no. 2 controlled by a mist eliminator in Shrewsbury Borough, **York County**. This permit revises the site specific pressure drop across the mist pads after modifications to the fans and water flow for the controls. The tanks are subject to 40 CFR Part 63, Subpart N of the National Emission Standards for Hazardous Air Pollutants.

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

14-00004: Con-Lime, Inc. (P. O. Box 118, Bellefonte, PA 16823) for an administrative amendment to a Title V Operating Permit to authorize the operation of a lime kiln fabric collector dust silo bulk tank truck loadout spout and associated air cleaning device (a fabric collector) (construction was approved by Plan Approval No. OP-14-0001A) in Benner Township, **Centre County**.

59-304-008B: Ward Mfg., Inc., ACP Division (P. O. Box 9, Blossburg, PA 16912) for operation of an iron casting annealing oven and two iron casting grinders, a Tumblast machine and associated air cleaning device (a fabric collector) in Lawrence Township, **Tioga County**.

49-309-007J: Meckley's Limestone Products, Inc. (R. R. 1, Box 950, Herndon, PA 17830) for operation of a screen, two conveyors and associated air cleaning device (a water spray dust suppression system) in a stone crushing and screening plant in Lower Mahanoy Township, **Northumberland County**. The screen and conveyors are subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, 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).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number noted. For additional information, contact 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 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.

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

67-05018: Yorktowne, Inc. (100 Redco Avenue, P. O. Box 231, Red Lion, PA 17356) located in Red Lion Borough, **York County**. The facility manufactures high quality wood custom kitchen cabinets. The operations primarily emit volatile organic compounds (VOCs) and hazardous air pollutants (HAPs).

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

32-00200: Indiana University of Pennsylvania, SW Jack Cogeneration Plant (425 Pratt Drive, Indiana, PA 15705) located in Indiana Borough, **Indiana County**. The facility's major sources of emissions include four internal combustion reciprocating engines (8,386 BHP per engine), two 30.1 Mmbtu gas fired boilers and two auxiliary coal fired boilers with a limit of 720 hours of operation per boiler. This facility has the potential of emitting more than 50 tons of volatile organic compounds, 100 tons of oxides of nitrogen and 100 tons of carbon monoxide.

PLAN APPROVALS

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

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

13-308-083A: Horsehead Resource Development Co. (900 Delaware Avenue, Palmerton, PA 18071) for modification of dump hopper 608 and the front end loader operation at the East Plant, Palmerton Borough, **Carbon County**.

13-308-087A: Horsehead Resource Development Co. (900 Delaware Avenue, Palmerton, PA 18071) for modification of a truck sweeping and conveying system at the East Plant, Palmerton Borough, **Carbon County**.

40-313-034: HPG International, Inc. (Crestwood Industrial Park, Oak Hill Road, Mountaintop, PA 18707) for construction of a calendering line in Wright Township, **Luzerne County**.

48-310-035: Chrin Brothers Sanitary Landfill (635 Industrial Drive, Easton, PA 18042) for construction of a stone crushing plant at State Route 2012, Williams Township, **Northampton County**.

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

06-5010B: Crompton & Knowles Colors, Inc. (P. O. Box 341, Reading, PA 19603) for construction of a boiler in Robeson Township, **Berks County**. This source is subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

06-312-009C: Scranton-Altoona Terminal Corp. (P. O. Box 2621, Harrisburg, PA 17105) for construction of two bulk gasoline storage tanks controlled by internal floating roofs in Sinking Spring, **Berks County**. These sources are subject to 40 CFR 60, Subpart Kb, Standards of Performance for New Stationary Sources.

21-320-012: Fry Communications, Inc. (800 West Church Road, Mechanicsburg, PA 17055) for installation of two heatset printing presses with controls at their new Building No. 4 facility in Silver Spring Township, **Cumberland County**.

22-05003: Stroehmann Bakeries, LC (3996 Paxton Street, Harrisburg, PA 17111) for installation of a bread roll oven line controlled by a catalytic oxidizer in Swatara Township, **Dauphin County**.

44-320-001I: Trinity Packaging Corp. (13 Industrial Park Road, Lewistown, PA 17044) for the installation of eight water-based flexographic presses in Granville Township, **Mifflin County**.

67-310-004G: Medusa Minerals Co. (P. O. Box 220, Thomasville, PA 17364) for installation of a replacement

dust collector of larger capacity at their Grinding Plant No. 3 in Jackson Township, **York County**.

67-320-028: Topflight Corp. (277 Commerce Drive, Glen Rock, PA 17327) for installation of a rotogravure press in Glen Rock Borough, **York County**.

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

18-322-001A: Jersey Shore Steel Co. (P. O. Box 5055, Jersey Shore, PA 17740) for modification of a reheat furnace (use of landfill gas in place of natural gas) in Pine Creek Township, **Clinton County**.

53-399-006B: St. Mary's Carbon Co. (P. O. Box 1, Galeton, PA 16922) for construction of two powdered metal parts sintering furnaces in Pike Township, **Potter County**.

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

25-316A: Ethan Allen, Inc. (77 South Main Street, Union City, PA 16438) for installation of a baghouse (60,000 cfm) to replace a baghouse on an existing wood-working operation in Union City, **Erie County**.

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 the 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 the 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 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 Depart-

ment'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

56803015. Permit Renewal, **Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), commencement, operation and restoration of bituminous strip mine in Elk Lick Township, **Somerset County**, affecting 375.8 acres, receiving stream unnamed tributaries of the Casselman River. Application received October 9, 1998.

56663069. Revision, **Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), to include a stream and road variance to conduct mining operations within the 100 foot barriers to an unnamed tributary to the Casselman River and to State Route 2014, in Elk Lick and Summit Townships, **Somerset County**, affecting 3,110.0 acres, receiving streams unnamed tributaries of/and to the Casselman River; unnamed tributaries of and to Elk Lick Creek. Application received October 9, 1998.

56930105. Permit Renewal, **Big J Mining, Inc.** (1842 Main Street, Hastings, PA 16646), commencement, operation and restoration of bituminous strip mine in Jenner Township, **Somerset County**, affecting 58.0 acres, receiving stream unnamed tributary to/and Pine Run. Application received October 13, 1998.

32980111. **Kraynak Coal Company** (R. D. 1, Box 158, Mahaffey, PA 15757), commencement, operation and restoration of bituminous strip-auger mine in Green Township, **Indiana County**, affecting 97.6 acres, receiving stream unnamed tributary to Dixon Run to Dixon Run to Two Lick Creek to the Conemaugh River. Application received October 9, 1998.

56980107. **Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650), commencement, operation and restoration of bituminous strip-auger mine in Milford Township, **Somerset County**, affecting 277.0 acres, receiving stream unnamed tributaries to the Casselman River to the Casselman River. Application received October 9, 1998.

32980112. **Alverda Enterprises, Inc.** (P. O. Box 87, Alverda, PA 15710), commencement, operation and resto-

ration of bituminous strip mine in Pine and Green Townships, **Indiana County**, affecting 46.6 acres, receiving stream unnamed tributary to Yellow Creek to Yellow Creek. Application received October 13, 1998.

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

26980103. Purco Coal, Inc. (22 Van Voorhis Lane, Monongahela, PA 15063). Application received for commencement, operation and reclamation of a bituminous surface mine located in Wharton and Stewart Townships, **Fayette County**, proposed to affect 228.0 acres. Receiving streams: unnamed run to Meadow Run to the Youghiogheny River. A social and economic justification is included. Application received October 2, 1998.

02950101. Gary Gioia Coal Company (319 Karen Drive, Elizabeth, PA 15037). Application received to add acres and change the postmining land use at a bituminous surface mining site located in Elizabeth Township, **Allegheny County**, currently affecting 78.4 acres, proposed acreage 90.3. Receiving streams: unnamed tributaries to the Youghiogheny River. Application received October 9, 1998.

30880104R. Patriot Mining Company, Inc. (P. O. Box 4360, Star City, WV 26504). Renewal application received for continued operation and reclamation of an existing bituminous surface mine located in Greene Township, **Greene County**. Receiving streams: Whitely Creek Watershed. Renewal application received October 9, 1998.

26930103R. Patterson Coal Company (R. R. 2, Box 335, Smithfield, PA 15478). Renewal application received for continued operation and reclamation of an existing bituminous surface mine located in German and Georges Townships, **Fayette County**. Receiving streams: two unnamed tributaries to the North Branch of Browns Run. Renewal application received October 15, 1998.

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

17803176. Al Hamilton Contracting Company (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 117.7 acres, receiving streams: Morgan Run to Clearfield Creek and unnamed tributary of Coal Run to Coal Run to Moshannon Creek, all to West Branch Susquehanna River to Susquehanna River. Application received October 6, 1998.

17960125. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Penn-Grampian Coal Co., Beccaria Township, **Clearfield County** affecting 110 acres, receiving streams: unnamed tributary to Muddy Run and Muddy Run. Application received October 8, 1998.

17980122. Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Knox Township, **Clearfield County** affecting 110 acres, receiving streams: Pine Run and unnamed tributaries to Pine Run. Application received October 7, 1998.

17980123. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine-auger permit in Knox Township, **Clearfield County** affecting 60 acres, receiving streams: unnamed streams to Dunlap Run and Cherry Run. Application received October 8, 1998.

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

54980103. Gale Coal Company, Inc. (1441 Oak Road, Pottsville, PA 17901), commencement, operation and restoration of an anthracite surface mine operation in Frailey Township, **Schuylkill County** affecting 419.9 acres, receiving stream—Middle Creek. Application received September 19, 1998.

49830202R3. Split Vein Coal Company, Inc. (R. R. 1, Box 1027, Paxinos, PA 17860-9637), renewal of an existing coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 276.5 acres, receiving stream—none. Application received September 25, 1998.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

32851302. Helvetia Coal Co. (P. O. Box 729, Indiana, PA 15710), to revise the permit for the Lucerne No. 6-E mine in Blacklick and Center Townships, **Indiana County** to add 6" sludge pipeline right of way to borehole, Aultman's Run and Stewart Run. Application received September 1, 1998.

03901601. Brady's Bend Dock Co. (R. D. 1, Box 109, East Brady, PA 16028), to renew the permit for the Blue Row Tipple in Brady's Bend Township, **Armstrong County**, no additional discharges. Application received September 3, 1998.

30841316. Consol PA Coal Co. (Waynesburg Operations, P. O. Box 174, Graysville, PA 15337), to revise the permit for the Bailey Mine in Richhill and West Finley Townships, **Greene and Washington Counties** to add 147.7 acres to S.C.P., no additional discharges. Application received September 16, 1998.

26830701. White Rock Fuel Co. (2 Bailey Ln., Uniontown, PA 15401), to renew the permit for the Wynn Washery in Georges Township, **Fayette County**, no additional discharges. Application received September 22, 1998.

32831602. GPU Generation, Inc. (1001 Broad St., Johnstown, PA 15907), to renew the permit for the Central Prep Plant in West Wheatfield Township, **Indiana County** to transfer permit from The Florence Mining Co., no additional discharges. Application received September 29, 1998.

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

Noncoal Applications Received

7475SM10A1C3. Essroc Cement Corp. (Rt. 248 and Easton Road, Nazareth, PA 18064), correction to an existing quarry operation to add an additional 8.95 acres to the existing 167.0 acre quarry in Upper Nazareth Township and Nazareth Borough, **Northampton County**, receiving stream—unnamed tributary to East Branch Monacacy Creek. Application received September 17, 1998.

22880301C. Rocky Licensing Corporation (1001 Paxton Street, Harrisburg, PA 17104), correction to an existing quarry operation to include NPDES Permit No. PA0223948 in Lower Swatara Township, **Dauphin County**, receiving stream—Swatara Creek. Application received September 17, 1998.

66980301. Raymond Malak (2162 Chase Road, Shavertown, PA 18708-9771), commencement, operation and restoration of a quarry operation in Noxen Township,

Wyoming County affecting 55.0 acres, receiving stream—none. Application received September 18, 1998.

28900301C2. David H. Maratin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), correction to an existing quarry operation to include an incidental boundary correction of 0.8 acre, change in restoration profiles and addition of blasting operations in Greene Township, **Franklin County**, receiving stream—unnamed tributary to Conococheaque Creek. Application received September 21, 1998.

47950301T. Royer Limestone Company (c/o HRI, Inc., P. O. Box 155, State College, PA 16804), transfer of an existing quarry operation from Royer's Limestone Quarries in Limestone Township, **Montour County** affecting 30.4 acres, receiving stream—none. Application received September 23, 1998.

**Bureau of Deep Mine Safety
DLR Mining, Inc.**

The Bureau of Deep Mine Safety has received a request for variance from **DLR Mining, Inc.** The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (724) 439-7469.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Sections 701 and 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702), provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: DLR Mining, Inc. requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Ridge Mine.

**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 (Department). 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 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.

EA54-001NE. Encroachment. **Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To backfill three existing waterbodies totaling 0.3 acre in conjunction with Abandoned Mine Reclamation project OSM 54 (3022) 101.1 Red Mountain Southwest. (Tremont, PA Quadrangle N: 0.75 inch; W: 0.25 inch), in Tremont Borough and Tremont Township, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

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

E36-660. Encroachment. **Octoraro Native Plant Nursery**, Mark Gutshall, 6126 Street Road, Kirkwood, PA 17536. To construct and maintain nine stone Bendway weirs placed in the channel and keyed into the bank of the West Branch Octoraro Creek. Excavation will occur within the stream to form about 400 feet of low-flow channel. The left channel bank will be stabilized with bio-logs and placement of a stone toe and bank protection for a stream restoration project designed to improve the water quality and eliminate loss of bottom land located at the Octoraro Native Plant Nursery site (Kirkwood, PA Quadrangle N: 16.8 inches; W: 15.2 inches) in Colerain Township, **Lancaster County**.

E36-661. Encroachment. **Williams Communication, Inc.**, Loretta Earnest, 1 Williams Center, Tulsa, OK 74172. To construct and maintain a fiber optic cable across 32 watercourses including the streams of Muddy Run, Fishing Creek, Conowingo Creek, Stewart Run, Bowery Run, Meetinghouse Creek, Nickel Mines Run, Valley Run and tributaries. Thirty-four wetland areas will be crossed by the cable with a temporarily de minimis wetland impact of 0.01 acre. The cable project is for the purpose of voice and video data transmission and will be constructed and located within an existing Transco natural gas pipeline right-of-way corridor. The cable will be attached to the SR 372 Bridge to cross the Susquehanna River (Holtwood, PA Quadrangle, N: 11.6 inches; W: 10.8 inches) in Martic, Drumore, East Drumore, Eden, Bart and Sadsbury Townships, **Lancaster County**.

E67-647. Encroachment. **CCA Associates, Inc.**, Douglas Rohrbaugh, 20 North Market Street, Suite 800, Harrisburg, PA 17101. To impact 0.44 acre of wetlands to

construct an access drive and to temporarily relocate an unnamed tributary to Yellow Breeches to construct an erosion and sediment basin for the development of a corporate office center on Lewisberry Road and Interstate 83 (Lemoyne, PA Quadrangle N: 15 inches; W: 0.5 inch) in Fairview Township, **York County**.

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

E59-377. Encroachment. **Pa. Department of Transportation**, 715 Jordan Avenue, Montoursville, PA 17754. To remove an existing single structure and to construct, operate and maintain a single span prestressed concrete spread box beam bridge to carry SR 4017, Section 013 Segment/Offset 0070-0000 across Losey Creek. The bridge shall be constructed with a clear normal span of 28.33-feet. The average underclearance of each span shall be a minimum of 7.4 feet. The bridge shall be constructed at a skew of 45-degrees. The proposed bridge is located along the eastern right-of-way of SR 0249 approximately 1.04 miles west of the intersection of SR 4017 and SR 0249 (Keeneyville, PA Quadrangle N: 22.7 inches; W: 10.4 inches) in Middlebury Township, **Tioga County**. This permit also authorizes the construction and operation of a temporary crossing; upon completion of the bridge construction, the temporary crossing shall be removed and the area fully restored to original contours and elevations. Estimated stream disturbance is 161.7 feet with no wetland impact; stream classification Warm Water Fishery.

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

E03-377. Encroachment. **PA Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing bridge and to construct and maintain a precast reinforced concrete, 18.0 foot x 6.5 foot box culvert (invert depressed 1.0 foot) in Cessna Run (CWF) for the purpose of improving transportation safety. The project is located along S. R. 2003 approximately 500 feet northwest of the Village of Gastown (Elderton, PA Quadrangle N: 15.5 inches; W: 9.5 inches) in Plumcreek Township, **Armstrong County**.

E65-712. Encroachment. **PA Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge and to construct and maintain a cast-in-place concrete box culvert having a normal span of 16.0 feet and a minimum underclearance of 10.3 feet with its invert being depressed 1.0 foot in an unnamed tributary to Barren Run (WWF). Also to conduct channel cleaning for a distance of 95.0 feet upstream from the bridge, to install rock bank stabilization for a distance of 54.0 feet upstream from the bridge and to temporarily impact 0.004 acre of palustrine emergent wetlands. The project is located along S. R. 0981 approximately 1.3 miles east of Barren Run Church (Smithton, PA Quadrangle N: 4.4 inches; W: 7.7 inches) in South Huntingdon Township, **Westmoreland County**.

E11-267. Encroachment. **Barnesboro Borough**, 101 Tenth Street, Barnesboro, PA 15714. To construct and maintain a pedestrian bridge across the west branch of the Susquehanna River (CWF) located north of intersection of S. R. 219 and S. R. 4020 (Barnesboro, PA Quadrangle N: 6.55 inches; W: 4.65 inches) in the Borough of Barnesboro, **Cambria County**.

ENVIRONMENTAL ASSESSMENT

Requests for Environmental Assessment approval under 25 Pa. Code § 105.15 and requests for certification under section 401 of the Federal Water Pollution Control Act.

Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

EA14-003CO. Environmental Assessment. **Robert S. Kish** (185 Haymaker Circle, State College, PA 16801). To construct and maintain a nonjurisdictional dam across a tributary to Little Fishing Creek (HQ-CWF) for recreation located in Markle Gap (Madisonburg, PA Quadrangle N: 11.25 inches; W: 14.85 inches) in Walker Township, **Centre County**.

EA15-025CO. Environmental Assessment. **Oak Hill Associates, L. P.** (607 Whiteland Hunt Road, Downingtown, PA 19335). To modify and maintain a jurisdictional dam across a tributary to West Branch Brandywine Creek (WWF, MF) located approximately 1,800 feet north of the intersection of Oakwood Road (T-402) and Chestnut Lane. The proposed modifications to the emergency spillway will maintain the existing normal pool level, preserving an emergent wetland which has developed in the reservoir (Coatesville, PA Quadrangle N: 17.7 inches; W: 2.2 inches) in West Bradford Township, **Chester County**.

EA03-001SW. Environmental Assessment. **BWX Technologies, Inc.**, R. D. 1, Box 355, Vandergrift, PA 15690. To excavate 0.3 acre of wetlands (PEM) to remove potentially contaminated soils as part of the approved decontamination and decommissioning of the Parks Township facility. After excavation, 0.3 acre of wetlands (PEM) will be reestablished at the same location. This application is made under permit waiver 105.12(a)(16) located at the B&W, Parks Township facility (Leechburg, PA Quadrangle N: 0.2 inch; W: 11.75 inches) in Parks Township, **Armstrong County**.

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

EA09-005SE. Environmental Assessment. **Newtown Venture Associates**, One Pitcairn Place, Jenkintown, PA 19046. To construct, operate and maintain a non-scope dam in conjunction with the proposed Silver Lake Corporate Campus. This dam is located across a tributary to Core Creek (CWF) and will provide stormwater management for the proposed project and areas upstream from the site. This site is approximately 7,500 feet southwest from the S. R. 332 intersection with Interstate 95 (Langhorne, PA Quadrangle N: 18.0 inches; W: 4.2 inches) in Newtown Township, **Bucks County**.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631-641) relating to the acquisition of rights to divert waters of this Commonwealth.

Southeast Regional Office: Bureau of Water Supply Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

WA-09-1002. Water Allocation. **Doylestown Township Municipal Authority**, 425 Wells Road, Doylestown, PA 18901. The applicant is requesting the right to purchase up to 25,000 gallons water per day from the North Wales Water Authority in Doylestown Township, Bucks 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.

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

with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Industrial waste and 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.*

Permit No. 6698401. Sewage. **Mehoopany Township**, Schoolhouse Hill Road, Mehoopany, PA 18629. Permit to install a sewage collection system and construct the associated treatment plant, located in Mehoopany Township, **Wyoming County**.

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

NPDES Permit No. PA 0054003. Industrial waste, **Alco Industries, Inc.**, P. O. Box 937, Valley Forge, PA 19482.

The following notice reflects changes to the notice published in the September 12, 1998, *Pennsylvania Bulletin*:

The proposed effluent limits for Outfall 001, based on an average flow of 0.2 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Trichloroethylene	0.005		0.06
Tetrachloroethylene	0.005		0.06
pH	within limits of 6.0—9.0 standard units at all times		

*Southcentral Regional Office: Regional Water Manage-
ment Program Manager, 909 Elmerton Avenue, Harris-
burg, PA 17110-8200, (717) 705-4707.*

NPDES Permit No. PAG043596. Sewerage. **Kenneth L. Beaston**, 1042 Grahams Wood Road, Newville, PA 17241, is authorized to discharge from a facility located in Upper Frankford Township, **Cumberland County** to the unnamed tributary to Locust Creek.

NPDES Permit No. PA0083011. Sewerage. **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319, is authorized to discharge from a facility located in Newberry Township, **York County** to the receiving waters named Susquehanna River.

NPDES Permit No. PA0087866. Industrial. **Texas Eastern Transmission Corporation**, 5444 Westheimer, WT-716, Houston, TX 77056-5388, is authorized to discharge from a facility located in Todd Township, **Huntingdon County** to the receiving waters of an unnamed tributary of the Great Trough Creek.

NPDES Permit No. PA0087904. Industrial. **Roaring Spring Blank Book Company, Inc.**, Apple Packer Road, Martinsburg, PA 16662 is authorized to discharge

from a facility located in Roaring Spring, **Blair County** to the receiving waters of storm sewer to Halter Creek.

Permit No. 2198409. Sewage. **Kenneth L. Beaston**, 1042 Grahams Wood Road, Newville, PA 17241. This permit approves the construction of sewage treatment and land application facilities in Upper Frankford Township, **Cumberland County**.

Permit No. 6798406. Sewage. **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. This permit approves the construction of sewage treatment facilities in Newberry Township, **York County**.

Permit No. 6796402 98-1. Sewage. **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. This permit approves the construction of sewers and appurtenances in Newberrytown Township, **York County**.

Permit No. 3698408. **Mount Joy Borough Authority**, 121 East Main Street, Mount Joy, PA 17552. This permit approves the construction of a pump station in Mount Joy Borough, **Lancaster County**.

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

WQM Permit No. 6298410. Sewerage, **Richard J. Lyle, SRSTP**, R. R. 4, Box 226, Sugar Grove, PA 16350. Construction of Richard J. Lyle SRSTP located in Sugar Grove Township, **Warren County**.

WQM Permit No. 2098411. Sewerage, **Marvin N. Hamilton, SRSTP**, 12256 North Watson Run Rd., Conneaut Lake, PA 16316. Construction of Marvin N. Hamilton SRSTP located in Vernon Township, **Crawford 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 and Municipality</i>	<i>Receiving Stream</i>
PAS10-G324	PA DOT 200 Radnor-Chester Rd. St. Davids, PA 19087	Tredyffrin Township	Little Valley and Trout Creeks
<i>Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.</i>			
<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS101300-1	Blue Ridge Real Estate Co. P. O. Box 707 Blakeslee, PA 18610-0707	Carbon County Kidder Township	Black Creek
PAS101302-1R	Vacation Charters, LTD One Lake Drive Lake Harmony, PA 18624	Carbon County Kidder Township	Shingle Mill Creek
PAS10N022	PA DEP Bureau of Abandoned Mine Reclamation Two Public Square Wilkes-Barre, PA 18711-0790	Lackawanna County Olyphant Borough	Lackawanna River
PAS10Q147	Jaindl Land Co. 3150 Coffeetown Road Orefield, PA 18069	Lehigh County Upper Macungie Township	Little Lehigh Creek
PAS10Q148	East Penn Real Estate 4445 Harriet Lane Bethlehem, PA 18017	Lehigh County Lower Macungie Township	Little Lehigh Creek
PAS10Q149	East Penn Real Estate 4445 Harriet Lane Bethlehem, PA 18017	Lehigh County Lower Macungie Township	Little Lehigh Creek
PAS10Q150	Bruce MacGregor 45 Schuler Lane Easton, PA 18042	Lehigh County Lower Macungie Township	Little Lehigh Creek
PAS10Q151	Carmike Cinemas, Inc. 1301 First Ave. Columbus, GA 31902	Lehigh County Hanover Township	Monocacy Creek
PAS10Q152	The Frederick Group 1611 Pond Rd., Suite 201 Allentown, PA 18104	Lehigh County City of Allentown	Little Cedar Creek
PAS10Q153	Liberty Property Limited Partnership Lehigh Valley Corp. Center Suite 240 1510 Valley Center Parkway Bethlehem, PA 18017	Lehigh County Upper Macungie Township	Little Lehigh Creek
PAS10Q036-1R	K & B Farms, Inc. P. O. Box 332 Trexlerstown, PA 18087	Lehigh County Lower Macungie Township	Little Lehigh Creek
PAS10Q156	Westbury Park, Inc. 824 Eighth Avenue Bethlehem, PA 18018	Lehigh County Upper Macungie Township	Little Lehigh Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S068	LTS Development, Inc. P. O. Box 160 Shawnee-on-Delaware, PA 18356	Monroe County Smithfield Township	Brodhead and Marshalls Creeks

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 Permit(s) 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 arrangements 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-4

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>
Lancaster County Manheim Township	PAG043602	Betty N. Freibaum 154 Pinetown Road Leola, PA 17540	Conestoga River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Lurgan Township	PAG043603	Denver L. and Karen F. Black 10725 Tim Road Orrstown, PA 17244	UNT to Paxton Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Sugar Grove Township Warren County	PAG048541	Richard J. Lyle R. R. 4, Box 226 Sugar Grove, PA 16350	Unnamed Tributary of Saunders Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481
Vernon Township Crawford County	PAG048542	Marvin N. Hamilton 12256 North Watson Run Rd. Conneaut Lake, PA 16316	Watson Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

Plan Revision Approval granted October 9, 1998, under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Regional Office: Water Management Program Manager, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Location: Rebecca's Personal Care Home, Five Single Family Residences, Napier Township, Bedford County.

The approved plan revision provided for: Approval of a revision to the Official Plan of Napier Township, Bedford County. Project involves construction of a small flow treatment facility to serve five proposed residential dwellings with sewage flows of 1,992.5 gallons per day. Located on the north side of U. S. Route 30, 4 miles east of Schellsburg. Treated effluent is to be discharged into an unnamed tributary of the Raystown Branch of the Juniata River, a perennial stream, at a design rate of 2,000 gpd. Any required NPDES permits or water management permits must be obtained in the name of owner.

Location: Gerald Leppert Subdivision, Single Family Residence, West St. Clair Township, Bedford County.

The approved plan revision provided for: Approval of a revision to the Official Plan of West St. Clair Township, Bedford County. Project involves construction of a small flow treatment facility to serve proposed single family residential dwelling with flow of 400 gpd. Located in the village of Ryot. Treated effluent is to be discharged into an unnamed tributary of Dunnings Creek. Any required NPDES permits or water management permits must be obtained in the name of owner.

SAFE DRINKING WATER

Actions taken 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.

Permit No. 4697504. Public water supply. **Evansburg Water Company**, 385 Bridge Street, Graterford, Collegeville, PA 19426. Evansburg Water Company has been issued a permit to operate existing well no. 202 as an additional permanent water supply. Well No. 202 was drilled in 1998 in Perkiomen Township, **Montgomery County**. *Type of Facility:* Public Water Supply System. *Consulting Engineer:* Larry A. Dietrick, Acer Engineers & Consultants, Inc., 649 N. Lewis Road, Limerick, PA 19468. *Permit to Construct Issued:* September 23, 1998.

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

A. 1495502. The Department issued an operating permit to **Walker Township Water Association** (1611 East College Avenue, Bellefonte, PA 16823; Walker Township, **Centre County**) for operation of Well No. 2, disinfection and a 24-inch transmission line.

A. 5595501. The Department issued an operating permit to **Church Hill Estates Development** (R. R. 1, Box 47, Mt. Pleasant Mills, PA 17853; Perry Township, **Snyder County**) for operation of the recently constructed Well No. 1, sodium hypochlorite facilities, a 137,000 gallon steel standpipe and distribution system.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Notice of Prompt Interim Response

R. O. Murphy Site

Allegheny Township, Butler County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has conducted a prompt interim response at the R. O. Murphy Site (Site). The Site is located approximately 5 miles east of Eau Claire in Allegheny Township, Butler County, PA, on the north side of U. S. Route 58.

There were an estimated 200 deteriorating containers and drums of various sizes with varying amounts of unknown contents; approximately 30 containers of dye; transformer carcasses; several large, abandoned and deteriorating storage buildings; three fuel pumps; and various other types of discarded material located throughout the Site. Stained soil was evident beneath many of the drums. Several drums have evidence of overflow leakage from the top onto the ground. Other drums were partially buried in the ground. Burn areas were also evident.

The Department sampled surface water, sediment, waste and soil at the Site. Surface water originating at the Site from groundwater springs and seeps contained elevated concentrations of heavy metals, including barium, beryllium, cobalt, copper, lead, manganese, nickel, vanadium and zinc. Sediments and surface water collected near the headwaters of an eastern, unnamed tributary to Fowler's Run contained volatile organic compounds, including carbon tetrachloride, 1,1,1-trichloroethane, trichloroethene, 1,1-dichloroethane, cis-1,2-dichloroethene and tetrachloroethene. Additionally, sediments from a seep in the southcentral portion of the Site contained several polynuclear aromatic hydrocarbons (PAHs). Samples were also collected from stained soils and bare areas near drums and transformers at the Site. Those soils contained a variety of hazardous substances, including acetone, 2-butanone, benzene, toluene, PAHs and polychlorinated biphenyls (or PCBs).

These elements and chemical compounds are hazardous substances under section 103 of the HSCA (35 P. S. § 6020.103). The presence of these hazardous substances in Site surface water, sediment and waste and soil constituted a release and threatened release of hazardous substances at the Site under section 103 of the HSCA (35 P. S. § 6020.103).

The Department's two main objectives of the prompt interim response action proposed for the Site were: 1) to protect the public and environmental receptors from direct contact with site-related hazardous substances; and 2) to eliminate the ongoing release and threat of release of hazardous substances into the environment from containerized waste and contaminated soil.

The Department considered four alternatives for the prompt interim response action at the Site: 1) no action; 2) institutional controls; 3) drum removal plus institutional controls; and 4) drum and soil removal plus institutional controls. In light of the objectives for the Site, the Department evaluated each alternative to determine: the extent to which each alternative protects the public health and the environment; the extent to which each alternative complied with or otherwise addressed the Land Recycling and Environmental Remediation Standards Act, the Solid Waste Management Act, The

Clean Streams Law and other applicable or relevant and appropriate requirements (ARARs); the extent to which each alternative was feasible, effective, implementable and permanent; and the relative cost effectiveness of each alternative.

Under section 505(b) of HSCA (35 P. S. § 6020.505(b)), the Department implemented Alternative 4 as the prompt interim response at the Site. Alternative 4 was implemented because it would, in the most cost effective manner, protect the public and environmental receptors from direct contact with site-related hazardous substances and eliminate the ongoing release and threat of release of hazardous substances into the environment from containerized wastes and visibly-contaminated soils.

The response protects the public health and environment; complied with or otherwise addressed all ARARs relating to containerized waste and contaminated soil removal and disposal, was feasible, implementable, permanent and effective to the maximum extent practicable; and was cost effective. The proposed action addressed the identified immediate threats to human health and the environment, which required attention prior to Site reuse.

The interim response was not a final remedial response under section 504 of HSCA, and, therefore, was not required to meet the cleanup standards that apply to final remedial responses. However, the selected alternative is consistent with any potential future remedial actions and future investigation activities.

This notice is being provided under section 506(b) of Hazardous Sites Cleanup Act. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8 a.m. to 4 p.m. Please telephone for an appointment at (814) 332-6648.

The administrative record will be open for comment from October 31, 1998, until January 30, 1999. Persons may submit written comments into the record during this time only. Comments should be sent to Robert Kimball, Project Manager, at the Department's Northwest Regional Office or by delivering them to the office in person.

The Department will hold a public meeting on November 11, 1998, at 6:30 p.m., if requested by one or more members of the public. The meeting's purpose will be for the Department to answer the public's questions concerning the response at the Site. The meeting will be held at the Allegheny Township Municipal Building, located 2.8 miles west of the Site on Route 58. Also, the public will have an opportunity to present oral comments, for inclusion into the administrative record, regarding the chosen prompt interim response, at a public hearing following the public meeting. Persons wishing to present oral comments must register with Robert Kimball at the Department's Northwest Regional Office before November 4, 1998, by telephone or in writing. If no one requests a meeting or hearing, they will not be held. Persons interested in finding out if individuals have requested a public meeting or registered to present oral comments at the public hearing, should contact Robert Kimball.

Persons with a disability who wish to attend the meeting or hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Robert Kimball at (814) 332-6648 or through

the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Notice of Proposed Prompt Interim Response
Jackson Ceramix Site**

**Falls Creek Borough, Jefferson County and Sandy
Township, Clearfield County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), is proposing a response action for the Jackson Ceramix Site (site). The site is located between Pennsylvania State Route 950, on the southern edge of Falls Creek Borough in Jefferson County, and Sandy Lick Creek in Sandy Township, Clearfield County, PA. The site is comprised of the property on which the Jackson China and Jackson Ceramix manufacturing companies operated, along with adjacent properties containing hazardous substances which have migrated from the manufacturing property, including, but not limited to, an adjacent drainage ditch, former lagoon area and wetlands to the east and south-east of the former manufacturing area.

Elevated levels of hazardous substances occur in the site groundwater, surface water, sediments, sludge and waste. Significant levels of bromomethane, cis-1,2-dichloroethane, tetrachloroethene, trichloroethene, vinyl chloride, lead and manganese are present in groundwater samples. Onsite surface and subsurface soil contains tetrachloroethene and lead. Waste, sludge and sediment samples contain elevated levels of asbestos, lead, cadmium, barium and arsenic. Sediment and waste sludge from the wetland contain elevated levels of lead, copper and nickel.

For this prompt interim response, the Department has divided the former china manufacturing portion of the site into two areas of concern. They are: (a) the sumps, pits, septic tanks, ceramic manufacturing process materials, construction debris, asbestos-containing materials, staged materials and sludge in the onsite drainage ditch and settling lagoon (miscellaneous wastes); and (b) the china waste.

For the miscellaneous wastes, the Department considered two alternatives for the prompt interim response: 1) no action; and 2) remove and dispose off-site the hazardous substance-containing wastes.

For the china waste, the Department also considered two alternatives for the prompt interim response: 1) no action; and 2) closure as a Class III Residual Waste Landfill.

Each alternative was evaluated with respect to three comparison criteria of: 1) effectiveness; 2) implementability; and 3) cost. Furthermore, this comparative analysis evaluated the relative performance of each alternative in relation to each specific comparison criterion. The comparative analysis identified advantages and disadvantages of each alternative, so that tradeoffs between the alternatives could be determined.

Based on the comparative analysis the Department proposes to implement miscellaneous waste Alternative 2 (remove and dispose off-site the hazardous substance-containing wastes) and china waste Alternative 2 (closure as a Class III Residual Waste Landfill) as the prompt interim response for those areas of concern at the site. This alternative is proposed because it would, in the more cost-effective manner, protect the public and environmental receptors from direct contact with site-related hazard-

ous substances, and eliminate the ongoing release and threat of release of hazardous substances into the environment from the miscellaneous waste and the china waste.

This proposed interim response would not be a final remedial response under section 504 of HSCA, and, therefore, would not be required to meet the cleanup standards that apply to final remedial responses. However, the alternative would be consistent with any potential future remedial actions and future investigation activities.

This notice is being provided under section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8 a.m. to 4 p.m. Please telephone beforehand for an appointment (814) 332-6648.

The administrative record will be open for comment from October 31, 1998, until January 29, 1999. Persons may submit written comments into the record during this time only, by sending them to Christine Dougherty, Project Manager, at the Department's Northwest Regional Office or by delivering them to the office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing scheduled for December 9, 1998, at 6:30 p.m. at the Falls Creek Municipal Building. Persons wishing to present comments must register with Christine Dougherty at the Department's Northwest Regional Office before December 4, 1998, by telephone or in writing. Persons interested in finding out if individuals have registered should contact Christine Dougherty.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Christine Dougherty at (814) 332-6648 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Pennsylvania Priority List of Hazardous Sites For Remedial Response

1. Background

The Hazardous Sites Cleanup Act (HSCA), (35 P. S. §§ 6020.101—6020.1305) was enacted in 1988 to provide for the cleanup of Pennsylvania sites that are releasing or threatening the release of hazardous substances. Section 502(a) of HSCA requires that the Department publish in the *Pennsylvania Bulletin* a priority list of sites with releases or threatened releases for the purpose of taking remedial response. This list is called the Pennsylvania Priority List of Hazardous Sites For Remedial Response (PAPL).

2. Placement of Sites on the List

The Department places sites on the PAPL when the Department has determined through investigation that there are releases or threatened releases of hazardous substances, or releases or substantial threatened releases of contaminants which present a substantial danger. In accordance with the requirements of section 502(a) of HSCA, the Hazard Ranking System (HRS; 40 CFR Part 300, Appendix A), established under the Federal Superfund Act is utilized to rank the sites for placement on the PAPL. The HRS uses mathematical formulas that

reflect the relative importance and interrelationships of the various human health and environmental factors to arrive at a final score on a scale of 0 to 100. The values are assigned using information obtained from site investigations. Section 502(a) of HSCA also directs the Department to consider its administrative, enforcement and financial capabilities when placing sites on the PAPL.

Placement of a site on the PAPL is used to identify sites which require a remedial response to address threats to the public health, safety or the environment. The Department will decide on a case-by-case basis whether to take enforcement or other actions under HSCA or other authorities, or to proceed directly with HSCA-funded remedial response actions and seek cost recovery after the cleanup. Remedial response actions will not necessarily be taken in the same order as a site's ranking on the PAPL. The investigation conducted to place a site on the PAPL may not be sufficient to determine either the extent of contamination or the appropriate response actions for a site. The Department may undertake further investigations to determine appropriate response actions. The length of time needed to complete these studies will vary due to the complexity of a site. The Department may decide not to immediately proceed with a HSCA remedial action or that no remedial action is necessary.

3. Removal of Sites from the List

Sites are removed from the PAPL in accordance with the requirements of Section 502(d) of HSCA. Section 502(d) requires that sites shall be removed from the list upon determination by the Department that the remedial response has been initiated. In cases where a responsible person will be conducting the remedial response under the terms of a settlement with the Department, section 502(d) states that the site "shall be removed upon the determination by the Department that the responsible person has complied with the terms of the settlement and has initiated a cleanup."

4. Statutory Authority

The Pennsylvania Priority List of Hazardous Sites For Remedial Response is published under the authority of section 502(a) of the HSCA. Under section 502(b) of HSCA, a decision to place a site on the list or to remove a site from the list is not a final action subject to review under the act of April 28, 1978 (P. L. 202, No. 53), 2 Pa.C.S. §§ 101 et seq., or the Environmental Hearing Board Act (35 P. S. §§ 7511 et seq.), nor shall it confer a right or duty upon the Department or any person.

5. Review and Public Comment

HSCA provides for a 30-day public comment period subsequent to publication of the PAPL. This *Pennsylvania Bulletin* announcement opens a 30-day comment period for the sites being removed with this publication. Written comments should be submitted to the regional office in which the site is located. The contact person for each region and their address can be found in the Additional Information section of this notice.

The regional office site files contain all information considered by the Department in placing a site on the list or removing a site from the list. The regional office files are available for review in the appropriate regional office, by appointment only, from 8 a.m. to 4 p.m. Monday through Friday excluding State holidays. Arrangements to review the site file can be scheduled by contacting the regional office in which the site is located. The regional contact person for each region and their address can be found in the Additional Information section of this notice.

The Department considers all written comments received during the comment period. All written comments and the Department's responses will be placed into the site file and will later be incorporated into the Administrative Record.

6. *Contents of List*

This notice removes eight sites from the PAPL. The site summaries for the sites addressed by this notice are listed as follows. Table 1 lists the sites being removed by this notice. Table 2 lists all sites remaining on the PAPL. The name of the sites, HRS score, municipality, county and region are included in this table. The sites are listed in decreasing order of HRS score.

7. *Site Summaries*

Industrial Solvents and Chemicals

The Industrial Solvents site is a closed solvent recycling facility located in Newberry Township, York County. The operator ceased operations at the facility in 1990 and abandoned a large amount of hazardous waste, including over 600,000 gallons of waste in aboveground tanks and over 6,000 drums of waste. In 1990–1991 the Department conducted an interim action to stabilize and contain the waste at the site. A group of responsible parties entered into a settlement with the Department and removed the waste from the site in 1994–1995. The responsible parties also extended a waterline to affected residents and completed a site study at the facility in 1997. The primary remedial response actions at the site have been completed. A final action is being initiated to cap contaminated soil areas, initiate surface water treatment in the area of the groundwater contamination and extend the waterline to cover several additional homes near the site.

Delta Chemicals

The Delta Chemicals site is located in North Buffalo Township, Armstrong County. The site is a former solvent recycling operation that stored, transported and recycled hazardous waste. The operator abandoned the facility along with drums and tanks of hazardous waste. The Department removed drums and tanks of waste from the site in 1991 and conducted a study to determine the extent of soil and the groundwater contamination in 1992. Some of the parties responsible for the site entered into an agreement with the Department to conduct the response. The remedial response included removal of lagoon waste and treatment of contaminated soil by soil vapor extraction. The soil vapor extraction systems were installed and started operating in 1997. The system will continue operations until the soil cleanup standards are achieved.

Crown Industries

The Crown Industries site is located in Lackawaxen Township, Pike County. The site was utilized as a salvage operation for metals. Site operations included the burning of various electrical products such as light ballasts, transformers and electrical wire. The site also includes many junk vehicles and other items of metal scrap. The site was abandoned by the operator. The site was contaminated with PCBs, benzene, phenols, dioxin and heavy metals. These contaminants posed a direct contact threat to the public. The Department conducted an interim response in 1991 to fence the site and remove piles of lead ash from the site. The Department also provided water treatment systems to some nearby residents. In 1993 and 1994 a second response was conducted to remove the large volume of scrap that was covering the

site, to provide access to the surface of the site. Numerous drums of waste were also removed at that time. The final response will remove the remaining hazardous substances from the site. The final response is currently being conducted by the Department.

J. C. Cleaners

The J. C. Cleaners site is located in Gettysburg Borough, Adams County. The dry cleaning business has contaminated nearby soil and groundwater with dry cleaning solvents. The site is located near a municipal authority well that is used as a water source for more than 10,000 homes. The contamination from the site has forced the municipal authority to install a treatment system on the contaminated well. The remedy includes a groundwater pump and treatment system and a soil vapor extraction system. The Department began operating the remediation systems in July 1997. The groundwater remediation system will continue to operate until the groundwater is remediated.

Easterly Sewage Treatment Plant

The Easterly STP site is located in Logan and Antis townships, Blair County. Two industrial waste disposal pits were discovered at the site during a construction project to expand the sewage treatment plant. The Department excavated the waste from the pits and placed it in a temporary waste storage impoundment. Residual contamination remains in soil and groundwater under the disposal area. The Department completed a study to determine the extent of contamination. The Department has entered into an agreement with the primary responsible party to have them conduct the remedial response at the site. The response includes treatment of the waste stored in the impoundment and treatment of the contaminated soil and groundwater in the area of the pits using an air sparging and vapor extraction process.

Presque Isle Chemical

The Presque Isle Chemical Site is located in Washington Township, Erie County. The 28 acre site is an abandoned solvent and oil recycling facility. Hazardous waste was dumped at the site, causing soil, surface water and groundwater contamination. The Department completed a study to determine the extent of the contamination. The Department constructed a groundwater treatment facility to treat the contamination groundwater at the site. The Department also arranged for construction of a waterline into the affected area. The Department conducted the final remedial response in 1997 which included excavation and off-site disposal of contaminated soils and sediments. The groundwater treatment facility will continue to operate until the groundwater is remediated to acceptable standards.

Oliver Landfill

Oliver landfill is located in Waterford Township, Erie County. The site is an old municipal and industrial waste landfill. The groundwater at the site is contaminated with a variety of volatile organic compounds. Some home wells adjacent to the site have been contaminated.

The Department conducted a study at the site to determine the nature and extent of contamination. The Department entered into a settlement with one of the primary industrial waste generators to have them extend a waterline to the affected residents, and to demolish site buildings and remove hazardous substances within those buildings. The Department has entered into an agreement with another responsible person to have them

regrade and cap the landfill as part of a final response action. This final response has been initiated.

Shaler/JTC

The Shaler/JTC site is located in Bruin Borough, Butler County. The site was a refinery that manufactured petroleum products from early 1930's until mid-1970's and an abandoned coal washing facility. Over 40 large aboveground tanks were located on the 15 acre site. Most of the tanks were corroded and in poor structural condition, many containing solid or liquid hazardous materials. In 1994 the Department conducted an interim response to remove the tanks and waste materials.

The final remedial action included stabilization and solidification of contaminated soils, removal of highly contaminated soil and capping in remediated areas. The Department completed the final remedial action in 1997.

8. *Additional Information*

Northeast Region, Paul Fosko, HSCA Program Manager, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2353.

Southcentral Region, Art Dalla Piazza, HSCA Program Manager, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4705.

Southwest Region, James Shack, HSCA Program Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5811.

Northwest Region, Mark Gorman, HSCA Program Manager, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6648.

Table 1
Site Being Removed by this Notice

<i>Site</i>	<i>HRS</i>	<i>Municipality</i>	<i>County</i>	<i>DEP Region</i>
Industrial Solvents	55.72	Newberry Twp.	York	Southcentral
Delta Chemicals	39.61	N. Buffalo Twp.	Armstrong	Southwest
Crown Industries	36.92	Lackawaxen Twp.	Pike	Northeast
J. C. Cleaners	35.68	Gettysburg	Adams	Southcentral
Easterly STP	35.06	Logan Twp.	Blair	Southcentral
Presque Isle Chem.	32.27	Washington Twp.	Erie	Northwest
Oliver Landfill	30.20	Waterford Twp.	Erie	Northwest
Shaler/JTC	22.70	Bruin	Butler	Northwest

Table 2
Pennsylvania Priority List for Remedial Response

Dupont/New Castle	54.75	New Castle	Lawrence	Northwest
H. K. Porter	48.04	Hopewell Twp.	Beaver	Southwest
F. E. Cooper	33.62	Broad Top Twp.	Bedford	Southcentral
Schiller	24.65	Richmond Twp.	Crawford	Northwest
Quakertown	22.25	Quakertown	Bucks	Southeast
Mun. & Ind. Disp.	19.58	Elizabeth Twp.	Allegheny	Southwest

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 (Department) 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 nonresiden-

tial 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, contact the Environmental Cleanup Program in the Department's 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:

Southcentral Regional Office: Environmental Cleanup Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

American Insulator, New Freedom Borough, York County. Buchart-Horn, Inc., 445 West Philadelphia Street, P. O. Box 15040, York, PA 17405-7040 has submitted a Final Report concerning remediation of site soils

and groundwater contaminated with BTEX and PHCs. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 4

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the Act 2 (Land Recycling and Environmental Remediation Standards Act) remediation standards. Plans and reports required by provisions of Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of the plan or 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 acted upon the following plans and reports:

Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Grove North America Solvent Recovery Building, Antrim Township, **Franklin County**. Grove North America, 1565 Buchanan Trail East, Shady Grove, PA 17256 submitted a final report concerning the remediation of site soils and groundwater contaminated with BTEX. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on October 13, 1998.

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

Former Slatebelt Industrial Center, Pen Argyl Borough, **Northampton County**. Joseph Bodnar, 217 Webster Limited, 521 West Babbitt Avenue, Pen Argyl, PA 18072 submitted a final report concerning the remediation of site soils and groundwater contaminated with petroleum hydrocarbons, PCBs (polychlorinated biphenyls), polycyclic aromatic hydrocarbons and metals. The final report demonstrated attainment using a combination of the background, Statewide health and site-specific standards, and was approved by the Department on October 14, 1998.

Plainwell Tissue, Ransom Township, **Lackawanna County**. Annette Grano, Environmental Engineer, Plainwell Tissue, P. O. Box 6000, Pittston, PA 18640 submitted a final report concerning the remediation of site soils contaminated with petroleum hydrocarbons. The final report demonstrated attainment of the Statewide human health standard, and was approved by the Department on October 9, 1998.

SOLID AND HAZARDOUS WASTE

RESIDUAL WASTE PROCESSING FACILITIES

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

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

Permit ID No. 300936. Paris Flyash Site, Alex E. Paris Contracting Company, Inc., Route 18, P. O. Box 364, Atlasburg, PA 15004. Operation of a residual waste landfill in Hanover Township, **Beaver County**. Repermit and expansion issued in the Regional Office on October 16, 1998.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101509. Conestoga Landfill, New Morgan Landfill Company, Inc. (P. O. Box 128, Morgantown, PA 19543-0128). Application for modifications to the leachate management system for a site in New Morgan Borough, **Berks County**. Permit issued in the Regional Office October 15, 1998.

Permit No. 101389. Frey Farm Landfill, Lancaster County Solid Waste Management Authority, (1299 Harrisburg Pike, Lancaster, PA 17603). Application for modification for request for equivalency review of treatment process residue as alternative daily soil cover at a site in Manor Township, **Lancaster County**. Permit issued in the Regional Office October 13, 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. 603389. Mensch Farm, Conestoga Landfill (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked at the applicants request for a site in Pike Township, **Berks County**. Permit revoked in the Regional Office October 8, 1998.

Permit No. 603418. A. Dale Herr Farm, Conestoga Landfill (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked at the applicants request for a site in Bar, Colerain and Eden Townships, **Lancaster County**. Permit revoked in the Regional Office October 8, 1998.

Permit No. 602326. Shoemaker Brothers Farm, Conestoga Landfill (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked at the applicants request for a site in Colerain Township, **Lancaster County**. Permit revoked in the Regional Office October 8, 1998.

Permit No. 603389. Tuttle Farm, Conestoga Landfill (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked at the applicants request for a site in Oley Township, **Berks County**. Permit revoked in the Regional Office October 8, 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.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

65-309-074A: American Video Glass Co. (777 Technology Drive, Mt. Pleasant, PA 15666) issued October 15, 1998, for installation of color TV glass manufacturing in Mt. Pleasant Township, **Westmoreland County**.

11-00427: Emglo Products, L. P. (303 Industrial Park Road, Johnstown, PA 15904) issued October 9, 1998, for construction of powder coating system at Johnstown Plant in Johnstown, **Cambria County**.

56-00246: Somerset Area School District (821 South Columbia Avenue, Somerset, PA 15501) issued October 19, 1998, for installation of two CNB tri-fuel boilers at Eagle View Elementary School at Somerset Borough, **Somerset County**.

63-309-057: Therm-O-Rock East, Inc. (P. O. Box 429, New Eagle, PA 15067) issued October 19, 1998, for installation of perlite and vermiculite furnaces at Plant 1 in New Eagle Borough, **Washington County**.

26-00404: CNG Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222) issued September 24, 1998, for natural gas transmission at North Summit Station in North Union Township, **Fayette County**.

03-00190: Standard Products Co. (1655 Orr Avenue, Kittanning, PA 16201) issued September 18, 1998, for

rubber products manufacturing at Kittanning Division in Kittanning Borough, **Armstrong County**.

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

24-083A: Carbone of America Graphite Materials Division (215 Stackpole Street, St. Marys, PA 15857) issued August 30, 1998, for operation of a coke/graphite mill no. 4 in Benzinger Township, **Elk County**.

24-124A: PA Industrial Heat Treaters (P. O. Box 348, St. Marys, PA 15857) issued October 31, 1998, for operation of a continuous draw furnace in Benzinger Township, **Elk 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.

15-0014A: Norwood Industries, Inc. (57 Morehall Road, Frazer, PA 19355) amended October 8, 1998, for operation of a medical device manufacturing process in East 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.

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

18-313-003D: Henkel Corp. (P. O. Box 8, Castanea, PA 17726) on October 7, 1998, to authorize the operation of an additional reactor system (R-209) in Castanea Township, **Clinton 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.

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

39-310-011GP: Eastern Industries, Inc. (P. O. Box 207, Mount Bethel, PA 18343) for construction and operation of a portable stone crushing plant in North Whitehall Township, **Lehigh County**.

48-302-049GP: Jersey Central P & L Co. (300 Madison Avenue, Morristown, NJ 07962) for construction and operation of a boiler at 2525 Applebutter Road, Lower Saucon Township, **Northampton 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.

09-0019: Miller & Son Paving, Inc. (887 Mill Creek Road, Rushland, PA 18956) issued October 13, 1998, for operation of a batch asphalt plant in Wrightstown Township, **Bucks County**.

15-0037A: De La Rue Card Systems, Inc. (523 James Hance Court, Exton, PA 19341) issued October 15, 1998, for operation of a lithographic press in West Whiteland Township, **Chester County**.

46-0025E: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) issued October 15, 1998, for operation of additional process equipment in Upper Merion Township, **Montgomery County**.

46-0144: USDA (600 East Mermaid Lane, Wyndmoor, PA 19038) issued October 15, 1998, for operation of a steam boiler in Springfield Township, **Montgomery County**.

15-0037: De La Rue Card Systems, Inc. (523 James Hance Court, Exton, PA 19341) issued October 19, 1998, for operation of a nonheatset lithographic press in West Whiteland Township, **Chester County**.

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

35-399-018A: General Dynamics Land Systems, Inc. (175 East Street, Eynon, PA 18403) issued October 7, 1998, for modification of the descaling and peening operations in Archbald Borough, **Lackawanna County**.

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

21-317-058A: The Quaker Oats Co. (P. O. Box 3040, Shiremanstown, PA 17011) issued October 8, 1998, for construction of Nos. 4 and 5 cereal processing line in Hampden Township, **Cumberland County**.

31-310-025E: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411) issued October 13, 1998, for modification of the silica sandstone dry screening operation controlled by a fabric collector at their Keystone Plant, in Brady Township, **Huntingdon County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

04-688A: Nova Metals, L. P. (2301 Duss Avenue, Suite 14, Ambridge, PA 15003) issued October 10, 1998, for installation of metals reprocessing at Ambridge Regional Center in Ambridge Borough, **Beaver County**.

32-055B: GPU Generation, Inc. (1001 Broad Street, Johnstown, PA 15907) issued October 15, 1998, for installation of boilers 1 and 2 at Homer City Station in Center Township, **Indiana County**.

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

10-021C: INDPSEC Chemical Corp. (133 Main Street, Petrolia, PA 16050) issued October 16, 1998, for construction of a new gas fired boiler in Petrolia, **Butler 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.

15-0002A: Quebecor Printing Atglen, Inc. (Route 372, Lower Valley Road, Atglen, PA 19310) issued October 7, 1998, for operation of a publication rotogravure press in West Sadsbury Township, **Chester County**.

23-303-001B: Glasgow, Inc. (531 Eagle Road, Springfield, PA 19008) issued October 9, 1998, for operation of a batch asphalt plant in Springfield Township, **Delaware County**.

46-303-021: Glasgow, Inc. (550 East Church Road, King of Prussia, PA 19406) issued October 9, 1998, for operation of a batch asphalt plant in Upper Merion 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 October 15, 1998, to authorize temporary operation of the bread and hard roll bakery under this Plan Approval until February 11, 1999, in Reading, **Berks County**.

21-302-113: Lear Operations Corp. (P. O. Box 40, Carlisle, PA 17013) issued October 11, 1998, to authorize temporary operation of the No. 5 Boiler and Low NOx Burner for No. 4 Boiler under this Plan Approval until February 7, 1999, in Carlisle Borough, **Cumberland County**.

22-02005: Harrisburg Steam Works, Ltd. (P. O. Box 2151, Harrisburg, PA 17105) issued October 11, 1998, to authorize temporary operation of the four Boilers No. 6 Oil/Gas (Combustion Engineering) under this Plan Approval until February 7, 1999, in Harrisburg, **Dauphin County**.

36-02025A: Texas Eastern Transmission Corp. (P. O. Box 1642, Houston, TX 77251-1642) issued October 14, 1998, to authorize temporary operation of the Mars gas turbine and emergency generator (natural gas fired) under this Plan Approval February 10, 1999, in East Donegal Township, **Lancaster County**. The Mars Gas Turbine is subject to 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbine.

36-03018: Allegheny Energy Resources, Inc. (Suite 600, 20 Stanwix Street, Pittsburgh, PA 15222) issued September 1, 1998, to authorize temporary operation of the landfill gas recycling facility controlled by a thermal oxidizer under this Plan Approval until August 31, 1999, in Caernarvon Township, **Lancaster County**.

67-310-035B: Global Stone PenRoc, Inc. (P. O. Box 1967, York, PA 17405-1967) issued October 1, 1998, to authorize temporary operation of the roofing plant under this Plan Approval until January 28, 1999, in West Manchester Township, **York County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

65-857A: Norton Pakco Industrial Ceramics (55 Hillview Avenue, Latrobe, PA 15650) issued October 15, 1998, for operation of plasma arc cutter at Derry Plant in Derry Township, **Westmoreland County**.

04-313-053B: Envirotrol, Inc. (P. O. Box 61, 432 Green Street, Sewickley, PA 15143) issued October 19,

1998, for operation of rotary kiln carbon regenerator at Darlington Plant in Darlington Township, **Beaver County**.

04-307-094A: J&L Specialty Steel, Inc. (1500 West Main Street, Midland, PA 15059) issued October 19, 1998, for installation of direct roll A&P line at Midland Facility in Midland Borough, **Beaver County**.

11-416A: Pheasant & Shearer (1922 Ohio Street, Johnstown, PA 15904) issued October 19, 1998, for installation of Hammermill flex tooth crusher at Rider Slag Dump in East Taylor Township, **Cambria County**.

26-305-032: Mon River Energy Corp. (P. O. Box 466, Brier Hill, PA 15415) issued October 19, 1998 for installation of coal refuse reprocessing plant at Brier Hill Site in Redstone Township, **Fayette County**.

26-305-034: Matt Canestrone Contracting, Inc. (P. O. Box 234, Belle Vernon, PA 15012) issued October 19, 1998, for installation of loading/unloading/stockpiling at LaBelle Site in Luzerne Township, **Fayette County**.

65-093A: Hyde Park Foundry (Railroad Street, P. O. Box 187, Hyde Park, PA 15641) issued October 5, 1998, for construction of magnesium inoculation at National Roll Company in Hyde Park Borough, **Westmoreland County**.

56-307-001E: FirstMiss Steel, Inc. (230 Box 509, Hollsopple, PA 15935) issued October 5, 1998, for installation of an electric arc furnace at Stony Creek Plant in Quemahoning Borough, **Somerset County**.

11-305-032: Senate Coal Mines, Inc. (One Energy Place, Suite 5100, Latrobe, PA 15650) issued October 15, 1998, for installation of a coal refuse reprocessing at St. Michael Pile in Adams Township, **Cambria County**.

26-310-017: Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15610) issued October 15, 1998, for installation of portable stone crusher at Jim Mountain Quarry in Springfield Township, **Fayette County**.

65-173A: Dynamic Metal Forming, Inc. (7544 Route 18 North, Koppel, PA 16136) issued October 15, 1998, for operation of replacement degreaser tank at Scottdale Plant in Scottdale Borough, **Westmoreland County**.

56-305-043: Senate Coal Mines, Inc. (One Energy Place, Suite 5100, Latrobe, PA 15650) issued October 15, 1998, for installation of coal refuse reclaiming/screen at Mine 36 in Winber Borough, **Somerset County**.

32-055A: GPU Generation, Inc. (1001 Broad Street, Johnstown, PA 15907) issued September 18, 1998, for installation of coal blending and storage at Homer City Station in Center Township, **Indiana 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 the 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

56930112. Permit Renewal, Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous strip mine in Black Township, **Somerset County**, affecting 316.0 acres, receiving stream unnamed tributaries to/and Rhoades Creek. Application received August 27, 1998. Permit issued October 13, 1998.

32813007. Permit Renewal, Cloe Mining Company, Inc. (P. O. Box I, Grampian, PA 16838) commencement, operation and restoration of a bituminous strip mine for reclamation, only in Rayne and East Mahoning Townships, **Indiana County**, affecting 323.7 acres, receiving stream unnamed tributaries to Pine Run and to Pine Run. Application received August 6, 1998. Permit issued October 13, 1998.

11980201. Ridge Energy Company (R. D. 2, Box 429, Clymer, PA 15728), commencement, operation and restoration of a bituminous strip-coal refuse reprocessing mine in West Carroll Township, **Cambria County**, affecting 25.0 acres, receiving stream Fox Run. Application received April 10, 1998. Permit issued October 14, 1998.

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

03910115. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Permit revised to add 8.8 acres to the permit boundaries for another haul road into an existing bituminous surface/auger mining site located in West Franklin Township, **Armstrong County**, now affecting 468.8 acres. Receiving streams: unnamed tributaries to Buffalo Creek to Allegheny River. Application received July 6, 1998. Revision issued September 25, 1998.

65930106R. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit renewal issued for reclamation only of an existing bituminous surface mining site located in Mt. Pleasant Township, **Westmoreland County**, affecting 69.0 acres. Receiving streams: unnamed tributaries to Jacobs Creek. Application received August 18, 1998. Renewal issued September 29, 1998.

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

17840123. River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847), renewal of an existing bituminous surface mine-tipple refuse disposal permit in Karthaus Township, **Clearfield County** affecting 233.6 acres, receiving streams: unnamed tributaries to Saltlick Run and Saltlick Run to the West Branch Susquehanna River to the Susquehanna River. Application received August 10, 1998. Permit issued October 9, 1998.

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

54773006R2. Reading Anthracite Company (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Cass, Foster and New Castle Townships, **Schuylkill County** affecting 3,500.0 acres, receiving stream—none. Renewal issued October 6, 1998.

54860206R2. Westwood Energy Properties, Ltd. Partnership (1177 West Loop South, Suite 900, Houston, TX 77027-9007), renewal of an existing coal refuse reprocessing operation in Frailey Township, **Schuylkill County** affecting 441.4 acres, receiving stream—Lower Rausch Creek. Renewal issued October 15, 1998.

35980101. Alliance Sanitary Landfill, Inc. (398 South Keyser Avenue, Taylor, PA 18517), commencement, operation and restoration of an anthracite surface mine operation in Taylor Borough and Ransom Township, **Lackawanna County** affecting 81.9 acres, receiving stream—unnamed tributary to St. John's Creek. Permit issued October 16, 1998.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

65881701. Consolidation Coal Co. (200 Hidden Valley Rd., McMurray, PA 15317), to renew the permit for the Hutchinson AMD Plant in Sewickley Township, **Westmoreland County**, no additional discharges. Permit issued October 5, 1998.

30921601. Cyprus River Processing Corp. (145 Elm Dr., P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Monongahela Resource Tipple in Jefferson Township, **Greene County**, no additional discharges. Permit issued October 6, 1998.

63841303. BethEnergy Mines, Inc. (P. O. Box 29, Ebensburg, PA 15931), to revise the permit for the Marianna No. 58 in Amwell Township, **Washington County**, postmining land use, no additional discharges. Permit issued October 6, 1998.

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

Noncoal Permits Issued

6275SM2C2. Milestone Materials, Inc. (P. O. Box 231, 1900 Sullivan Trail, Easton, PA 18044-0231), correction to an existing quarry operation in Limestone and Liberty Townships, **Montour County** affecting 285.5 acres, receiving stream—Chillisquaque Creek. Correction issued September 28, 1998.

45980301. Sonie's Mine, Inc. (R. R. 2, Box 2206A, Stroudsburg, PA 18360), commencement, operation and restoration of a quarry operation in Hamilton Township, **Monroe County** affecting 57.9 acres, receiving stream—none. Permit issued October 2, 1998.

58910301C. F. S. Lopke Contracting, Inc. (3430 State Route 434, Apalachin, NY 13732), renewal of NPDES Permit No. PA0595454 in Forest Lake Township, **Susquehanna County**, receiving stream—unnamed tributary to Middle Branch of Wyalusing Creek. Renewal issued October 16, 1998.

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

Small Noncoal (Industrial Mineral) Permits Issued

58980830. William Sparks (R. R. 2, Box 45, Thompson, PA 18465), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued October 7, 1998.

40980804. Tom L. Bower (R. R. 4, Box 4065, Berwick, PA 18603), commencement, operation and restoration of a quarry operation in Salem Township, **Luzerne County** affecting 3.0 acres, receiving stream—none. Permit issued October 7, 1998.

64980805. Tompkins Bluestone Co., Inc. (P. O. Box 776, Hancock, NY 13783), commencement, operation and restoration of a bluestone quarry operation in Manchester Township, **Wayne County** affecting 1.0 acre, receiving stream—none. Permit issued October 13, 1998.

58980838. Jon A. Sorber (R. R. 1, Box 133, Springville, PA 18844), commencement, operation and restoration of a bluestone quarry operation in Springville Township, **Susquehanna County** affecting 1.0 acre, receiving stream—Thomas Creek. Permit issued October 14, 1998.

58980844. Samuel Clapper (R. R. 2, Box 714, Convent Street, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Lanesboro Borough, **Susquehanna County** affecting 2.0 acres, receiving stream—Canawacta Creek. Permit issued October 14, 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.)

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

E15-577. Encroachment Permit. **PA Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087. To improve, modify and maintain U. S. 202 (S. R. 0202), Section 400, (Phase II, Section 402) within the existing median and beyond the existing highway edge. The highway width will increase from four lanes to a minimum of six lanes. The limit of this work will begin

east of North Valley Road, (Valley Forge, PA Quadrangle N: 10.4 inches; W: 15.6 inches) and will end west of Old Eagle School Road (Valley Forge, PA Quadrangle N: 14 inches; W: 5.2 inches) in Tredyffrin Township, **Chester County**.

Work will consist of: 1) Modifying an existing crossing of an unnamed tributary to Little Valley Creek (EV) at Station 563 + 50 using retaining walls or head wall modification depending on site conditions. 2) Modifying an existing crossing of Crabby Creek tributary to Little Valley Creek (EV) at station 582 + 50 using a retaining wall or head wall modification depending on site conditions. 3) Extending an existing 60-inch R.C.P. culvert by installing approximately 25 linear feet of 60-inch R.C.P. culvert to the down stream end left of station 658 + 00, and also to extend an existing 18-inch drainage pipe by installing approximately 20-linear feet of 42-inch R.C.P. culvert at the downstream end just left of station 660 + 50 in and along unnamed tributaries to Little Valley Creek (EV) and impacting de minimis 0.024 acre of Exceptional Value wetlands (PFO). 4) Modifying an existing box culvert along Trout Creek at station 696 + 00 utilizing retaining walls or head wall modifications depending on site. 5) Modifying an existing box culvert along an unnamed tributary to Trout Creek (WWF) at station 716 + 04 using retaining walls or head wall modifications depending on site. 6) Modifying an existing box culvert along an unnamed tributary to Trout Creek (WWF) at station 738 + 55 utilizing retaining walls or head wall modifications depending on site. 7) Extend an existing 6.5-foot x 6-foot R. C. box culvert by adding approximately 15 linear feet of 6.5 foot by 6-foot box culvert at the down stream end, at a point left of station 754 + 60 in the vicinity of the "Bay Colony" ramps. Work also includes the improvement and modification to the bed of an unnamed tributary to Trout Creek for approximately 850 linear feet from the aforementioned culvert to the upstream end of the culvert under Swedesford Road.

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

E22-386. Encroachment. **Dauphin County Commissioners**, Russell Sheaffer, P. O. Box 1295, Harrisburg, PA 17108. To remove an existing bridge and to construct and maintain a bridge having a clear span of 46.08 feet and an underclearance of 4.7 feet across the channel of Powell Creek at a point at Lebo Road (T-446) (Enders, PA Quadrangle N: 14.75 inches; W: 12.25 inches) in Wayne Township, **Dauphin County**. This permit also includes 401 Water Quality Certification.

E22-388. Encroachment. **Gregory Tomassetti**, P. O. Box 208, Enola, PA 17025. To place fill in 0.18 acre of wetlands adjacent to the channel of a tributary to Paxton Creek at a point upstream of Ranger Road (Harrisburg, PA Quadrangle N: 16.0 inches; W: 7.2 inches) in Lower Paxton Township, **Dauphin County**. This permit also includes 401 Water Quality Certification.

E36-655. Encroachment. **Randall Bowman**, 164 E. Black Creek Road, East Earl, PA 17519. To remove the existing structure and to construct and maintain a bridge consisting of a concrete deck and having a 20-foot clear span with a 6-foot underclearance across Black Creek for access to an existing single family residence located along Black Creek (HQ-WWF) Road (T-823) (Terre Hill, PA Quadrangle N: 8.3 inches; W: 0.5 inch) in Caernarvon Township, **Lancaster County**. This permit was issued

under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E35-291. Encroachment. **The City of Scranton**, Rear 801 Providence Road, Scranton, PA 18508. To remove the existing structure and to construct and maintain a single span prestressed concrete adjacent box beam bridge having a span of 106.5 feet and a minimum underclearance of 13.55 feet on an 82 degree skew across the Lackawanna River. The project is located at the intersection of East Market Street and the Lackawanna River (Scranton, PA Quadrangle N: 11.3 inches; W: 4.1 inches) in the City of Scranton, **Lackawanna County**.

E39-350. Encroachment. **Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain 23 bridges over Saucon Creek and a tributary thereof. The project is located within the Saucon Valley Country Club at a point beginning at the intersection of T835 and Saucon Creek (Allentown East, PA Quadrangle N: 9.4 inches; W: 2.5 inches) extending downstream approximately 1.96 miles in Upper Saucon Township, **Lehigh County**.

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

E65-700. Encroachment. **PA Department of Transportation**, P. O. Box 459, Uniontown, PA 15401-0459. To place and maintain fill in 0.76 acre of palustrine emergent and scrub/shrub wetlands and to conduct other activities as listed per Attachment (A) as part of the S. R. 0022/S. R. 0066 interchange reconstruction project for the purpose of improving transportation safety and roadway standards. To compensate for wetland impacts, the applicant proposes the replacement of 0.9 acre of palustrine emergent and scrub/shrub wetlands within the project area (Slickville, PA Quadrangle N: 4.4 inches; W: 10.1 inches) in Salem Township, **Westmoreland County**.

E65-707. Encroachment. **PA Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a twin cell elliptical concrete pipe culvert (inverts depressed 1 foot) having normal spans of 6.33 feet each and an underclearance of 4 feet in an unnamed tributary to Sewickley Creek (WWF) located on S. R. 2017, Segment 0060, Offset 2360 (Latrobe, PA Quadrangle N: 3.9 inches; W: 13.2 inches) in Unity Township, **Westmoreland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

[Pa.B. Doc. No. 98-1797. Filed for public inspection October 30, 1998, 9:00 a.m.]

Approval of the Allegheny County Air Quality Program

The Department of Environmental Protection (Department), Bureau of Air Quality Control is announcing the approval of the Allegheny County air quality program with conditions under section 12 of the Air Pollution Control Act (35 P. S. § 4012). The Department has determined that the Allegheny County air quality program is at least as stringent as the Department's air quality program and is, consequently, entitled to approval.

The Department is conditioning approval to ensure that the Allegheny County program is implemented in a manner which is as stringent as the Department's air quality program. The conditions relate to financial assistance, annual workload projection, emissions reporting, source monitoring and reporting, enforcement, ambient air monitoring and air quality permitting.

Copies of the Department's approval of the Allegheny County air quality program are available upon request. Persons interested in a copy of the approval should contact John Slade, Chief, Division of Permits, Bureau of Air Quality Control, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. The approval is also available on the Department's web page at <http://www.dep.state.pa.us>.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-1798. Filed for public inspection October 30, 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 "July 1998 Inventory" heading is the Governor's List of Non-regulatory 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 Joe Sieber at (717) 783-8727.

Final Technical Guidance—Substantive Revision

DEP ID: 550-2100-003 Title: Oil and Gas Well Drilling Permits and Related Approvals Description: This is policy guidance on oil and gas well permit applications. This guidance document provides the Department's interpretation of applicable laws and regulations where necessary detail is absent from the law or regulation. Effective Date: October 31, 1998 Contact: Frank Bialas at (717) 772-2199

DEP ID: 550-2100-004 Title: Transfer of Oil and Gas Well Permit or Registration Description: This is policy guidance on transfer of oil and gas well permits and

registrations. This guidance document provides the Department's interpretation of applicable laws and regulations where necessary detail is absent from the law or regulation. Effective Date: October 31, 1998 Contact: Frank Bialas at (717) 772-2199

DEP ID: 550-2100-005 Title: Redrilling Incidental to Authorized Plugging of an Abandoned Well Description: This is policy guidance on approving an alternate method for plugging an abandoned well where redrilling the well is necessary to proceed with the plugging well. This guidance document provides the Department's interpretation of applicable laws and regulations where necessary detail is absent from the law or regulation. Effective Date: October 31, 1998 Contact: Frank Bialas at (717) 772-2199

DEP ID: 550-2100-006 Title: Coal Pillars Description: This guidance is for approval of plans for coal pillars to protect gas wells in underground coal mines. This guidance document provides the Department's interpretation of applicable laws and regulations where necessary detail is absent from the law or regulation. Effective Date: October 31, 1998 Contact: Frank Bialas at (717) 772-2199

DEP ID: 550-2100-007 Title: Approval of Brine Roadspreading Plans Description: This is policy guidance on submitting plans for the beneficial use of oil and gas well brine on dirt roads for dust control and road stabilization. This guidance document provides the Department's interpretation of applicable laws and regulations where necessary detail is absent from the law or regulation. Effective Date: October 31, 1998 Contact: Frank Bialas at (717) 772-2199

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-1799. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Design Professional Selections

The Selections Committee for the Department of General Services will meet to consider selections of Design Professionals for the following projects:

Project No. DGS 160-1 Phase 2—Park Development, Benjamin Rush State Park, Philadelphia, County, PA. Construction Cost: \$2,170,000. The scope of work includes, but is not limited to, park entrance, parking facilities, roadway, gates, lighted bicycle-hiking trails, site development/landscaping as required including demolition of unneeded areas and utility relocation/replacement as required.

Project No. DGS 201-3 Phase 4—Expansion and Renovation of Headquarters Building, Pennsylvania State Police, Troop "G" Hollidaysburg Headquarters, Hollidaysburg, Blair County, PA. Construction Cost: \$2,233,000. The scope of work includes, but is not limited to, flood condition study to determine if building should be renovated or a new building constructed. Renovations would include HVAC, electrical service/distribution, plumbing system/fixtures and fire/security system.

Project No. DGS 417-33—Construction of Multi-Purpose Activities Center and Rehabilitation/Renovation

of Existing Gym, Thaddeus Stevens College of Technology, Lancaster, Lancaster County, PA. Construction Cost: \$4,167,000. The scope of work includes, but is not limited to, construction of a multi-purpose center which will include a gymnasium, which can be easily converted to an auditorium and will include fitness training, aerobics, exercise, weight rooms and indoor track. The existing gymnasium will be renovated to accommodate two vocational-technical programs.

Project No. DGS 417-34—Repair and Rebuild Underground Utility Tunnel System and Repair Masonry Retaining Wall, Thaddeus Stevens College of Technology, Lancaster, Lancaster County, PA. Construction Cost: \$292,000. The scope of work includes, but is not limited to, rebuilding/replacing utility tunnel-ceiling slabs especially in the areas under the parking lot and entrances to Cottages "A" and "B." Also included is replacement of a 192' retaining wall along Stevens Avenue.

Project No. DGS 557-14—Installation of Integrated and Updated Fire Alarm System for Entire Facility, South Mountain Restoration Center, South Mountain, Franklin County, PA. Construction Cost: \$1,800,000. The scope of work includes, but is not limited to, replacement of existing fire alarm system with current updated system including alarm devices, control panels, smoke/heat detectors, wiring, duct detectors fire doors and sprinkler systems.

Project No. DGS 577-27—Construction of a Level 2 Housing Unit, State Correctional Institution, Graterford, Montgomery County, PA. Construction Cost: \$5,120,773. The scope of work includes, but is not limited to, construction of an approximately 40,000 sq. ft. building to include 50 double rooms and 4 dormitories. Also included in the L-2 Unit are dayrooms, offices, toilet rooms, support areas and program areas. Provide a 14'-0" fence (approximately 1,200 feet) around unit.

Project No. DGS 655-9—Convention Arena, Louis J. Tuillo Convention Center, Erie Civic Center Complex, Erie, Erie County, PA. Construction Cost: \$416,667. The scope of work includes, but is not limited to, upgrade of the HVAC system, replacement of the ice making system and the rink board/dasher system. (See Special Note under Requirements and Information section regarding Design Expertise.)

Project No. DGS 948-49—Upgrade Elevator and Escalator Systems, State Museum Building, Harrisburg, Dauphin County, PA. Construction Cost: \$1,000,000. The scope of work includes, but is not limited to, replacement of escalators in the Museum Building. Also included are replacement of elevator cab and equipment in the Museum Building and the Archive Building.

Project No. DGS 1103-38-46—Central Chilled Water Plant and Distribution System—Replacement of Steam Distribution, Phase 2, University of Pittsburgh, Pittsburgh, Allegheny County, PA. Construction Cost: \$7,566,000. The scope of work includes, but is not limited to, construction of a chilled water generation plant of approximately 7,000 ton capacity, to be located within the Convocation/Events Center. Also included are the related power supply and auxiliary utilities/equipment to distribute within the Convocation/Events Center and also piping distribution to other campus buildings. The replacement of Steam Distribution includes replacement and extension of the University high pressure steam line to the Upper Campus. This project will be administered along with

DGS 1103-48-Convocation/Events Center, by the Department using the services of a Construction Manager. The professional will be required to adhere to schedules and bid packaging and other procedures conducive to the construction management process.

Requirements and Information

Special Note

Firms applying for Project No. DGS 655-9 shall have demonstrated experience in ice arenas and ice making equipment.

Firms applying for Project No. DGS 1103-38-46 must substantiate their experience and expertise in mechanical design, with emphasis on large central cooling plants; expertise in piping design and fabrication, chiller and cooling tower selection and energy efficient operation through intelligent control schemes and systems. Previous experience in the design of a chilled water plant for an educational facility is preferred. The project will be located within an existing facility. Some architectural design expertise will be required.

Note—Project Program

A Project Program, prepared by the Using Agency, for the above advertised projects may be available and can be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

Instructions for Filing Application

Professionals will not be considered by the Committee until all of the following requirements are met.

(a) Signed Revised 1994 Form 150, not more than 1 year old as of the deadline date stated in paragraph (d) below, must be filed with the Department of General Services for the requesting professional firm and the designated key consultants listed on the requesting professional firm's application (Form 150-S). All signatures on Form 150 must be original signatures. Consultants listed on the requesting professional firm's application (Form 150-S) shall be deemed to be designated key consultants. If these documents are not on file with the Department, the requesting professional firm must submit them with firm's application (Form 150-S). A photocopy of Form 150 without an original signature of a principal of the firm is not acceptable. Revised 1994 Form 150, Architect/Engineer Questionnaire, may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, Pennsylvania 17125, (717) 783-8468.

(b) The requesting professional firm shall obtain from each consultant listed in the requesting professional firm's application (Form 150-S) a signed letter of certification on the consultant's letterhead, attesting to the firm's consent to participate in the requesting professional firm's application (Form 150-S) for the specific project. Signed letters of certification from consultants are required and constitute a part of the requesting professional firm's application (Form 150-S) for the specific project. All signatures on letters of certification must be original signatures.

(c) The requesting professional firm must submit six signed copies of Revised 1994 Form 150-S, Specific Project Form, for each project herein advertised in which the firm is interested and qualified to perform. All signatures on Form 150-S must be original signatures. For architectural projects and, when appropriate, for engineering projects, the Professional shall supply photographs showing a

maximum of two different views of each of the three projects described in Question 14, Page 5 of the application (Form 150-S). The requesting professional firm or Joint Venture members must be the Professional of Record for the projects described in Question 14, Page 5 of the application (Form 150-S). It is not acceptable to list work performed by key consultants. The identification and appropriate supportive information concerning each photograph shall include the name, project title, location, and the name of the Professional of Record. Renderings and brochures will not be accepted in lieu of photographs. The photographs shall be attached to each copy of the application, (Form 150-S). The pages of each copy of revised 1994 Form 150-S must be stapled with photographs and consultant's letters of certification followed by photocopies of licenses of registered professionals included as the last section of the application. Do not bind the application (Form 150-S) in any way to any other documentation. Do not bind the application (Form 150-S) in a binder of any type. Revised 1994 Form 150-S may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 783-8468.

(d) A complete project submission, which consists of documents described in paragraphs (a), (b) and (c) above, must be received on or before the close of business (5 p.m.) Monday, November 16, 1998, and addressed to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125. Fax applications are not acceptable.

Project submissions must be made on the current 1994 forms. Outdated forms are not acceptable.

(e) The Selections Committee may at its discretion establish interviews with any or all of the Professionals who have requested consideration for appointment as designer for the above projects. If an interview is required, the Professional will be notified by the Committee as to the date, time and location.

(f) Additional information, in writing, may be requested by the Committee as required.

Additional Services—Indoor Air Quality Assessment Program and Hazardous Materials

The Professional firm selected to design a project will be expected to perform and administer, when required by the Department as Additional Services, an Indoor Air Quality Assessment Program during Building or Renovation Commissioning and the sampling, testing, inspection and monitoring for removal of any asbestos, other hazardous waste or contaminants encountered during project design or construction, unless otherwise stated in the Scope.

The professional agrees to comply with the terms of the Agreement and specifically as it relates to the Professional Liability Insurance and the General Liability Insurance Requirements.

The Selections Committee encourages responses from small firms, minority firms, women-owned firms and firms who have not previously performed state work, and will consider Joint Ventures, which will enable them to participate in this program.

All applications submitted are subject to review by the Selections Committee. The Selections Committee disclaims any liability whatsoever as to its review of the applications submitted and in formulating its recommendations for selection. All recommendations for selection

made by the Committee shall be final under the act of July 22, 1975 (PL. 75, No. 45).

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 98-1800. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF HEALTH

Act 68—Informational Meeting

The Department of Health and the Insurance Department give notice that they will conduct a joint informational meeting open to the public to discuss the Statements of Policy which were published in the *Pennsylvania Bulletin* at 28 Pa.B. 5011 (October 3, 1998). These Statements of Policy relate to procedures to be followed by the Departments in implementation of the requirements of Act 1998-68, concerning quality health care accountability and protection provisions applicable to managed care plans and licensed insurers.

The meeting will be held on Thursday, November 12, 1998, starting at 10 a.m. in the Rachel Carson State Office Building, Second Floor, Main Auditorium, 400 Market Street, Harrisburg, Pennsylvania.

To ensure preparation of adequate materials for distribution and to facilitate distribution of any follow-up information, all attendees are requested to provide the following: name, organization, title, mailing address and telephone number. This information should be provided in writing on or before November 6, 1998 to: Pennsylvania Department of Health, Bureau of Managed Care, Room 909, Health & Welfare Building, P. O. Box 90, Harrisburg, PA 17208. The requested information may also be provided by contacting the Bureau of Managed Care by telephone at (717) 787-5193 or through facsimile transmission at (717) 705-0947.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aide service, or other accommodation to do so, please contact Thomas J. Chepel, Acting Director, Pennsylvania Department of Health, Bureau of Managed Care, at (717) 787-5193.

V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 98-1801. Filed for public inspection October 30, 1998, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act, as amended, 42 U.S.C.A. §§ 241(a) and 247(b), will hold a public meeting on Wednesday, November 18, 1998. The meeting will be held at the Harrisburg Holiday Inn, Hotel and Conference Center, I-83 and the Pennsylvania

Turnpike, New Cumberland, PA, from 10 a.m. to 4 p.m. For additional information, or for persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, contact Thomas M. DeMelfi at the Pennsylvania Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Harrisburg, PA 17108, (717) 783-0574, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 98-1802. Filed for public inspection October 30, 1998, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee is scheduled to hold a meeting on November 18, 1998, from 10 a.m. to 1 p.m. in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information or persons with a disability who desire to attend the meeting and require an auxiliary aide service or other accommodation to do so, contact William J. Neil, Chief, Program Development Section, Division of Health Risk Reduction at (717) 787-5900. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 98-1803. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Increases in Allowances for a Community Spouse and Dependent Living with the Spouse when the Other Spouse is Institutionalized and is Eligible for Medical Assistance

The Department of Public Welfare (Department) announces an increase in the community maintenance need allowances for the family of an individual who is aged, blind or disabled, is eligible for Medical Assistance and is institutionalized. The allowances affected are the monthly standard community spouse maintenance need allowance, the excess monthly shelter standard for the community spouse and the standard monthly family member maintenance allowance for a dependent living with the community spouse.

The Spousal Impoverishment Provisions of the Medicare Catastrophic Coverage Act of 1988 (Section 303(a) of P. L. 100-360) (42 U.S.C.A. § 1396r-5) require the Department to make changes to the allowances on July 1st of each year based on the Federal Poverty Income Guidelines (FPIGs) issued by the Federal Department of Health and Human Services. The current FPIGs were published at 63 FR 9235 on February 24, 1998.

The State requirements are at 55 Pa. Code § 181.452, Posteligibility Determination of Income Available from an MA Eligible Person Toward the Cost of Care. The requirements provide that revisions be published as a notice in the *Pennsylvania Bulletin* and made available upon request at the county assistance offices.

The increases, effective July 1, 1998, are as follows:

Excess Monthly Shelter Standard	\$ 408
Community Spouse Maintenance Allowance	\$1,358
Dependent Living with Community Spouse Allowance	\$1,358

FEATHER O. HOUSTON,
Secretary

Fiscal Note: 14-NOT-180. (1) General Fund; (2) Implementing Year 1998-99 is \$695,000; (3) 1st Succeeding Year 1999-00 is \$710,000; 2nd Succeeding Year 2000-01 is \$726,000; 3rd Succeeding Year 2001-02 is \$742,000; 4th Succeeding Year 2002-03 is \$758,000; 5th Succeeding Year 2003-04 is \$775,000; (4) 1997-98 \$617,000; 1996-97 \$592,000; 1995-96 \$649,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are included in the 1998-99 budget for this purpose.

[Pa.B. Doc. No. 98-1804. Filed for public inspection October 30, 1998, 9:00 a.m.]

Payments to Nursing Facilities; July 1, 1998 Final Rates

The purpose of this notice is to announce final payment rates for nursing facilities beginning July 1, 1998 in accordance with section 1902(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 1902(a)(13)(A)), as amended by section 4711 of the Balanced Budget Act of 1997, P. L. 105-33, § 4711. A 1998-1999 Proposed Rates Notice was published at 28 Pa.B. 2977 (June 27, 1998).

Rates

The final July 1, 1998 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Connie Pretz in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Methodology

The methodology that the Department used to set the final rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for the final rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1998-1999 based on these final rates is \$50.430 million (\$23.362 million in State funds).

Interested persons are invited to submit written comments about the final rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-183. No fiscal impact; (8) recommends adoption. This Notice is anticipated to produce a savings to the Medical Assistance—Long Term Care appropriation of approximately \$6 million a year beginning in 1998-99.

[Pa.B. Doc. No. 98-1805. Filed for public inspection October 30, 1998, 9:00 a.m.]

Payments to Nursing Facilities; MDS 2.0 Transition Payments

The purposes of this notice are to announce proposed changes in payment rates for nursing facilities and to provide advance notice of the Department's intent to make changes in its methods and standards for setting payment rates for Medical Assistance nursing facility services to provide MDS 2.0 Transition Payments. The Department is publishing this notice in accordance with 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997, P. L. 105-33, § 4711, and 42 CFR 447.205.

The Minimum Data Set (MDS) 2.0 is the Federal instrument for assessment of the physical, mental and psychosocial condition of nursing facility residents. HCFA mandates that states require nursing facilities to use the MDS 2.0 instrument, as modified by the states and approved by HCFA, to collect and report resident assessment data to the states. Nursing facilities in this Commonwealth began using the Federally approved Pennsylvania-specific MDS 2.0 to assess residents and to report resident data to the Department effective November 2, 1997. The Department uses the reported resident data to calculate case-mix indices (CMIs) for price and rate-setting purposes.

The MDS 2.0 contains several changes from the prior assessment instrument, the MDS 1.2. Because of these changes, nursing facility trade associations expressed concerns to the Department that the MDS 2.0 instrument would negatively affect the CMIs used in setting prices and payment rates. When it announced its proposed July 1, 1998 nursing facility case-mix rates, the Department noted the associations' concerns and stated that it was evaluating the actual impact of the MDS 2.0 on rates to determine whether payment adjustments were necessary and appropriate. See 28 Pa.B. 2978 (June 27, 1998). Based upon its review and evaluation of the impact of the MDS 2.0 and its discussions with the associations, the Medical Assistance Advisory Committee and the Long Term Care Subcommittee, the Department has decided to provide additional payments to county and general nursing facilities, including hospital-based and special rehabilitation facilities, during a 3-year transition period to minimize the impact of the MDS 2.0 instrument on CMIs and nursing facility payment rates and prices.

During the 3-year transition period, the Department will establish a quarterly base rate for each nursing facility. The quarterly base rate will equal the facility's April 1998 case-mix rate inflated by the HCFA Nursing

Home without Capital Market Basket Index, according to the number of quarters between April 1998 and the rate-setting quarter. For each quarter during the transition period, the MDS 2.0 transition payment will equal the positive difference between the facility's quarterly base rate and the facility's quarterly case-mix rate multiplied by the number of Medical Assistance days of care paid through the Medical Assistance Management Information System (MAMIS) plus one-third of the positive difference between the facility's quarterly base rate and the facility's quarterly case-mix rate multiplied by the number of Medical Assistance hospital days paid through MAMIS. If the difference between the base rate and case-mix rate is zero or a negative number, the MDS 2.0 transition payment for the quarter will equal zero. During the first two quarters of FY 98-99, the MDS 2.0 transition payment will be made in a lump sum. In all subsequent quarters, the MDS 2.0 transition payment will be made as an add-on to the facility's case-mix per diem rate. Actual payment for resident days remains subject to applicable billing and payment requirements in regulations and the Nursing Facility Services Handbook.

Each year of the 3-year transition period, nursing facilities will be given the option to accept or reject the MDS 2.0 transition payment for that year. A nursing facility that accepts the MDS 2.0 transition payment must agree to waive all issues and disputes relating to the calculation of its MA and total facility CMIs and the use of quarterly assessment data to set prices and quarterly payment rates for the year in which it will receive the MDS 2.0 transition payment.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1998-1999 is \$55.995 million (\$25.940 in State funds).

A copy of this notice is available for review at the local County Assistance Offices throughout this Commonwealth. In addition, the proposed MDS 2.0 base rates and per diem add-ons for the first two quarters of FY 98-99 are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Connie Pretz in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Interested persons are invited to submit written comments about the MDS 2.0 transition payment to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (Voice Users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-182. (1) General Fund; (2) Implementing Year 1998-99 is \$26 million; (3) 1st Succeeding Year 1999-00 is \$Unknown; 2nd Succeeding Year 2000-01 is \$Unknown; 3rd Succeeding Year 2001-02 is \$No fiscal impact; 4th Succeeding Year 2002-03 is \$No Fiscal impact; 5th Succeeding Year 2003-04 is \$No fiscal impact; (4) 1997-98 \$617 million; 1996-97 \$592 million; 1995-96 \$649 million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are included in the 1998-99 budget for this purpose. Costs for years two and three

cannot be estimated at this time since the future CPI market based indices used to determine transition payment rates are unpredictable.

[Pa.B. Doc. No. 98-1806. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Super 7's 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 the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super 7's.
2. *Price:* The price of a Pennsylvania Super 7's instant lottery game ticket is \$2.00.
3. *Play Symbols:* Each Pennsylvania Super 7's instant lottery game ticket will contain four play areas known as "Game 1," "Game 2," "Game 3" and "Game 4." Each "Game" is played separately. The play symbols and their captions located in each "Game" are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT) and 9 (NIN).
4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$4.⁰⁰ (FOR DOL), \$7.⁰⁰ (SVN DOL), \$14.⁰⁰ (FORTN), \$17.⁰⁰ (SVNTN), \$21\$ (TWY ONE), \$27\$ (TWY SVN), \$28\$ (TWY EGT), \$77\$ (STY SVN) and \$7,000 (SVN THO).
5. *Prizes:* The prizes that can be won in this game are \$2, \$3, \$4, \$7, \$14, \$17, \$21, \$27, \$28, \$77 and \$7,000. A player can win up to four times on a ticket.
6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Super 7's instant lottery game.
7. *Determination of Prize Winners:*

- (a) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$7,000 (SVN THO) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$7,000.
- (b) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$77\$ (STY SVN)

in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$77.

- (c) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$28\$ (TWY EGT) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$28.
 - (d) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$27\$ (TWY SVN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$27.
 - (e) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$21\$ (TWY ONE) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$21.
 - (f) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$17.⁰⁰ (SVNTN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$17.
 - (g) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$14.⁰⁰ (FORTN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$14.
 - (h) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$7.⁰⁰ (SVN DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$7.
 - (i) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$4.⁰⁰ (FOR DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$4.
 - (j) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$3.⁰⁰ (THR DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$3.
 - (k) Holders of tickets with three matching play symbols of 7 (SVN) in the same row, column or diagonal in the same "Game," and a prize play symbol of \$2.⁰⁰ (TWO DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$2.
8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Get 3 7's In A Row, Column Or Diagonal With Prize(s) Of:

Win	Approximate Odds	Approximate No. of Winners Per 4,080,000 Tickets
\$2	1:6.82	598,400
\$3	1:15	272,000
\$4	1:50	81,600
\$3 x 2	1:150	27,200
\$7	1:75	54,400
\$3 x 4	1:150	27,200
\$7 x 2	1:150	27,200

Get 3 7's In A
Row, Column Or
Diagonal With
Prize(s) Of:

	Win	Approximate Odds	Approximate No. of Winners Per 4,080,000 Tickets
\$14	\$14	1:375	10,880
\$17	\$17	1:375	10,880
\$7 x 3	\$21	1:375	10,880
\$21	\$21	1:750	5,440
\$7 x 4	\$28	1:1,000	4,080
\$28	\$28	1:1,000	4,080
\$7 + \$27	\$34	1:3,000	1,360
\$27 x 2	\$54	1:6,000	680
\$77	\$77	1:12,000	340
\$77 x 4	\$308	1:30,000	136
\$7,000	\$7,000	1:408,000	10
\$7,000 x 4	\$28,000	1:408,000	10

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Super 7's instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Super 7's, prize money from winning Pennsylvania Super 7's instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super 7's instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super 7's or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-1807. Filed for public inspection October 30, 1998, 9:00 a.m.]

Pennsylvania Winter Green '98 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 the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Winter Green '98.

2. *Price:* The price of a Pennsylvania Winter Green '98 instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Winter Green '98 instant lottery game ticket will contain one play area

featuring one "Winter Numbers" area and one "Your Numbers" area. The play symbols and their captions located in the "Winter Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), 11 (ELVN) and 12 (TWLV). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), 11 (ELVN), 12 (TWLV) and a Dollar Bill Symbol (WIN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$80\$ (EIGHTY), \$2,000 (TWO THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$2,000 and \$10,000. The player can win up to five times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,240,000 tickets will be printed for the Pennsylvania Winter Green '98 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$10,000 (TEN THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$2,000 (TWO THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$80\$ (EIGHTY) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$40\$ (FORTY) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$20\$ (TWENTY) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$8⁰⁰ (EGT DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$8⁰⁰ (EGT DOL) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Dollar Bill Symbol (WIN) and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the Dollar Bill Symbol (WIN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winter Numbers" play symbols and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

Match Any Of Your Numbers To Either Winter Number With Prize(s) Of:

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,240,000 Tickets</i>
\$1	\$1	1:8.82	707,200
\$1 x 2	\$2	1:20	312,000
\$2 (BILL)	\$2	1:30	208,000
\$2	\$2	1:60	104,000
\$2 x 2	\$4	1:500	12,480
\$4 (BILL)	\$4	1:150	41,600
\$4	\$4	1:300	20,800
\$1 x 5	\$5	1:150	41,600
\$5 (BILL)	\$5	1:750	8,320
\$2 x 3 + \$1 x 2	\$8	1:750	8,320
\$4 x 2	\$8	1:750	8,320
\$8 (BILL)	\$8	1:750	8,320
\$2 x 5	\$10	1:500	12,480
\$10 (BILL)	\$10	1:500	12,480
\$4 x 5	\$20	1:1,500	4,160
\$20 (BILL)	\$20	1:1,500	4,160
\$20	\$20	1:1,500	4,160
\$8 x 5	\$40	1:9,231	676
\$40 (BILL)	\$40	1:9,231	676
\$40	\$40	1:9,231	676
\$10 x 5	\$50	1:4,615	1,352

Match Any Of
Your Numbers
To Either Winter
Number With
Prize(s) Of:

	Win
\$80 (BILL)	\$80
\$20 x 3 + \$10 x 2	\$80
\$40 x 2	\$80
\$2,000	\$2,000
\$2,000 x 5	\$10,000
\$10,000	\$10,000

BILL = Auto Win

Approximate Odds	Approximate No. of Winners Per 6,240,000 Tickets
1:9,231	676
1:9,231	676
1:9,231	676
1:240,000	26
1:624,000	10
1:1,040,000	6

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Winter Green '98 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Winter Green '98, prize money from winning Pennsylvania Winter Green '98 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Winter Green '98 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Winter Green '98 or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 98-1808. Filed for public inspection October 30, 1998, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Chester and Delaware Counties Project Reference No. 08430AG2257

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

1. S. R. 0033, Section M01, Chester County

This project consists of pavement restoration, bridge rehabilitation and median and channelization improvements on T. R. 3 from West Chester Borough and East Goshen and Westtown Townships.

2. S. R. 0003, Section S02, Delaware County

This project consists of auxiliary lane improvements and the installation of a computerized traffic signal system for nine (9) intersections on T. R. 3 from Township Line Road to Victory Lane in Upper Darby Township.

3. S. R. 0003, Section S03, Delaware County

This project consists of signal improvements at fourteen (14) intersections on T. R. 3 from N. Lawrence Road to Township Line Road in Haverford Township.

4. S. R. 0003, Section S07, Delaware County

This project consists of median and channelization improvements and the installation of a computerized traffic signal system for eighteen (18) intersections on T. R. 3 from Boot Road to Lawrence Road in Newtown and Marple Townships.

5. S. R. 0003, Section S30, Chester County

This project consists of improving the West Chester Borough signal system which includes twenty-six (26) signalized intersections on Rt. 3 and Rt. 100 in West Chester Borough and West Goshen Township.

6. S. R. 0003, Section S41, Chester County

This project consists of pavement restoration, bridge rehabilitation and median and channelization improvements on T. R. 3 from West of T. R. 352 to Boot Rod in Westtown, Willistown, Edgemont and Newtown Townships.

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. Review the inspectors' resumes with emphasis on construction inspection capabilities, Department and District experience and supervisory experience.

- c. Specialized experience in signalization system, pavement restoration and minor structure repair.
- d. Number of NICET and NECEPT certified inspectors in each payroll classification.
- e. Understanding of Department's requirements, policies and specifications.
- f. Ability to provide two (2) "CDS" operator or person capable of inputting data into a personal computer (TCIS Classification).
- g. 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.

A minimum of five (5) individuals submitted as part of your inspection staff must have a NECEPT Bituminous Field Technician Certification.

Since the contractor may be performing some construction operations during the night, the engineering firm must be able to provide inspectors to meet this staffing need.

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)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	9 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	5 (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)	\$39.36
(TCI)	\$34.43
(TA)	\$23.67

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.

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

- a. 33 MM camera (one per project)
- b. Three (3) two-way radios/repeater equipment and base unit (maximum number per project)
- c. Safety vests—high visibility for inspectors
- d. Six (6) cellular phones (one per project)

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (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	3
TCI	10

No resumes are required for the TA Classification.

The second copy of the letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Andrew Warren, District Administrator, 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. Marshall Linton, P.E., District 6-0, at (610) 964-6684.

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. 08430AG2258**

The Department of Transportation will retain an engineering firm to provide supplementary construction in-

spection staff of approximately fifteen (15) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S. R. 0040, Section 05M, in Washington County. This project involves the rehabilitation of the Lane Bane Bridge which carries Traffic Route 40 over the Monongahela River at West Brownsville.

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 acceptable 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 classification.
- d. Understanding of Department's requirements, policies, and specifications.
- e. Ability to provide CPM scheduling.
- 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 Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (6)
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>
(TCM-1)	\$44.93
(TCIS)	\$39.36
(TCI)	\$34.43
(TA)	\$23.67

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 Gauge/License
- 1 Paint Test Kit
- 1 Vehicle for the Transportation of Nuclear Gauge

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (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 TCM-1 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistants do not need to be identified in the letter of interest.

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>
TCM-1	2
TCIS	3
TCI	12

No resumes are required for the TA Classification.

The second 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, N. Gallatin Avenue, Extension, 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. Allwein, 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.

The Department requests that each Letter of Interest include the following information and that the information be packaged and presented in the order indicated below to facilitate the Department's review and evaluation.

The firm's ability and willingness to package and present the requested information in the above order to facilitate the Department's review and evaluation will be the first factor considered in the evaluation process.

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

2. A fact sheet that includes 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 should indicate on this fact sheet 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. If the project advertisement indicated the Department will retain a Land Surveying firm for the project, the applicant should indicate on this fact sheet the names and Professional Land Surveyor Registration Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's land surveying activities, and whose names and seals shall be stamped on all plans, plats, and reports issued by the firm.

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

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

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

The Standard Form 255 should 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 should 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 should not include 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.

5. 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, should 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.

These Forms should 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 Standard Form 255.

6. Authorization Letters (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 should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Standard 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 should 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.

Letters of Interest will be rejected for the following reasons:

1. Received after the cut-off time and date specified above.
2. Failure to identify a Department Certified Disadvantaged Business Enterprise (DBE) if a DBE participation goal is identified in the advertised project.
3. Failure to include a copy of the registration to do business in the Commonwealth, if applicable.

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. 98-1809. Filed for public inspection October 30, 1998, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

City of Scranton and Boroughs of Taylor and Old Forge v. DEP and Empire Sanitary Landfill, Inc.; EHB Doc. No. 94-060-C (Consolidated)

The City of Scranton and Boroughs of Taylor (Taylor) and Old Forge (collectively the municipalities), the Commonwealth of Pennsylvania, Department of Environmental Protection (Department), and Empire Sanitary Landfill, Inc., now known as Alliance Landfill (Alliance), have entered into a settlement in resolution of the above-referenced action.

On February 25, 1994, the Department issued to Alliance a modification to Empire's solid waste permit. The modification authorized Alliance to accept and dispose of incinerator ash residue at Alliance's landfill facility, located in the Boroughs of Taylor and Old Forge, and Ransom Township, Lackawanna County, PA.

The City of Scranton filed an appeal of the modification, which appeal was docketed at EHB Doc. No. 94-060. Thereafter, the Boroughs of Taylor and Old Forge also filed appeals of the modification, which appeals were docketed at EHB Doc. Nos. 94-061 and 94-062 respectively. The appeals have since been consolidated at EHB Doc. No. 94-060-C.

Under the terms of the settlement, Alliance will: (1) continue to transport ash to the landfill in water tight containers; (2) continue to maintain the ash such that the ash does not become airborne; (3) store ash not yet disposed in a bermed area on the lined portion of the landfill; (4) furnish copies of ash testing, leachate analysis and treated effluent data to Taylor; (5) comply with specific regulations set forth in the settlement, as appli-

cable to Alliance's activities; and (6) make a payment in the amount of \$35,000 to Taylor for use for general recreation activities within the borough. In addition, the municipalities agree to withdraw their appeals in this matter.

Copies of the full settlement are in the possession of: William T. Jones, Esq., Levy & Preate, Scranton Electric Building, 507 Linden Street, Suite 600, Scranton, PA 18503, (717) 346-3816; Mariellen Harrington, Esq., Dechert Price & Rhoads, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, PA 19103-2793, (215) 994-4000; and Lance H. Zeyher, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2519 and at the offices of the Environmental Hearing Board and may be reviewed by an interested party on request during normal business hours.

A person believing himself aggrieved by the above settlement has a right to appeal to the Environmental Hearing Board, Rachel Carson State Office Building, 2nd Floor, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984. Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement, if no objection is timely filed with the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 98-1810. Filed for public inspection October 30, 1998, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Notice

The Health Care Cost Containment Council has scheduled the following meetings for November: Wednesday, November 4, Data Systems Committee at 10 a.m.; Mandated Benefits Review Committee at 1 p.m.; Education Committee at 2:30 p.m. Thursday, November 5, 1998, Council Meeting at 10 a.m. The meetings will be held in the Council's conference room at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings, should contact Cherie Kauffman, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, or call (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1811. Filed for public inspection October 30, 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>
11-172	Insurance Department Fees For Out-Of-State Companies	10/16/98

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 98-1812. Filed for public inspection October 30, 1998, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Acquisition of Stock of Calvert Insurance Company

Markel Corporation has filed an application to acquire up to 100% of the issued and outstanding stock of Gryphon Holdings, Inc. which is the sole shareholder of Calvert Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Company Act (40 P. S. § 991.1402 et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail <http://www.cbybee@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1813. Filed for public inspection October 30, 1998, 9:00 a.m.]

Continental Insurance Company; Homeowners Program Rate Revision; Rate Filing

On October 16, 1998, the Insurance Department received from Continental Insurance Company a filing for a proposed rate level change for homeowners insurance.

The company requests an overall 1.1% increase amounting to +\$300,955 annually, to be effective February 15, 1999, for new and renewal business.

Unless formal administrative action is taken prior to December 15, 1998, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Pennsylvania Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at romberc@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1814. Filed for public inspection October 30, 1998, 9:00 a.m.]

Continental Insurance Company; Private Passenger Automobile Program Revision; Rate Filing

On October 15, 1998, the Insurance Department received from Continental Insurance Company a filing for a proposed rate level change for private passenger automobile insurance.

The company requests an overall 2.1% decrease amounting to -\$1,350,052 annually, to be effective February 15, 1999, for new and renewal business.

Unless formal administrative action is taken prior to December 14, 1998, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at romberc@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Secretary

[Pa.B. Doc. No. 98-1815. Filed for public inspection October 30, 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. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Joseph and Marianne R. Polito, Jr.; file no. 98-267-33842. State Farm Mutual Automobile Ins. Co.; doc. no. PH98-10-007; November 12, 1998, at 10 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. 98-1816. Filed for public inspection October 30, 1998, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of David Lavender; file no. 98-308-71799; Farmers Mutual Fire Insurance Company; doc. no. PI98-10-008; November 18, 1998, at 1 p.m.

Both 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 and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues pre-

sented 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 partici-

pate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1817. Filed for public inspection October 30, 1998, 9:00 a.m.]

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

Publication of Financial Statement

Under the provisions of section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (Act of June 5, 1991, P. L. 9, No. 6) the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 1998, which includes an audit for the period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority at 1429 Walnut Street—14th floor, Philadelphia, PA 19102, (215) 561-9160.

JOSEPH C. VIGNOLA,
Executive Director

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

CONDENSED BALANCE SHEET JUNE 30, 1998

ASSETS

CURRENT ASSETS:

Cash and short-term investments	\$ 168,103,032
Accrued interest receivable	592,820
Interfund receivable	<u>263,164</u>

Total current assets	168,959,016
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PROPERTY, PLAN AND EQUIPMENT—Office furniture and equipment	135,182
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OTHER ASSETS—Prepaid rent and security deposit	11,940
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AMOUNT AVAILABLE IN DEBT SERVICE FUNDS FOR RETIREMENT OF LONG-TERM DEBT	86,686,731
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AMOUNT TO BE PROVIDED FOR RETIREMENT OF LONG-TERM DEBT	<u>968,308,269</u>
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TOTAL ASSETS	<u>\$ 1,224,101,138</u>
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LIABILITIES AND FUND EQUITY

CURRENT LIABILITIES:

Accounts payable	\$ 89,240
Accrued payroll and taxes	129,165
Due to the City of Philadelphia	269,837
Bonds payable—current portion	49,690,000
Interfund payable	<u>263,164</u>

Total current liabilities	<u>50,441,406</u>
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BONDS PAYABLE—Long-term portion	<u>1,005,305,000</u>
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FUND EQUITY:

Fund balances:	
Unreserved	593,949
Reserved for debt service	86,686,731
Reserved for the benefit of the City of Philadelphia	80,058,870

ASSETS

Reserved for subsequent PICA administration	880,000
Total fund balances	<u>168,219,550</u>
Investment in general fixed assets	<u>135,182</u>
TOTAL LIABILITIES AND FUND EQUITY	<u>\$1,224,101,138</u>

**CONDENSED STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
YEAR ENDED JUNE 30, 1998**

REVENUES:

PICA taxes	\$229,943,759
Interest earned on investments	<u>12,701,337</u>
Total revenues	<u>242,645,096</u>

EXPENDITURES:

Grants to the City of Philadelphia	145,924,556
Debt service:	
Principal	47,385,000
Interest	59,641,115
Administration:	
Operations	904,752
Capital outlay	<u>27,458</u>
Total expenditures	<u>253,882,881</u>

EXCESS OF EXPENDITURES OVER REVENUES	(11,237,785)
FUND BALANCES, JULY 1, 1997	<u>179,457,335</u>
FUND BALANCES, JUNE 30, 1998	<u>\$168,219,550</u>

[Pa.B. Doc. No. 98-1818. Filed for public inspection October 30, 1998, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Fuel Cost Adjustment Statements; Doc. No. M-
FACG9801, 9802, 9803, 9804, 9805, 9806, 9807,
9808, 9809**

This notice is to inform the public that the following companies:

NUI Valley Cities Gas
Honesdale Gas Company
Pike County Light & Power Company
Andreassi Gas Company
Walker Gas and Oil Company
Herman Oil and Gas Company
Anna Pearl Riemer, t/d/b/a Herman Riemer Gas Company
Gasco Distribution Systems, Inc.—Kane, Pennsylvania
Division
Clarion River Gas Inc.

have filed statements of their revenues and expenses attributable to their use of the automatic adjustment clause (Fuel Cost Adjustment) for the 12-month period ending June 30, 1998 and August 31, 1998.

The filing of these statements is required by section 1307(e) of the Public Utility Code, 66 Pa.C.S. § 1307(e).

The Pennsylvania Public Utility Commission has scheduled a hearing on Wednesday, December 2, 1998, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, Harrisburg, PA, when and where all persons in interest may appear and be heard if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-1819. Filed for public inspection October 30, 1998, 9:00 a.m.]

Petition of the Frontier Companies for Commission Action Under Section 251(f)(2) of the Telecommunications Act of 1996, Doc. No. P-00981393

On June 8, 1998, Frontier Communications of Breezewood, Inc., Frontier Communications of Canton, Inc., Frontier Communications of Pennsylvania, Inc., Frontier Communications of Lakewood, Inc., and Frontier Communications of Oswayo River, Inc. (collectively Peti-

tioners) filed a joint petition with the Pennsylvania Public Utility Commission seeking a 2-year suspension of interconnection obligations imposed by section 251(b) and (c) of the Telecommunications Act of 1996 (act), 47 U.S.C.A. § 251(b) and (c), under section 251(f)(2) of the act. Petitioners also request the right to seek three additional 1-year extensions of that suspension period. Under the act, the Commission must act on the petition within 180 days of receipt of the submission.

The Commission is soliciting comments and reply comments to the petition. Interested parties must submit comments on the petition within 7 days of publication in the *Pennsylvania Bulletin*. Reply comments must be submitted within 14 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from Lisa Higley at (717) 787-1013 in the Office of the Secretary at the Commission's offices in Harrisburg. The contact person at the Commission is Maryanne Martin, Assistant Counsel, Law Bureau, (717) 787-4518.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-1820. Filed for public inspection October 30, 1998, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before November 23, 1998, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

A-00115358. Erasmo Cora, Jr., t/d/b/a Cora Limousine Service (705 South Marshall Street, Lancaster, Lancaster County, PA 17602)—persons in limousine service, between points in the city of Lancaster, Lancaster County, and within an airline distance of 35 statute miles of the limits of said city, and from points in the said territory, to points in Pennsylvania, and return.

A-00114855 (amended). Reinhart Leasing Company (620 North Reading Road, Ephrata, Lancaster County, PA 17522), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Lancaster and Chester, and from points in said counties, to other points in Pennsylvania, and return. *Attorney:* Scott Miller, P. O. Box 562, Ardmore, PA 19003.

Applications of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under each application.

A-00115359. Group Tours, Inc. (105 Agate Way, Sharon, Mercer County, PA 16146), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons and their baggage between points in Pennsylvania. *Attorney:* Robert G. Yeatts, P. O. Box 1024, Hermitage, PA 16148-1024.

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

A-00115183, F. 1, Am-A. Patrick R. Hogan, t/d/b/a Plymouth Taxi (203 East Main Street, Plymouth, Luzerne County, PA 18651)—inter alia, persons upon call or demand, in the boroughs of Plymouth and Larksville, and the township of Plymouth, Luzerne County: *So as to permit* the transportation of persons upon call or demand in the city of Nanticoke, Luzerne County; which is to be a transfer of the right authorized Joan Petroski, t/d/b/a Petroski's Taxi Service, under the certificate issued at A-00108857, F. 2, subject to the same limitations and conditions. *Attorney:* Leonard R. Omolecki, Jr., 792 Market Street, Kingston, PA 18704.

Motor Carrier Applications—Property, Excluding Household Goods in Use

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before November 16, 1998.

- | | |
|------------|---|
| A-00115365 | Robert L. Blount
5350 Old State Road, Edinboro, PA
16412 |
| A-00115367 | Maryann C. & Leroy R. Beckwith, Jr.,
t/a Beckwith Trucking
116 Bell Hollow Lane, Port Matilda,
PA 16870-9207 |
| A-00115368 | J & K Hinderman Trucking, Inc.
1107 West Second Street, Oil City,
PA 16301 |
| A-00115369 | Charles Holena, t/a Holena
Excavating
113 Npyes Avenue, Swoyersville, PA
18704 |
| A-00115370 | Don Paulson Trucking, Inc.
P. O. Box 393, Mt. Jewett, PA 16740 |
| A-00115371 | Mambo, Inc.
P. O. Box 43737, Philadelphia, PA
19106 |

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Liberty Bulk Transport, Inc.; Doc. No. A-00113644C9801

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section

701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Liberty Bulk Transport, Inc., respondent, maintains a principal place of business at P. O. Box 232, Columbia, New Jersey 07832.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00113644.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Liberty Bulk Transport, Inc. at Docket No. A-00113644, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. A. T. Pinto, Inc.; Doc. No. A-00086903C98 F.2

Complaint

The Pennsylvania Public Utility Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That A. T. Pinto, Inc., respondent, maintains a principal place of business at P. O. Box 11972, Philadelphia, PA 19145-0272.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00086903, F. 2.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by A. T. Pinto, Inc. at Docket No. A-00086903, F. 2, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

 George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-1821. Filed for public inspection October 30, 1998, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School

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

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

December 16, 1998	Gay M. Slaterbeck (Purchase of Service)	1 p.m.
	Wayne Grim (Disability Eligibility)	2:30 p.m.

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

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

JAMES A. PERRY,
Secretary

[Pa.B. Doc. No. 98-1822. Filed for public inspection October 30, 1998, 9:00 a.m.]

STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Dan Howard d/b/a Design Engineering; Doc. No. 0721-47-96; File No. 95-47-02729

On March 25, 1998, the State Registration Board for Professional Engineers, Land Surveyors and Geologists issued an Order adopting the Hearing Examiner's proposed Adjudication and Order as the final Adjudication and Order, finding you guilty of violating the Act at 63 P. S. § 153 by use of the word "Engineering" in your company name and company letterhead, and by identifying yourself as "Engineer" and "Engineer/V.P. Product Development," and imposed a One Thousand Dollar (\$1,000) civil penalty against you.

You may obtain a copy of the Adjudication and Order by writing Judith Pachter Schulder, Esquire, State Registration Board for Professional Engineers, Land Surveyors

and Geologists, 116 Pine Street, 3rd Floor, P. O. Box 2649,
Harrisburg, PA 17105-2649.

LOUIS A. GUZZI, P.E.,
President

[Pa.B. Doc. No. 98-1823. Filed for public inspection October 30, 1998, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Bids

The Turnpike Commission is requesting sealed bids for:

1) Toll Lane Canopy Extension, Harrisburg East Interchange #19, Milepost 247.4, Dauphin County. Mandatory Prebid Inspection: November 10, 1998 at 10 a.m. at Harrisburg East Interchange. Bid Opening: November 23, 1998 at 11 a.m.

2) Maintenance Garage Ventilation & Vehicle Exhaust Extraction Systems at Plymouth Meeting Maintenance Facility, Milepost 333.59 WB, Montgomery County. Mandatory Prebid Inspection: November 17, 1998 at 10 a.m. at Plymouth Meeting Maintenance. Bid Opening: November 30, 1998 at 11 a.m.

3) Maintenance Garage Ventilation & Vehicle Exhaust Extraction Systems at New Cumberland Maintenance Facility, Milepost 243.85 EB, York County. Mandatory Prebid Inspection: November 18, 1998 at 10 a.m. at New Cumberland Maintenance. Bid Opening: November 30, 1998 at 11:30 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-1824. Filed for public inspection October 30, 1998, 9:00 a.m.]

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following contract:

Contract No. 98-003-RU32—Replacement of Bridge B-451 and reconstruction of SR 0819 at MP 78.98 on the PA Turnpike System in Westmoreland Co., PA

Bid Opening Date—December 3, 1998, 11 a.m.

Bid Surety—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$60 per set by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for a listing of other locations where plans and specs can be inspected.

Direct any questions on this project to Brian M. Ranck, P.E. at (717) 939-9551, Ext. 3630 or fax at (717) 986-8742 or by e-mail at branck@paturnpike.com.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-1825. Filed for public inspection October 30, 1998, 9:00 a.m.]