

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 27, 1998.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-23-98	First Union Corporation, Charlotte, North Carolina, to acquire 100% of the voting shares of CoreStates Financial Corp., Philadelphia, PA	Charlotte, NC	Filed

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
1-22-98	Northwood Savings Association Philadelphia Philadelphia County  <i>To:</i> Northwood Savings Bank Philadelphia Philadelphia County	1500 E. Susquehanna Ave. Philadelphia Philadelphia County	Filed

Application represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-23-98	PSB Interim Bank, East Berlin, and The Peoples State Bank, East Berlin Surviving Institution—PSB Interim Bank, East Berlin, with a change in corporate title to "The Peoples State Bank"	East Berlin	Filed

The proposed merger will be effected solely to facilitate the acquisition of The Peoples State Bank, East Berlin, by Community Banks, Inc., Millersburg, a bank holding company.

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-20-98	Franklin First Savings Bank Wilkes-Barre Luzerne County	115 J. Campbell Collins Drive Wilkes-Barre Luzerne County	Opened

##### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-16-98	Franklin First Savings Bank Wilkes-Barre Luzerne County	City Heights Shopping Center 161 Amber Lane Wilkes-Barre Luzerne County	Effective

#### SAVINGS ASSOCIATIONS

##### Branch Applications

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
1-22-98	First Financial Savings Bank, PaSA Downingtown Chester County	414 Lancaster Ave. Devon Chester County	Filed

## NOTICES

## CREDIT UNIONS

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-213. Filed for public inspection February 6, 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 office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

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

**PA 0114081.** SIC: 4952, **Clear-Run, Inc. (Woods-Edge Estates)**, R. R. 2, Box 551, Bloomsburg, PA 17815.

This proposed action is for renewal of an NPDES permit for discharge of treated sewage to an unnamed tributary of Fishing Creek in Orange Township, **Colombia County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is the Bloomsburg Municipal Water Authority.

The proposed effluent limits for Outfall 001, based on a design flow of 0.021 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10.0	10.0
Suspended Solids	10.0	20.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	10.0	20.0
(11-1 to 4-30)	30.0	60.0
Total Chlorine Residual	1.0	2.3
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	200/100 ml as a geometric average	
pH	6.0—9.0 su at all times	

The EPA waiver is in effect.

**PA 0114553.** Sewerage, SIC: 4952, **Millheim Borough Council**, P. O. Box 421, Millheim, PA 16854.

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

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.1 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Total Cl <sub>2</sub> Residual			0.05
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PA 0028703.** Sewage, **Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317.

This application is for an amendment of an NPDES permit to discharge treated sewage from the Donaldson Crossroads Sewage Treatment Plant in Peters Township, **Washington County**.

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

*Outfall 001:* existing discharge, design flow to be increased from 0.8 to 1.2 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub> (5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	9	13.5		18
(11-1 to 4-30)	20	30		40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0041114.** Sewage, **Kiskiminetas Springs School**, 1888 Brett Lane, Saltsburg, PA 15681.

This application is for renewal of an NPDES permit to discharge treated sewage from the Kiskiminetas Springs School STP in Loyalhanna Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kiskiminetas 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 Freeport Water Company.

*Outfall 001:* existing discharge, design flow of .04 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0094455.** Sewage, **Derry Township Municipal Authority** P. O. Box 250, New Derry, PA 15671.

This application is for renewal of an NPDES permit to discharge treated sewage from the Derry Township Municipal Authority, Dogwood Acres MHP STP in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as McGee Run, which are classified as a trout stocked 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 Saltsburg Municipal Water Works.

*Outfall 001:* existing discharge, design flow of .035 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	11	16.5		22
(11-1 to 4-30)	monitor and report			
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	15,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0102911.** Sewage. **Pennlakes Girl Scout Council, Inc.**, 220 West Plum Street, Edinboro, PA 16412.

This application is for renewal of an NPDES permit, to discharge sewage to Unnamed Tributary to Conneaut Creek in Sadsbury Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: high-quality warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at RMI 2.17 in the City of Franklin, which is approximately 36.4 miles below point of discharge.

The proposed discharge limits for Outfall 001, based on a design flow of 0.008400 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2	4
(11-1 to 4-30)	6	12
Total Phosphorus	monitor and report	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,200/100 ml as a geometric average
TRC (until 6/30/99) (after 6/30/99)		monitor and report
Total Residual Chlorine	0.2	0.5
Dissolved Oxygen	0.5	1.6
pH		minimum of 6.0 mg/l at all times 6.0—9.0 at all times

The EPA waiver is in effect.

**Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

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

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Office

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA-0063096	Seiders Hill, Inc. P. O. Box 359 Pottsville, PA 17901	Schuylkill North Manheim	West Branch of Schuylkill River	TRC

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-

finding hearing or an informal conference in response to any given protests. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**WQM Permit No. 2598403.** Sewage. **Erie Sewer Authority/City of Erie**, c/o Knox, McLaughlin, Gornall & Sennett, P. C., 120 West 10th Street, Erie, PA 16501-1461. This project is for the construction of headworks facility and overflow retention facility and associated onsite piping in the City of Erie, **Erie County**.

**WQM Permit No. 6198401.** Sewage. **Clintonville Borough Sewer and Water Authority**, P. O. Box 292, Clintonville, PA 16372. This project is for the modification to the sewage treatment plant to improve performance and effluent quality. This improvement includes new grit chamber, shredder/bar screen, settling tank, process pump station, renovation to existing tanks and process piping changes in Clintonville Borough, **Venango County**.

**WQM Permit No. 1698401.** Sewage. **Paint Township**, R. D. 1, Box 231 A, Shippensburg, PA 16254. This project is for the extension of an existing 8" sanitary sewer line and construction of one pump station and a 4" force to serve the Route 66 north area with treatment at the existing sewage treatment plant in Paint Township, **Clarion County**.

**WQM Permit No. 2498401.** Sewage. **Jay Township**, P. O. Box 186, Weedville, PA 15868-0186. This project is for the upgrade/expansion of the existing Weedville Wastewater Treatment Plant and extension of sanitary sewers to serve the Villages of Force, Byrnedale and two new areas of Weedville in Jay Township, **Elk County**.

**WQM Permit No. 2598402.** Sewage. **City of Erie**, 626 State Street, Room 400, Erie, PA 16501-1128. This project is for the Phase II Act 537 sewer improvements to include the construction of relief sewers for the City's West Side Interceptor and Liberty Street Sewer in the City of Erie, **Erie County**.

**INDIVIDUAL PERMITS  
(PAS)**

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses

should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

**NPDES Permit PAS10-PAS10-G299.** Stormwater. **Robert Sweeney, Jr.**, 116 Culbertson Run Road, Downingtown, PA 19335, has applied to discharge stormwater from a construction activity located in Honeybrook Township, **Chester County**, to West Branch Brandywine Creek.

**NPDES Permit PAS10-PAS10-G300.** Stormwater. **North 100 Partners**, P. O. Box 453, Chester Springs, PA 19425, has applied to discharge stormwater from a construction activity located in East Nantmeal Township, **Chester County**, to Birch Run.

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

**NPDES Permit PAS107203.** Stormwater. **Conewango Township Municipal Authority**, 4 Firemans Street, Warren, PA 16365, has applied to discharge stormwater from a construction activity located in Conewango Township, **Warren County**, to Morse Run and two unnamed tributaries, unnamed tributary Allegheny River, Jackson Run and nine unnamed tributaries.

**SAFE DRINKING WATER**

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

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

**A. 0597501.** Public water supply. **St. Clairsville Area Water Corporation**, East St. Clair Township, **Bedford County**. *Responsible Official:* Ella Imler, President, P. O. Box 284, Osterburg, PA 16667; *Type of Facility:* Modifications to the system include sedimentation tank, diatomaceous earth filtration, corrosion control treatment, booster pumps, 101,000 gallon storage tank and sludge holding tank; *Consulting Engineer:* Steve Sesack, P. E., Neilan Engineers Inc., 450 Aberdeen Drive, Somerset, PA 15501.

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

**A. 1098501.** Public water supply. **Connoquenessing Borough Authority**, Box 215, Connoquenessing, PA 16027. This proposal involves the construction of a new water booster pump station and water meter facilities for a new connection to the PA American Water Company's distribution system and approximately 750' of 12" water line to connect the two distribution systems in Connoquenessing Township, **Butler County**.

**A. 2598501.** Public water supply. **Erie City Water Authority**, 340 W. Bayfront Parkway, Erie, PA 16507. This proposal involves the construction of a booster pump station and transmission main to provide water service at elevations above that presently served along Station Road and along Jordan Road in Harborcreek Township, **Erie County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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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 1 (800) 654-5984.

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

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

**Station Square Property**, Whitmarsh Township, **Montgomery County**. Michael Gonshor, P. G., RT Envi-

ronmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with polycyclic aromatic hydrocarbons and surface water contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the Statewide health standard.

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

**Grove North America**, Antrim Township, **Franklin County**. Grove North America, Division of Kidde Industries, Inc., 1565 Buchanan Trail East, Shady Grove, PA 17256, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Chambersburg Public Opinion* on January 14, 1998.

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

**Greater Erie Industrial Development Corporation**, former Mac Erie site, 1110 Walnut Street, **Erie County**, City of Erie, has submitted a Notice of Intent to Remediate groundwater and soil. The site has been found to be contaminated with solvents and heavy metals. The applicant proposes to remediate the site to meet the Statewide health and background standards. The Notice of Intent to Remediate was reported to have been published in the *Erie Daily Times* and *Morning News* on December 22, 1997.

**Barron Oil Co., Erie County**, City of Erie, has submitted a Notice of Intent to Remediate groundwater. The site has been found to be contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was reported to have been published in the *Erie Times* on December 19, 1997.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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Sections 304 and 305 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 is used to identify 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 a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demon-

strates 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.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period a municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. 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 1 (800) 654-5984.

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

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

**Kvaerner Philadelphia Shipyard, Inc.**, City of Philadelphia, **Philadelphia County**. James M. Scott, III, Drinker, Biddle & Reath LLP, 1345 Chestnut St., Philadelphia, PA 19107, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, pesticides, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons. The site is located in a Special Industrial Area. The applicant's proposed remediation will address any immediate, direct or imminent threat to public health and the environment. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on January 14, 1998.

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

**General Battery Corporation**, Muhlenberg Township and Laureldale Borough, **Berks County**. General Battery Corporation, a subsidiary of Exide Corporation, P. O. Box 14205, Reading, PA 19601-4205 has submitted a Notice of Intent to Remediate site soils and sediment contaminated with lead. 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 *Reading Eagle Times* on January 20, 1998.

*Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.*

**Legionville Hollow Site**, Baden, Economy and Harmony Boroughs, **Beaver County**. Robertson CECO Corp., Suite 425, 5000 Executive Parkway, San Ramon, CA 94583 and H. Thomas Walsh, CEC, Inc., 601 Holiday Drive, Foster Plaza III, Pittsburgh, PA 15220 has submitted a Notice of Intent to Remediate soil, groundwater, surface water and sediment contaminated with heavy metals. The applicant proposes to remediate the site to meet a site specific (soils only) standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on January 7, 1998.

## SOLID AND HAZARDOUS WASTE BENEFICIAL USE DETERMINATIONS

**Request for Determination of Applicability received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

*Northwest Regional Office: Waste Management Program, 230 Chestnut Street, Meadville, PA 16335.*

Application received from **Standard Tool & Machine Company**, 205 East Carson Street, Pittsburgh, PA 15219-1189, for a determination of applicability on permit no. **WMGR038** originated by the Department for use of waste tires and tire-derived material as a fuel at approved facilities, civil engineering or construction material and feedstock in the manufacturing of consumer products. The facility is located at IUSS Industrial Park, Ellwood City, **Lawrence County**. The Department accepted the Standard Tool & Machine Company application as administratively complete on January 20, 1998.

### RESIDUAL WASTE PROCESSING FACILITIES

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

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

**A. WMGR038SE002. T. T. Recycling Inc.**, 5170 East Valley Road, Center Valley, PA 18034. Facility located in Springfield Township, **Bucks County**. Application was resubmitted for Determination of Applicability prior to conducting operations authorized by General Permit WMGR038 for waste tires and tire-derived material. Because operation under the general permit may involve construction material uses, a 60-day comment period is provided for public comment under section 287.642(c) of the Residual Waste Regulations. Application was received in the Southeast Regional Office on December 12, 1997.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

This Permit No. was incorrectly published in the December 13, 1997 *Pennsylvania Bulletin*.

**Permit No. WMGR038SC001. Penn Turf, Inc.** (R. R. 4, Box 624, Hollidaysburg, PA 16648). Application for general permit for the processing of tires at a site in Frankstown Township, **Blair County**. Application determined to be administratively complete in the Regional Office November 13, 1997.

## AIR POLLUTION OPERATING PERMITS

### Operating Permit applications received 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.*

**48-399-041: Bethlehem Apparatus Company, Inc.** (P. O. Box Y, Hellertown, PA 18055) for the operation of a building ventilation system with air pollution control by carbon filters in Hellertown Borough, **Northampton County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Blvd., Harrisburg, PA 17110, (717) 657-4587.*

**06-302-141D: Sunsweet Growers, Inc.** (105 South Buttonwood Street, Fleetwood, PA 19522) for three boilers in Fleetwood, **Berks County**. Two of the boilers are subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**8-318-026: E. I. duPont de Nemours and Company, Inc.** (R. D. 1, Box 15, Towanda, PA 18848-9784) for the operation of an extrusion die PET film coater (#9) and associated air cleaning device (a recuperative thermal oxidizer) in North Towanda Township, **Bradford County**.

**8-316-005A: Masonite Corporation** (P. O. Box 311, Towanda, PA 18848) for the operation of hardboard pretrim saws (Line I and II) and associated air cleaning device (a scrubber) in Wysox Township, **Bradford County**.

**47-318-007D: Cabinet Industries, Inc.** (400 Railroad Street, Danville, PA 17821) for the operation of three dip tanks and three wiping areas associated with a wood furniture finishing operation in Danville Borough, **Montour County**.

### 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 (relating to operating permit requirements) and G (relating to title V operating permits).

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

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons 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, One Ararat Boulevard, Harrisburg, PA 17110, Attn: Kanubhai L. Patel, (717) 657-4587.*

**21-05003: Carlisle Tire & Wheel Company** (P. O. Box 99, Carlisle, PA 17013) in Carlisle, **Cumberland County**. The facility's major sources include tire cementing operations which primarily emit volatile organic compounds.

### PLAN APPROVALS

### Plan Approval applications received 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.*

**35-302-102: P E I Power Corporation** (One PEI Center, Wilkes-Barre, PA 18711) for the modification of three boilers at the Archbald Power Plant, Archbald Borough, **Lackawanna County**.

**39-302-155A: The Coca-Cola Company** (7551 Schantz Road, Allentown, PA 18106) for the modification of a natural gas fired boiler in Allentown, **Lehigh County**.

**40-309-039: Schott Glass Technologies, Inc.** (400 York Ave., Duryea, PA 18642) for the construction of three glass melting furnaces with oxy-firing in Duryea Borough, **Luzerne County**.

**40-320-007: Offset Paperback Co.** (Route 309, P. O. Box N, Dallas, PA 18612) for the construction of a nonheat lithographic press in Dallas Borough, **Luzerne County**.

**48-313-078A: Foamex, L. P.** (1000 Columbia Ave., Linwood, PA 19061-3997) for the modification of a flexible slabstock polyurethane foam operation in Williams Township, **Northampton County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Blvd., Harrisburg, PA 17110, (717) 657-4587.*

**06-3015A: Construction Fasteners, Inc.** (P. O. Box 6326, Reading, PA 19610) for installation of two scrubbers to control an E-coating line in Exeter Township, **Berks County**.

**21-317-059: Quaker Oats Co.** (St. Johns Church Road, Shiremanstown, PA 17011) for the construction of a wheat dryer and modification to an existing baghouse in Hampden Township, **Cumberland County**.

**36-317-019B: Warner-Lambert Company** (400 West Lincoln Avenue, Lititz, PA 17543) for the installation of two dry ingredient mixer hoppers controlled by an existing dust collector at their Lititz facility in Lititz Borough, **Lancaster County**.

**67-309-042C: J. E. Baker Co.** (P. O. Box 1189, York, PA 17405) for modification of operating requirements for a kiln incinerator in West Manchester Township, **York County**.

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**49-302-051A: Pocono Village Farms L. P.** (P. O. Box C, Mt. Carmel, PA 17851) for the construction of two natural gas/#2 fuel oil-fired boilers in Mt. Carmel Township, **Northumberland County**. These boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

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

**PA-37-291A: Lafarge Corporation** (Route 551, Pulaski, PA 16143) for the resubmission of a plan approval for the construction of a slag processing facility (400 tons/hour) in Pulaski, **Lawrence 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 Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### Coal Applications Received

**56920114.** Permit Renewal. **Sanner Energies, Inc.** (1179 Rockdale Road, Rockwood, PA 15557-6409), commencement, operation and restoration of bituminous strip mine in Southampton Township, **Somerset County**, affecting 278.5 acres, receiving stream unnamed tributaries to North Branch of Jennings Run, Jennings Run, and unnamed tributaries to Jennings Run. Application received January 16, 1998.

**56930102.** Permit Renewal. **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), commencement, operation and restoration of bituminous strip mine in Shade Township, **Somerset County**, affecting 280.0 acres, receiving stream Hinson Run, unnamed tributary to Hinson Run, two unnamed tributaries to Shade Creek, and Shade Creek. Application received January 21, 1998.

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

**32920105.** Permit Renewal. **M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of bituminous strip mine in Buffington Township, **Indiana County**, affecting 143.6 acres, receiving stream Mardis Run. Application received January 22, 1998.

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

**65840119.** **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Application received to revise permit for a stream relocation at a bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 630 acres. Receiving streams: unnamed tributary

to Stony Run, unnamed tributary to McGee Run. Application received: January 8, 1998.

**65970103. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Application received to revise permit for a stream relocation at a bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 105 acres. Receiving streams: unnamed tributary to Stony Run, unnamed tributary to McGee Run. Application received: January 8, 1998.

**65960107. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision received to change postmining land use from forestland to recreation on the Amerikohl Mining, Inc. property on an existing bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**. Receiving streams: unnamed tributaries to Laurel Run to Jacobs Creek to the Youghiogheny River and Jacobs Creek to the Youghiogheny River. Revision application received: January 12, 1998.

**02980101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface mine located in Findlay and North Fayette Townships, **Allegheny County**, proposed to affect 16.1 acres. Receiving streams: Potato Garden Run to Raccoon Run to Ohio River; unnamed tributaries to Little Raccoon Run to Raccoon Run to the Ohio River. Application received: January 8, 1998.

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

**24870101. Tamburlin Brothers Coal Company** (P. O. Box 1419, Clearfield, PA 16830-5419). Renewal of an existing bituminous surface and auger operation in Fox Township, **Elk County**, affecting 81.0 acres. Receiving streams: unnamed tributaries of Toby Creek to Toby Creek to the Clarion River to the Allegheny River. Application received January 5, 1998.

**33920109. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849). Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County** affecting 315.0 acres. Receiving streams: Trout Run, McCreight Run, Unnamed tributary to Soldier Run. Application received: January 14, 1998.

**33960106. R & L Coal Corp.** (P. O. Box 26, Punxsutawney, PA 15767). Revision to an existing bituminous strip operation to add auger mining in Oliver Township, **Jefferson County** affecting 66.7 acres. Receiving streams: Unnamed tributary to Hadder Run and Hadder Run. Application received: January 15, 1998.

**10820139. Quality Aggregates, Inc.** (P. O. Box 9347, 200 Neville Road, Neville Island, PA 15225). Transfer of an existing bituminous surface strip and beneficial use-coal ash placement operation in Venango Township, **Butler County** affecting 102.8 acres. Receiving streams: Seaton Creek and three unnamed tributaries thereto; Seaton Creek tributary to Slippery Rock Creek. Transfer from Tiche Limestone and Construction Co. Application received January 21, 1998.

**24880101. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, auger, tippel refuse disposal and Fly Ash/Bottom Ash disposal operation in Horton Township, **Elk County** affecting 361.0 acres. This renewal is for reclamation only. Receiving streams: Unnamed tributaries of Mead Run and Unnamed tributaries of West Branch Walburn Run. Application received January 21, 1998.

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

**35910102R. Silverbrook Anthracite, Inc.** (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Archbald Borough, **Lackawanna County** affecting 1,000.3 acres, receiving stream unnamed tributary to Aylesworth Creek. Application received December 22, 1997.

**40743011T. Coal Contractors, (1991), Inc.** (Gowen Mine, Fern Glen, PA 18241), transfer of an existing anthracite surface mine operation from Brook Contracting Corp. in Hazle Township, **Luzerne County** affecting 582.0 acres, receiving stream Little Nescopeck Creek. Application received December 24, 1997.

**40663024T. Coal Contractors, (1991), Inc.** (Gowen Mine, Fern Glen, PA 18241), transfer of an existing anthracite surface mine operation from Pagnotti Coal Company in Hazle Township, **Luzerne County** affecting 780.0 acres, receiving stream none. Application received December 24, 1997.

**54981301. Par L Coal Company** (R. R. 1, Box 56A, Hegins, PA 17938), commencement, operation and restoration of an anthracite underground mine operation in Frailey Township, **Schuylkill County** affecting 2.1 acres, receiving stream unnamed tributary to Coal Run. Application received December 29, 1997.

**54930101R. J & L Coal Company** (R. R. 4, Box 4225, Pottsville, PA 17901), renewal of an anthracite surface mine operation in Branch Township, **Schuylkill County** affecting 100.0 acres, receiving stream Schaefer Creek. Application received January 6, 1998.

**49981301. G.A.L. Mining** (R. R. 2, Box 852, Coal Township, PA 17866), commencement, operation and restoration of an anthracite deep mine operation in Coal Township, **Northumberland County** affecting 70.0 acres, receiving stream Shamokin Creek. Application received January 7, 1998.

**54910205R. CLS Coal Company** (P. O. Box 81, Port Carbon, PA 17965), renewal of an existing coal refuse reprocessing operation in West Mahanoy Township, **Schuylkill County** affecting 12.5 acres, receiving stream none. Application received January 8, 1998.

**40980103. No. 1 Contracting Corporation** (1001 Wilkes-Barre Township, Boulevard, Wilkes-Barre, PA 18702), commencement, operation and restoration of an anthracite surface mine/refuse disposal/bank removal operation in Hazle and Banks Townships, **Luzerne and Carbon Counties**, affecting 27.0 acres, receiving stream Wetzel Creek. Application received January 8, 1998.

**54920102R. Green Power, Inc.** (P. O. Box 126, Paxinos, PA 17860), renewal of an existing anthracite surface mine operation in Foster and Hegins Townships, **Schuylkill County** affecting 245.0 acres, receiving stream Hans Yost Creek. Application received January 12, 1998.

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

*Noncoal Applications Received*

**03910401R. M & M Lime Co., Inc.** (R. D. 1, Box 257M, Worthington, PA 16262). NPDES Renewal application received for an existing noncoal surface mine located in West Franklin and Clearfield Townships, **Armstrong and Butler Counties**. Receiving stream Buffalo Creek. NPDES Renewal application received: January 5, 1998.

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

**38A76SM8. New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, Church Street, New Enterprise, PA 16664). Renewal of an existing sand and gravel operation in Snyder Township, **Jefferson County** affecting 55 acres. Receiving streams: Little Toby Creek to Clarion River. Renewal of NPDES Permit No. PA0211711. Application received January 8, 1998.

**10980302. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a limestone operation in Cherry and Slippery Rock Townships, **Butler County** affecting 119.9 acres. Receiving streams: Slippery Rock Creek, McMurray Run and unnamed tributaries to McMurray Run to McMurray Run to Slippery Rock Creek to Connoquenessing Creek to Beaver Run. Application received January 9, 1998.

**43820603. Larry G. Temple** (228 Georgetown Road, Hadley, PA 16130). Transfer of an existing sandstone and shale pit operation from Custom Crushing LTD in Mill Creek Township, **Mercer County** affecting 11.8 acres. Receiving streams: one unnamed tributary to Mill Creek. Application received January 16, 1998.

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

**8274SM6C4. Binkley & Ober, Inc.** (P. O. Box 7, East Petersburg, PA 17520), renewal of NPDES Permit No. PA0595349 in East Hempfield Township, **Lancaster County**, receiving stream unnamed tributary to Little Conestoga Creek. Application received January 7, 1998.

**5273SM1T. Pyramid Land Development, Inc.** (414 W. Knowlton Road, Media, PA 19063), transfer of an existing quarry operation from Pyramid Land Development Company in Aston Township, **Delaware County** affecting 28.0 acres, receiving stream Chester Creek. Application received December 18, 1997.

**0179301T. Barre Granite Quarries, LLC** (P. O. Box 9323, South Burlington, VT 05407-9323), transfer of an existing quarry operation from Wilson C. Clapsaddle in Mt. Joy Township, **Adams County** affecting 16.0 acres, receiving stream unnamed tributary to Rock Creek. Application received January 2, 1998.

**01970301T. Barre Granite Quarries, LLC** (P. O. Box 9323, South Burlington, VT 05407-9323), transfer of an existing quarry operation from National Earth Products, Inc. in Mt. Joy Township, **Adams County** affecting 12.7 acres, receiving stream none. Application received January 2, 1998.

**64900302C2. Ciccone Construction, Inc.** (R. R. 2, Box 1575, Honesdale, PA 18431), renewal of NPDES Permit No. PA0595047 in Palmyra Township, **Wayne County**, receiving stream unnamed tributary to Middle Creek. Application received December 26, 1997.

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

*Industrial Minerals NPDES Permit Renewal Applications Received*

**4077SM7. Commonwealth Stone, Inc.** (1898 North Center Avenue, Somerset, PA 15501-7013) renewal of NPDES Permit No. PA0212580, Jenner Township, **Somerset County**, receiving streams Roaring Run and Quemahoning Creek. NPDES renewal application received January 21, 1998.

**29890301. K. G. Richards** (810 Lincoln Way, McConnellsburg, PA 17233), renewal of NPDES Permit No.

PA0212504, Todd Township, **Fulton County**, receiving stream Licking Creek. NPDES renewal application received January 22, 1998.

## APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

### ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (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 1 (800) 654-5984.

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

*Central Office: Bureau of Water Quality Protection, Division of Waterways, Wetlands and Erosion Control, 400 Market Street, 10th Floor, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827.*

**E11-18. Encroachment. GPU Energy**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. GPU Energy submitted a request for permit amendment to Permit No. E11-18. Permit No. E11-18 was issued on April 23, 1981, and authorized the Pennsylvania Electric Company (Penelec) to construct, modify, abandon or remove overhead and underground electric facilities in or across the 100-year flood plain in municipalities and counties within Penelec's service area. Metropolitan Edison Company (Met-Ed) and Penelec are now doing business as GPU Energy. Therefore, GPU Energy would like to include both service territories in Permit No. E11-18. The service territory of Penelec includes all or part of **Armstrong, Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Cumberland, Elk, Erie, Forest, Franklin, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lycoming, McKean, Mifflin, Perry, Potter, Somerset, Sullivan, Susquehanna, Tioga, Venango, Warren, Wayne, Westmoreland and Wyoming Counties**. The service territory of Met-ED includes all or part of **Adams, Berks, Bucks, Chester, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Perry, Pike and York Counties**.

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

**E35-290.** Encroachment. **Clarks Summit Borough**, 304 South State Street, Clarks Summit, PA 18411. To maintain a 64-inch × 43-inch pipe arch culvert in a tributary to Ackerly Creek (CWF). The project is located at the intersection of Marion Street and Tributary B (Scranton, PA Quadrangle N: 20.9 inches; W: 11.2 inches) in the City of Scranton, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

**E35-291.** Encroachment. **City of Scranton**, Rear 801 Providence Road, Scranton, PA 18508. To remove the existing structure and to construct and maintain a single-span pre-stressed concrete adjacent box beam bridge having a span of 106.5 feet and a minimum underclearance of 16.25 feet on an 82° skew across the Lackawanna River (WWF). 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** (Baltimore District, Army Corps of Engineers).

**E39-340.** Encroachment. **Borough of Emmaus**, 28 South 4th Street, Emmaus, PA 18049. To remove the existing structure and to construct and maintain a 250 linear foot long, 6-foot by 3-foot concrete box stream enclosure in a tributary to Little Lehigh Creek (HQ-CWF). The project is located along the southwestern side of Klines Lane immediately upstream of the intersection of S. R. 2005 (Main Street) and Klines Lane (Allentown East, PA Quadrangle N: 7.3 inches; W: 15.5 inches) in Emmaus Borough, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

**E39-341.** Encroachment. **Pennsylvania Department of Transportation, District 5-0**, 173 Lehigh Street, Allentown, PA 18103-4727. To remove the existing structure and to construct and maintain a 12-foot × 2-foot precast concrete box culvert in Schaefer Run (HQ-CWF). The project is located on S. R. 3011 approximately 0.1 mile south of the intersection of S. R. 0222 and S. R. 3011 (Topton, PA Quadrangle N: 7.9 inches; W: 6.5 inches) in Upper Macungie Township, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

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

**E40-483.** Encroachment. **Rudy and Sharon Kranys**, Box 402, R. R. 1, Harveys Lake, PA 18618. To remove the existing dock decking and to construct and maintain a dock, with a boathouse and gazebo, on existing pilings in Harveys Lake. The structure, as proposed, has an overall width of approximately 54 feet, and a total lake coverage of approximately 1,900 square feet, and extends approximately 49 feet from the shoreline. The project is located at Pole No. 25 (Harveys Lake, PA Quadrangle N: 20.2 inches; W: 4.6 inches), in Harveys Lake Borough, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E40-484.** Encroachment. **Butler Enterprises, Inc.**, 8 West Broad Street, Hazleton, PA 18201. To place fill in 2.08 acres of PFO wetlands in the drainage basin of Dreck Creek (HQ-CWF), for the purpose of constructing an office building and associated parking on a 2.48-acre commercial parcel. The project, known as the East Broad Street Development, is located on the south side of S. R. 0093, approximately 0.8 mile west of the intersection of S. R. 0093 and S. R. 3019 (Hazleton, PA Quadrangle N: 11.8 inches; W: 10.3 inches), in the City of Hazleton, **Luzerne County** (Philadelphia District, U. S. Army Corps of Engineers).

**E45-347.** Encroachment. **Pocono Commons Associates, L.L.C.**, 1765 Merriman Road, Akron, OH 44313. To place fill in approximately 0.41 acre of PFO wetlands for the purpose of constructing a commercial-retail complex known as Pocono Commons. The project is located on the northern side of S. R. 0611 at the intersection of S. R. 0611 and T498 (White Stone Corner Road) (Stroudsburg, PA-NJ Quadrangle N: 22.0 inches; W: 16.5 inches) in Stroud Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

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

**E14-315.** Encroachment. **Orazio and Martha Nastase**, P. O. Box 265, Bellefonte, PA 16823. To realign, operate and maintain the channel of an unnamed tributary to Spring Creek for the development of a commercial facility and its appurtenances. The realignment work shall consist of constructing a channel that has a length of 150 feet, a depth of 6.3 feet and side slopes of 1 foot vertical to 2 foot horizontal. The project is located along the western right-of-way of SR 0550 approximately 1,500 feet west of the intersection of SR 0026 and SR 0550 (Mingoville, PA Quadrangle N: 7.3 inches; W: 16.8 inches) in Spring Township, **Centre County**. Estimated stream disturbance is approximately 150 feet with no wetland impacts; stream classification is CWF.

**E14-316.** Encroachment. **Pennsylvania Department of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a twin cell precast concrete box culvert with each cell having a span of 14 feet and rise of 9 feet, depressed 1 foot below the stream bed in Six Mile Run located on SR 504 next to Six Mile Road (Black Moshannon, PA Quadrangle N: 6.12 inches; W: 2.75 inches) in Rush Township, **Centre County**. Estimated stream disturbance is 100 feet with no wetland impacts; stream classification is HQ.

**E14-317.** Encroachment. **Pennsylvania Department of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a precast, post tensioned, single cell box culvert depressed 1 foot below the streambed with a clear span of approximately 20 feet on a left skew of 45 degrees and a underclearance of 5 feet. The project is located on PA 504 over Black Bear Run approximately 18 miles west of the intersection of routes PA 504 and US 220 (Philipsburg, PA Quadrangle N: 4.7 inches; W: 3.95 inches) in Rush Township, **Centre County**. Estimated stream disturbance is approximately 70 feet with no wetland impacts; stream classification is Exceptional Value.

**E18-246.** Encroachment. **International Paper Co.**, Lock Haven Mill, P. O. Box 268, Lock Haven, PA 17745-0268. To operate and maintain an existing spillway

structure and wood piling in and under the canal wall in the vicinity of the spillway of the Pennsylvania Canal system. The sub facility is located on the south side of Rt. 150 approximately one half mile east of the intersection of Rt. 150 with US Rt. 220 (Mill Hall, PA Quadrangle N: 22.1 inches; W: 13.2 inches) in Flemington Borough, **Clinton County**. Estimated stream disturbance is approximately 145 feet with no wetland impacts; stream classification is WWF.

**E18-248.** Encroachment. **Western Clinton County Municipal Authority**, P. O. Box 363, Renovo, PA 17764. To stabilize with concrete and riprap and maintain an 8 inch and 12 inch concrete encased sanitary sewer line under Paddy Run located just upstream and downstream of the SR 120 bridge (Renovo East, PA Quadrangle N: 15 inches; W: 14 inches) in Renovo Borough, **Clinton County**. Estimated stream disturbance is 150 feet with no wetland impacts; stream classification is EV.

**E41-417.** Encroachment. **Washington Township Supervisors**, R. R. 1, Allenwood, PA 17810. To remove the existing bridge and to construct and maintain a 48 inch diameter and 60 inch diameter corrugated metal pipe with a 75 degree skew with the associated R-7 riprap bank in an unnamed tributary of Spring Creek located 500 feet north on a private drive from SR 2001 (Montoursville South, PA Quadrangle N: 8.02 inches; W: 14.39 inches) in Washington Township, **Lycoming County**. Estimated stream disturbance is 45 linear feet of permanent impact; stream classification is TSF.

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

**E63-445.** Encroachment. **Roger F. Dolanch**, 2498 Washington Road, McMurray, PA 15317. To construct and maintain a 300 foot long stream enclosure consisting of a 16.6 foot x 10.1 foot high steel plate arch culvert in an unnamed tributary to Brush Run (WWF) for the purpose of constructing a parking lot on the north side of Washington Road, approximately 2,700 feet north from the intersection of Valley Brook Road and S. R. 19 (Bridgeville, PA Quadrangle N: 8.4 inches; W: 14.1 inches) in Peters Township, **Washington County**.

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

**E37-116.** Encroachment. **Pulaski Township**, Pulaski Township Supervisor, Pulaski, PA 16143. To remove the existing structure and to construct and maintain a precast reinforced concrete spread box beam bridge with a clear normal span of 30 feet and an underclearance of 13.55 feet on T-382 (English Road) across Buchanan Run (WWF). The project is located on T-382 across Buchanan Run approximately 800 feet north of the intersection of T-382 and SR 0208 (Edinburg, PA Quadrangle N: 22.3 inches; W: 2.9 inches) located in Pulaski Township, **Lawrence 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, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**EA15-021C0.** Environmental Assessment. **Terramics Management Company** (1830 West Swedesford Road,

South Point, Building #2, Berwyn, PA 19312). To construct and maintain a nonjurisdictional dam across a tributary to East Branch Chester Creek (TSF) for the purpose of stormwater management at Lot 21 of the Brandywine Industrial Park located approximately 550 feet southwest of the intersection of Airport Road and Ward Avenue (West Chester, PA Quadrangle N: 20.6 inches; W: 10.8 inches) in West Goshen Township, **Chester County**.

#### WATER ALLOCATIONS

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

*Southcentral Regional Office: Field Operations, Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4692.*

**WA 36-574E.** Water allocation. **East Petersburg Borough Water Authority, Lancaster County**. The applicant is requesting the right to increase its allocation from the City of Lancaster Authority to 500,000 gpd (30-day average flow) with a maximum daily flow of 700,000 gpd.

#### 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.

**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.*



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

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 Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*General Permit Type—PAG 2*

*Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Crawford Co. Cambridge Springs Boro.	PAR102301-R	State Correctional Facility Cambridge Springs PA Dept. of General Services 18th & Herr Streets Tent Building Harrisburg, PA 17120	French Creek	Crawford Conservation District 1012 Water St., Suite 18 Meadville, PA 16335 (814) 724-1793
Crawford Co. Vernon Twp.	PAR102306-R	Meadville Walmart Supercenter Walmart Stores, Inc. 701 S. Walton Blvd. Bentonville, AR 72716	UNT Watson Run	Crawford Conservation District 1012 Water St., Suite 18 Meadville, PA 16335 (814) 724-1793
Crawford Co. Vernon Twp.	PAR102309-R	Scott's Dev. Company Scott's Meadville Inn & Rest. Nicholas Scott P. O. Box 3306 Erie, PA 16508	UNT Van Horne Crk.	Crawford Conservation District 1012 Water St., Suite 18 Meadville, PA 16335 (814) 724-1793
Snyder County Monroe Twp.	PAR105912	Lowes Companies Inc. 1203 School St. Wilkesboro, NC 28697	Penns Creek	Snyder CCD 403 West Market St. Middleburg, PA 17842 (717) 327-0085
Snake Spring Valley Twp. Bedford Co.	PAR-10-0407-R	Memorial Hospital of Bedford Co. R. D. 1, Box 80 Everett, PA 15537-9513	Tributary to Raystown Branch	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
East St. Clair Twp. Bedford Co.	PAR-10-0411-R	James Webb P. O. Box 83 4125 Federal Hill Rd. Jaccetsville, MD 21084	Tributary to Bob's Creek	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Juniata Twp. Bedford Co.	PAR-10-0413-R	Lois Foy 442 Lake Manor Drive East Berlin, PA 17316	Raystown Branch	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Bedford Twp. Bedford Co.	PAR-10-0415-R	Bedford Area School District 330 East John St. Bedford, PA 15522	Raystown Branch	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Kimmel Twp. Bedford Co.	PAR-10-0416-R	Merle L. Hevston 849 Third Ave. Duncansville, PA 16635	Beaverdam Crk.	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Harriston Twp. Bedford Co.	PAR-10-0417-R	Dolores W. Holler 17626 York Rd. Hagerstown, MD 21740	Buffalo Run	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
East St. Clair Twp. Bedford Co.	PAR-10-0420-R	Joe Klucker R. D. 1, Box 66A New Paris, PA 15554	Tributary to Adams Run	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Napier Twp. Bedford Co.	PAR-10-0421-R	William Wodent 18 Gephart Ave. Bedford, PA 15522	Tributary to Shawnee Branch	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
West Providence Twp. Bedford Co.	PAR-10-0422-R	Daniel W. Klock 1812 Timberline Rd. Altoona, PA 16601	Raystown Branch	Bedford CCD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Exeter Twp. Berks County	PAR-10-C198	Overlook Woods Fodolfo Folino 68 Southampton Dr. Reading, PA 19610	Municipal Storm Sewer	Berks CCD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Penn Twp. Lancaster Co.	PAR-10-O-286	Al Hamilton 55 Doe Run Rd. Box 157 Manheim, PA 17545	Little Conestoga Crk.	Lancaster CCD 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
East Earl Twp. Lancaster Co.	PAR-10-O-291	Weaverland Auction 485 Quarry Rd. New Holland, PA 17557	Conestoga River	Lancaster CCD 1383 Arcadia Road Room 6 Lancaster, PA 17601 (717) 299-5361
Carroll Twp. York Co.	PAR-10-Y201-R	GlenCarron Estates Robert M. McKendrick 154 Calvary Church Rd. Wrightsville, PA 17368	Stony Run	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Twp. York Co.	PAR-10-Y294	Rain Tree Masonry Contractors 4219 Hanover Pike Manchester, MD 21102-1499	UNT to Little Conewago Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Twp. York Co.	PAR-10-Y155-R	Sheridan Manor S & A Custom Built Homes Inc. 501 Rolling Ridge Drive State College, PA 16801	Codorus Crk.	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
New Freedom Borough York Co.	PAR-10-Y246-R	Carrington Crossing S & A Custom Built Homes, Inc. 501 Rolling Idge Dr. State College, PA 16801	South Branch Codorus Crk.	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Carroll Twp. York Co.	PAR-10-Y111-R	Greenbriar Glen Phase IV Vernon Anderson 19A North Baltimore St. Dillsburg, PA 17019	Fisher Run	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Twp. York Co.	PAR-10-Y148-R	Deer Run III Michael S. Green Deer Run Associates—Fairview 4075 Market Street Camp Hill, PA 17011	Fishing Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Windsor Twp. York Co.	PAR-10-Y112-R	Keystone Custom Homes Windsor Crossings 214A Willow Valley Lakes Drive Willow Street, PA 17584	Cabin Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Paradise Twp. York Co.	PAR-10-Y200-R	North Ridge Section 2 Stephen Brent R. D. 8, Box 40 York, PA 17403	UNT to Beaver Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Codorus Twp. York Co.	PAR-10-Y115-R	Noss Village Hollis McKinney R. D. 10, Box 184N York, PA 17404	West Branch Codorus Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Twp. York Co.	PAR-10-Y216-R	Chestnut Heights Vito Spagnola 449 Penn Blvd. York, PA 17402	UNT to Mill Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Twp. Perry County	PAR-10-5120	Furnley Frisch 291 Sawmill Road Duncannon, PA	Unt to Cove Creek	Perry CCD P. O. Box 36 31 W. Main Street New Bloomfield, PA 17068 (717) 582-8988
Lykens Twp. Dauphin Co.	PAR-10-I137	Vernon L. Gessner 496 Luxemburg Rd. Lykens, PA 17048	Deep Creek	Dauphin CCD 1451 Peters Mountain Rd. Dauphin, PA 17018 (717) 921-8100

*General Permit Type—PAG 3*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Old Forge Borough Lackawanna Co.	PAR802219	Overnite Transportation Co. P. O. Box 1216 Richmond, VA 23218	Lackawanna River	Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2511 Water Quality
Albion Borough Erie Co.	PAR208309	Frank C. Endean, Jr. Endean Industries, Inc. 31 Euclid St. Albion, PA 16401	Tributary to Conneaut Crk.	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Warren City Warren Co.	PAR808366	Allegheny & Eastern Railroad, Inc. 316 Pine St. Warren, PA 16365	Municipal Storm Drain and then to Allegheny	Northwest Regional Office 230 Chestnut St. Meadville, PA 16365-3481 (814) 332-6942

*General Permit Type—PAG 4*

*Facility Location  
County and  
Municipality*

*Permit No.*

*Applicant Name  
and Address*

*Receiving Stream  
or Body of Water*

*Contact Office and  
Telephone No.*

Westmoreland Co.  
Derry Twp.

PAG046142

Robert Garris  
1100 Whitney Court  
Drive-No. 5  
Latrobe, PA 15650

Union Run

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

Columbus Twp.  
Warren County

PAG048469

Fred E. and Katherine  
Kemp Jensen  
R. D. 1, Box 14A  
Columbus, PA 16405

Unnamed  
Tributary  
to Coffee Creek

Northwest Region  
Water Management  
230 Chestnut St.  
Meadville, PA  
16335-3481  
(814) 332-6942

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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

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

*Location: Sergeant Township, McKean County, Ser-  
geant Township Supervisors, P. O. Box 1A, Clermont  
S. R., Mt. Jewett, PA 16740.*

*Project Description: This approved project proposes con-  
struction of a small diameter septic tank effluent dis-  
charge collection and conveyance system to sewer a  
portion of the Village of Clermont. A 12,500 gpd extended  
aeration package wastewater treatment plant will also be  
built. The Department's review of the sewage facilities  
update revision has not identified any significant environ-  
mental impacts resulting from this proposal.*

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drink-  
ing Water Act (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 0997518.** Public water supply. **Olde Colo-  
nial Greene Home Owners' Association**, James M.  
Kilgannon, One Olde Colonial Drive, Doylestown, PA  
18901. A permit has been issued to Olde Colonial Greene  
granting permission to apply soda ash to the water from  
Well Nos. 1 and 2 for corrosion control treatment in  
Doylestown Township, **Bucks County**.

*Type of Facility: Public Water Supply System.*

*Consulting Engineer: Weldon C. Harris E. Associates,  
P. O. Box 1361, Doylestown, PA 18901.*

*Permit to Construct Issued: January 20, 1998.*

*Regional Office: Northcentral Field Operations, Envi-  
ronmental Program Manager, 208 West Third Street, Suite  
101, Williamsport, PA 17701.*

**A. M. A.** The Department issued an operating permit  
to **Dushore Borough** (216 Julia Street, Dushore, PA  
18614, Dushore Borough, **Sullivan County**) for operation

of the recently constructed 218,000 finished water storage  
tank and 4 inch diameter ductile iron transmission line  
from Well No. 2 to the chlorination building.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 3**

**The following final reports were submitted under  
the Land Recycling and Environmental Remedia-  
tion 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 (Depart-  
ment) to publish in the *Pennsylvania Bulletin* a notice of  
submission of any final reports. A final report is submit-  
ted 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 se-  
lecting the environmental media of concern, documenta-  
tion 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 remedia-  
tion has attained the cleanup standard selected.

For further information concerning the final report,  
contact the Environmental Cleanup Program in the De-  
partment's Regional Office under which the notice of  
receipt of a final report appears. If information concern-  
ing a final report is required in an alternative form,  
contact the community relations coordinator at the appro-  
priate Regional Office listed. TDD users may telephone  
the Department through the AT&T Relay Service at 1  
(800) 654-5984.

The Department has received the following final re-  
ports:

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

**National Linen Services**, City of Philadelphia, **Phila-  
delphia County**. Samuel J. Kucia, Project Engineer,  
Pennoni Associates, 3001 Market St., Philadelphia, PA

19104, has submitted a Final Report concerning remediation of site soil contaminated with solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The report is intended to document remediation of the site to meet Statewide health standards with the exception of benzene and methyl chloride in groundwater which was reported to have been remediated to a site-specific standard.

*Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.*

**Ramsey Sturman Ford, (Hydraulic Lift Area),** West Mifflin Borough, **Allegheny County.** Thomas W. Weaver, 200 Marshall Drive, Coraopolis, PA 15108 has submitted a Final Report addressing soil contaminated with PHCs. The report is intended to document remediation of the site to meet the Statewide health standard.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

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

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

**Price Trucking Corp.,** P. O. Box 70, Buffalo, NY 14220; License No. **PA-AH 0371**; amended license issued January 13, 1998.

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

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

**Allwaste Environmental Services of Atlanta,** P. O. Box 517, Forest Park, GA 30051-0517; License No. **PA-AH 0406**; renewal license issued January 8, 1998.

**Barbish Environmental Services,** Route 22 East, P. O. Box 515, New Alexandria, PA 15670; License No. **PA-AH 0513**; renewal license issued January 13, 1998.

**Casie Ecology Oil Salvage, Inc., t/a Casie,** P. O. Box 92, Franklinville, NJ 08322; License No. **PA-AH 0307**; renewal license issued January 8, 1998.

**C. J. Langenfelder & Son, Inc.,** 8427 Pulaski Highway, Baltimore, MD 21237; License No. **PA-AH 0405**; renewal license issued January 8, 1998.

**Elk Transportation, Inc.,** 1418 Carbon Street, Reading, PA 19061; License No. **PA-AH 0509**; renewal license issued January 6, 1998.

**Logano Transportation Company, Inc.,** P. O. Box 186, Portland, CT 06480-0186; License No. **PA-AH 0424**; renewal license issued January 23, 1998.

**Price Trucking Corp.,** 67 Beacon Street, Buffalo, NY 14220; License No. **PA-AH 0371**; renewal license issued January 8, 1998.

**U. S. Bulk Transport, Inc.,** 6286 Sterrettania Road, Fairview, PA 16415; License No. **PA-AH 0408**; renewal license issued January 23, 1998.

**Valley City Disposal, Inc.,** 1040 Market Street SW, Grand Rapids, MI 49503; License No. **PA-AH 0410**; renewal license issued January 23, 1998.

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

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

**J.D.L. Leasing,** 7-A Madison Drive, Zelienople, PA 16063-9703; License No. **PA-AH S232**; license expired on December 31, 1997.

**Hazardous Waste Transporter License voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.**

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

**CWM Chemical Services, Inc.,** 1550 Balmer Road, Model City, NY 14107; License No. **PA-AH 0503**; license terminated January 7, 1998.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 101494. Waste Management of PA, Inc., G.R.O.W.S. Inc. Landfill,** 1000 New Ford Mill Road, Morrisville, PA 19067, Falls Township, **Bucks County,** was issued a major permit modification to the gas management plan for the direct sale of landfill gas to PECO Energy. Also included in the permit modification is an equivalency to allow for the use of angular AASHTO#57 stone as protective cover. An equivalency for a rounded to subangular AASHTO#57 stone had been previously approved. The permittee wished to change suppliers of stone with the new supply of stone being more angular than that originally tested and approved. The permittee submitted a new equivalency request for the more angular (sharp edged) stone. Condition six of the modification includes restrictions governing the utilization of the equivalency and may be obtained from the regional office. With the issuance of this major modification, this equivalency is placed on the Statewide equivalency list. Permit modification issued by the Southeast Regional office on January 9, 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, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4588.*

**Permit No. 603339. Mil-Joy Farm, BFI** (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked because BFI is currently not planning any operations for this agricultural utilization site in Greenwich, Perry and Windsor Townships, **Berks County**. Permit revoked in the Regional Office January 12, 1998.

**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 Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4588.*

**Permit No. 100346. Pioneer Crossing Landfill, FR&S, Inc.** (727 Red Lane Road, Birdsboro, PA 19508). Application for modification for approval of the design modification of Cell 3B for a site in Exeter Township, **Berks County**. Permit issued in the Regional Office January 15, 1998.

**PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE**

**INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

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

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

**Genesis Environmental, Ltd.**, 108 Atterbury Road, Monroeville, PA 15146; License No. **PA-HC 0203**; license issued January 13, 1998.

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

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

**Brookville Hospital**, 100 Hospital Road, Brookville, PA 15825; License No. **PA-HC 0137**; renewal license issued January 13, 1998.

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

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

**Environmental Control Co., Inc.**, 150 Broadway Avenue, Garden City Park, NY 11040; License No. **PA-HC 0044**; license expired December 31, 1997.

**AIR POLLUTION**

**OPERATING PERMITS**

**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.**

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

**GP-10-304: JSP International** (Bonnie Brook Road, Butler, PA 15061) for the construction of a natural gas fired boiler in Summit Township, **Butler County**.

**Administrative Amendment of 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.**

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**8-399-046: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) issued January 16, 1998, to add several grinders, and the like, to the list of like equipment identified in the operating permit for Department 007, Building 20 in North Towanda Township, **Bradford 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.**

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

**35-308-010B: GNB Batteries, Inc.** (P. O. Box 177, Dunmore, PA 18512) issued January 9, 1998, for the modification of a four battery assembly operations with air pollution control by four baghouses in Dunmore Borough, **Lackawanna County**.

**39-302-157G: Macintosh Linen & Uniform Rental** (1202 West Allen Street, Allentown, PA 18102) issued January 15, 1998, for the construction of a natural gas fired boiler in Allentown, **Lehigh County**.

**39-302-158G: Macintosh Linen & Uniform Rental** (1202 West Allen Street, Allentown, PA 18102) issued January 15, 1998, for the construction of a natural gas fired boiler in Allentown, **Lehigh County**.

**40-313-033A: Coates Reprographics, Inc.** (P. O. Box 160, Dallas, PA 18612) issued January 13, 1998, for the modification of toner production lines with air pollution control by a baghouse in Dallas Borough, **Luzerne County**.

**45-318-016A: Transistor Devices, Inc.** (1901 West Main Street, Stroudsburg, PA 18327) issued January 14, 1998, for the modification of the alumitek finishing system with air pollution control by panel filters in Stroudsburg Borough, **Monroe County**.

**45-320-004A: Transistor Devices, Inc.** (1901 West Main Street, Stroudsburg, PA 18327) issued January 14,

1998, for the modification of a silkscreen process and drying oven in Stroudsburg Borough, **Monroe County**.

**48-399-041: Bethlehem Apparatus Company, Inc.** (P. O. Box Y, Hellertown, PA 18055) issued January 9, 1998, for the modification of building ventilation with air pollution control by a carbon filter system in Hellertown Borough, **Northampton County**.

**54-313-078: Air Products & Chemical Co.** (R. R. 1, P. O. Box 351, Tamaqua, PA 18252) issued January 14, 1998, for the modification of the tba and ttp plant with air pollution control by a scrubber in Rush Township, **Schuylkill County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Blvd., Harrisburg, PA 17110, (717) 657-4587.*

**67-309-070D: Global Stone PenRoc, Inc.** (P. O. Box 1967, York, PA 17405-1967) issued on January 22, 1998, for modification of the ball mill feed system controlled by a fabric collector at their West Filler Plant in West Manchester Township, **York County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

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

**PA-20-194B: Lord Corp.** (Route 198, Saegertown, PA 16433) issued January 9, 1998, for the construction of a latex reactor in Saegertown, **Crawford County**.

**PA-33-156A: National Fuel Gas Supply Corp.** (North 4th Street, Reynoldsville, PA 15851) issued January 12, 1998, for the construction of a natural gas compressor station in Winslow Township, **Jefferson County**.

**PA-61-188A: National Fuel Gas Supply Corp.** (R. D. 1, Cranberry, PA 16319) issued January 12, 1998, for the construction of a natural gas compressor station in Cranberry Township, **Venango County**.

**Minor Modification of 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.**

*Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.*

**14-309-043: Corning Asahi Video Products Company** (P. O. Box 9, State College, PA 16801-0009) issued on January 21, 1998, for the minor modification of a plan approval to revise a production limitation for a glass furnace (Tank 221) in College Township, **Centre 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

**32970201.** Permit Revision. **Britt Energies, Inc.** (P. O. Box 515, Indiana, PA 15701), revision to an existing coal refuse reprocessing operation for the restoration of industrial rather than forestland and pastureland on the lands of Kovalchick Salvage Company, in Center Township, **Indiana County**, affecting 4.6 acres, receiving streams unnamed tributaries to Two Lick Creek. Application received November 12, 1997. Application issued January 20, 1998.

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

**26970105. Purco Coal, Inc.** (22 Van Voorhis Lane, Monongahela, PA 15063). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in North Union Township, **Fayette County**, affecting 53.0 acres. Receiving streams: unnamed tributaries to Redstone Creek to the Monongahela River. Application received: June 23, 1997. Permit issued: December 26, 1997.

**26920110. Patterson Coal Company** (R. D. 2, Box 335, Smithfield, PA 15478). Permit revised to relocate 2.7 acres of mining at a bituminous surface mining site located in German, Georges and Nicholson Townships, **Fayette County**, affecting 267.0 acres. Receiving streams: unnamed tributaries to S. Branch Brown's Run—Brown's Run—Monongahela River; unnamed tributaries to Jacobs Creek to the Monongahela River. Application received: October 8, 1997. Revision issued: January 9, 1998.

**26850112. Christopher Resources, Inc.** (70 Heritage Hills Road, Uniontown, PA 15401). Permit revised to add auger mining at a bituminous surface mining site located in Dunbar Township, **Fayette County**, affecting 158.8 acres. Receiving streams Gist Run to Dunbar Creek to Youghiogheny River. Application received August 8, 1997. Revision issued January 9, 1998.

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

**10930102. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelcta, PA 15774). Renewal of an existing bituminous strip and auger operation in Summit Township, **Butler County** affecting 22.6 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary of Bonnie Brook. Application received: November 7, 1997. Permit Issued: January 16, 1998.

**33960106. R & L Coal Corp.** (P. O. Box 26, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous strip operation in Oliver Township, **Jefferson County** affecting 66.7 acres. Receiving streams: Unnamed tributary of Hadder Run. Application received: May 29, 1996. Permit issued: January 8, 1998.

**33970109. MSM Coal Co., Inc.** (P. O. Box 243, DuBois, PA 15801). Commencement, operation and restoration of a bituminous strip operation in Oliver Township, **Jefferson County** affecting 85.2 acres. Receiving streams: Unnamed tributaries to Lick Run and unnamed tributary to Little Sandy Creek. Application received: November 30, 1997. Permit Issued: January 15, 1998.

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

**13890201C7. Panther Creek Partners** (1001 Industrial Road, Nesquehoning, PA 18240), correction to an existing coal refuse reprocessing/processing facility in Nesquehoning Borough, **Carbon County** affecting 428.0, receiving stream First Hollow Run and Nesquehoning Creek. Correction issued January 12, 1998.

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

*Industrial Minerals NPDES Permit Renewal Applications Issued*

**32970201. Permit Revision. Britt Energies, Inc.** (P. O. Box 515, Indiana, PA 15701), revision to an existing coal refuse reprocessing operation for the restoration of industrial rather than forestland and pastureland on the lands of Kovalchick Salvage Company, in Center Township, **Indiana County**, affecting 4.6 acres, receiving streams unnamed tributaries to Two Lick Creek. Application received November 12, 1997. Application issued January 20, 1998.

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

*General Small Noncoal Authorizations Granted*

**55970803. Scott E. Garrison Excavating** (R. R. 1, Box 2064, Beavertown, PA 17813), commencement, operation and restoration of a small quarry operation in Spring Township, **Snyder County** affecting 1.0 acre, receiving stream none. Authorization granted January 9, 1998.

**58970854. David E. Hobart** (411 Oak Street, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Jackson Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted January 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 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, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

**E09-656. Encroachment Permit. Commissioners of Bucks County**, Administration Building, Broad and Court Streets, Doylestown, PA 18901. To reissue Permit No. E09-460, which proposes to remove the existing Walnut Street Bridge, and to construct and maintain a replacement bridge (County Bridge No. 13) having three clear spans of 67 feet each and an underclearance of 8.75 feet across the East Branch of Perkiomen Creek. This bridge is located 200 feet northwest of the intersection of Walnut Street and Constitution Avenue (Telford, PA Quadrangle N: 21.3 inches; W: 6.15 inches) in Perkasio Borough, **Bucks County**.

**E15-551. Encroachment Permit. General Real Estate Development, Inc.**, 921 Briarwood Circle, West Chester, PA 19380-1895. To widen Chesterfield Lane at the proposed Somerset Lane entrance to the Somerset Subdivision. The proposed work will impact a total area of 0.17 acre of wetlands (PEM). This site is located at the intersection of Hollow Road and Chesterfield Lane (Malvern, PA Quadrangle N: 14.5 inches; W: 9.0 inches) in Charlestown Township, **Chester County**. The permittee agrees to provide 0.17 acre of onsite replacement wetlands.

**E15-532. Encroachment Permit. Pennsylvania Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To remove an existing single span steel bridge and to construct and maintain a two span prestressed concrete box beam bridge which carries Marshall Road (S. R. 4033) over the East Branch of the Brandywine Creek on a new alignment approximately 90 feet upstream from the existing bridge. The proposed bridge will have 44-foot long effective twin spans and a minimum vertical clearance of 6.3 foot. Work also includes the following: 1) realignment of existing S. R. 4033; 2) intersection improvements at SR 4033 with S. R. 0282 and T-410, and associated drainage improvements; 3) to reroute approximately 90 linear feet of an unnamed tributary to the East Branch of Brandywine Creek by redirecting the flow through a proposed 76-inch by 48-inch elliptical culvert that will be constructed beneath Marshall Road on the north side of the proposed bridge. Approximately 100 feet of this tributary will be restored between the aforementioned culvert terminus and its confluence with the East Branch of Brandywine Creek. This site is located (Wagontown, PA Quadrangle N: 13.9 inches; W: 0.7 inch) in Wallace Township, **Chester County**.

**E23-365. Encroachment Permit. The Boeing Company**, P. O. Box 16858, MS No. P25-62, Philadelphia, PA 19142-0858. To construct, operate and maintain a boat launching ramp and adjacent pedestrian access pier situated along the northern bank of the Delaware River (WWF, MF) at the point of confluence with Crum Creek (WWF). The ramp will be used to facilitate access for

small watercraft with spill response activities. The project site is located at the southwestern corner of the Boeing Company property, situated just south of S. R. 291 (Bridgeport, NJ-PA Quadrangle N: 19.5 inches; W: 9.9 inches) in Ridley Township, **Delaware County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E46-769.** Encroachment Permit. **Pennsylvania Department of Transportation**, 200 Radnor-Chester Road, District 6-0, St. Davids, PA 19087-5178. To modify, operate and maintain an existing stream enclosure located in and along an unnamed tributary to Tacony Creek (WWF) beneath Township Line Road (S. R. 0073). The project proposes a roadway widening which will require the extension of the 178-foot long existing stream enclosure. The new 19.7-foot long stream enclosure extension will be equal in conveyance area to the existing enclosure, and will utilize a 2'-10" high by 6'-6" wide cast-in-place reinforced concrete box culvert, adjoined to the downstream end of the existing stream enclosure. The project also includes removal of an existing concrete headwall, and construction of a new 60-foot long reinforced concrete endwall, and the repair of existing masonry stone walls which line the stream banks. The site is located near the intersection of Township Line Road and Foxcroft Road (Frankford, PA-NJ Quadrangle N: 15.4 inches; W: 17.4 inches) in Cheltenham and Abington Townships, **Montgomery County**.

**E23-361.** Encroachment Permit. **Desenberg Design LTD**, 63 Llangollen Lane, Newtown Square, PA 19073-3136. To impact approximately 660 linear feet of an unnamed tributary to Little Crum Creek (WWF) associated with the proposed New Forest residential subdivision. The project includes the following activities:

1. To modify an existing stream enclosure used to convey stream flow beneath Swarthmore Avenue by removing approximately 80 linear feet, 30-inch diameter culvert pipe and attaching a 220 foot long, twin 46-inch by 36-inch CSP stream enclosure.

2. To relocate aforementioned stream channel upstream of the modified enclosure and excavate 140 linear feet of the 100-year floodway to accommodate construction of the proposed stormwater management facility. Issuance of this permit also constitutes an approval of an Environmental Assessment for a proposed nonjurisdictional dam.

3. To install and maintain 260 linear feet of 66-inch CSP stream enclosure upstream of aforementioned stormwater management facility to convey flow beneath the proposed development access road impacting 0.04 acre of adjacent wetland (PFO).

The site is located near Swarthmore Avenue and Avondale Lane (Lansdowne, PA Quadrangle N: 4.9 inches; W: 12.0 inches) in Springfield Township, **Delaware County**.

**E51-157.** Encroachment Permit. **Fairmount Park Commission**, Memorial Hall, Philadelphia, PA 19131-0901. To remove five 60-inch roadway culverts, and replace and maintain the Cotton Street Canal Crossing with a triple 30 foot long box culvert, appurtenant wingwalls and associated roadway backfill. The northern box culvert is 15-feet wide by 9-feet high, the center culvert is 12-feet wide by 7-feet high and the southern culvert is 10-feet wide by 6-feet high. This roadway culvert will provide access across the Manayunk-Schuylkill Canal to Venice Island (Germantown, PA Quadrangle N: 4.55 inches; W: 13.6 inches) in the City of Philadelphia, **Philadelphia County**.

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

**E13-103.** Encroachment. **Hauto Valley Estates, Inc.**, One Industrial Complex, Nesquehoning, PA 18240. To place fill in 0.40 acre of wetlands for the expansion of a commercial development. The project is located adjacent to Nesquehoning Creek, approximately 0.6 mile northeast of the intersection of S. R. 0209 and S. R. 0054 (Nesquehoning, PA Quadrangle N: 21.2 inches; W: 8.2 inches) in Nesquehoning Borough, **Carbon County**. The permittee is required to provide 1.0 acre of replacement wetlands.

**E13-104.** Encroachment. **Carbon County Economic Development Corporation**, P. O. Box 210, Jim Thorpe, PA 18229-0210. To place fill in 0.48 acre of wetlands for the construction of a 40,080 square foot multi-tenant building and associated parking lot. The project is located within the Green Acres Industrial Park approximately 2.4 miles west of the intersection of S. R. 0054 and S. R. 0209 (Nesquehoning, PA Quadrangle N: 19.7 inches; W: 15.4 inches) in Nesquehoning Borough, **Carbon County**. The permittee is required to provide 0.48 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

**E39-336.** Encroachment. **Busch Building Group, Inc.**, 3140-B Tilghman Street, No. 254, Allentown, PA 18104. To fill in 0.47 acre of wetlands for the construction of two office buildings, nine self storage buildings and associated parking lot. The project is located approximately 0.2 mile east of the intersection of S. R. 0309 and the Pennsylvania Turnpike Northeast Extension (Allentown West, PA Quadrangle N: 20.6 inches; W: 10.3 inches) in South Whitehall Township, **Lehigh County**. The permittee is required to provide for 0.47 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

**E40-474.** Encroachment. **TFP Limited**, 1140 Route 315, Wilkes-Barre, PA 18711. To construct and maintain a stream enclosure of Coal Brook, consisting of approximately 1,633 linear feet of 66-inch aluminized steel pipe with an improved (side-tapered) inlet, and to place fill in 2.05 acres of wetlands, for the purpose of constructing a retail-commercial shopping center (The Arena Hub). The project is located south of Mundy Street and north of Interstate 81, approximately 1.0 mile southwest of Interchange 47 of I-81 (Wilkes-Barre East, PA Quadrangle N: 21.1 inches; W: 12.5 inches), in Wilkes-Barre Township, **Luzerne County**. The permittee is required to provide 2.05 acres of replacement wetlands.

**E40-478.** Encroachment. **Bear Creek Association**, P. O. Box 155, Bear Creek Village Borough, PA 18602. To modify and maintain an existing beach area in Bear Creek Lake, with work consisting of the following: regrading and placement of sand and/or pea gravel within approximately a 0.1-acre area to achieve a uniform slope; and extension of existing groin structures, utilizing R-6 rock, to extend approximately 30 feet from the shoreline. The purpose of the project is to restore and protect the beach area. The project is located along the eastern shoreline of Bear Creek Lake, approximately 0.4 mile northeast of the intersection of S. R. 0115 and S. R. 2041 (Wilkes-Barre East, PA Quadrangle N: 10.7 inches; W: 0.2 inch), in Bear Creek Village Borough, **Luzerne County**.

**E48-256.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 5-0**, 2460 Parkwood Drive, Allentown, PA 18103. To remove the

existing structure and to construct and maintain a steel girder bridge having a single span of 92 feet and an underclearance of approximately 11 feet across Little Bushkill Creek for the purpose of realigning S. R. 0191 to improve horizontal roadway geometry. The project also involves the following: 1.) channel improvement work including the removal of minor silt and sediment deposits along each streambank to maintain a 30-foot channel bottom width through the project area; 2.) 300 l. f. of bank stabilization work along the eastern streambank consisting of R-6 rock riprap on a 1.5 H: 1 V sideslope; 3.) construction of an 8-foot wide bituminous pavement bike path in the floodway along the eastern streambank; and 4.) construction of three stormwater outfall structures to convey runoff from the new roadway directly to Little Bushkill Creek. The project is located along S. R. 0191, Section 02B, approximately 300 feet upstream from the existing structure (Wind Gap, PA Quadrangle N: 7.8 inches; W: 2.1 inches) in Plainfield Township, **Northampton County**.

**E48-259.** Encroachment. **Willow Brook Land Development Corporation, LLC**, Howertown Road, P. O. Box 32, Catasauqua, PA 18032-0032. To construct and maintain two single-span golf cart bridges, each having a span of 56 feet and underclearance of approximately 6 feet across Catasauqua Creek. This project is located on the Willow Brook Golf Course, just east of the intersection of Howertown Road and Township Road T-482 (Catasauqua, PA Quadrangle N: 7.5 inches; W: 12.5 inches) in North Catasauqua Borough and Allen Township, **Northampton County**.

**E54-240.** Encroachment. **Orwigsburg Ambulance, Inc.**, P. O. Box 4, Orwigsburg, PA 17901. To place fill in a de minimis area of wetlands less than or equal to 0.05 acre to develop a site for a new building which will house emergency vehicles. This project is located along East Market Street approximately 700 feet west of S. R. 0443 (Orwigsburg, PA Quadrangle N: 5.1 inches; W: 13.3 inches) in Orwigsburg Borough, **Schuylkill County**.

**E54-241.** Encroachment. **Paul A. Moyer**, 102 South Route 183, Schuylkill Haven, PA 17972. To place fill in 0.3 acre of wetlands to develop the site for a future commercial building. This project is located in the southeast corner of the intersection of S. R. 183 and S. R. 443 (Friedensburg, PA Quadrangle N: 20.3 inches; W: 12.5 inches) in Wayne Township, **Schuylkill County**. The permittee is required to provide for 0.3 acre of replacement wetlands by participating in the Pennsylvania Wetlands Replacement Project.

**E58-226.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a road crossing of Bell Creek, consisting of a 14-foot by 9-foot precast concrete box culvert. The project is located on S. R. 2067, Section 550, Segment 0100, Offset 0044, approximately 0.6 mile north of the intersection of S. R. 2067 and S. R. 0092 (Lenoxville, PA Quadrangle N: 21.3 inches; W: 0.8 inch), in Gibson Township, **Susquehanna County**.

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

**E06-505.** Encroachment. **Clyde Masemore**, 1784 Huffs Church Road, Barto, PA 19504. To place fill for a driveway in 0.15 acre of wetlands adjacent to the channel of a tributary to Perkiomen Creek at a point near the intersection of Huffs Church Road and Captain Wolfe

Road (East Greenville, PA Quadrangle N: 10.25 inches; W: 11.75 inches) in Hereford Township, **Berks County**. The applicant is creating 0.20 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E21-270.** Encroachment. **UGI Utilities**, Nina Harpoth, 1500 Paxton Street, P. O. Box 3565, Harrisburg, PA 17105. To construct and maintain a 12-inch diameter concrete encased natural gas line across the bed of Conodoguinet Creek located about 775 feet downstream of PA 34 bridge (Carlisle, PA Quadrangle N: 20.7 inches; W: 7.3 inches) in North Middleton Township, **Cumberland County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E21-273.** Encroachment. **Department of Corrections**, Jacob Blied, 2520 Lisburn Road, Camp Hill, PA 17011. To remove the existing structure and to construct and maintain three cells of culverts each having a dimension of 7 feet x 4 feet across Cedar Run and repairing adjacent sinkholes located within the correction's property (Lemoyne, PA Quadrangle N: 17.75 inches; W: 6.02 inches) in Lower Allen Township, **Cumberland County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E21-275.** Encroachment. **PA Dept. of Transportation, Engineering District 8-0**, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To extend an existing 9.33 feet by 6.25 feet arch culvert by 15 feet on the bed of an unnamed tributary to Cedar Run on SR 0641 in order to widen the turning lane at the intersection of SR 0641 (Trindle Road) and SR 2025 Segment 0050, Offset 2700 (Railroad Avenue) (Lemoyne, PA Quadrangle N: 19.0 inches; W: 11.85 inches) in Hampden Township, **Cumberland County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E22-368.** Encroachment. **Jacob's Creek, Inc.**, Donald Lechleitner, 1106 Cocoa Avenue, Hershey, PA 17033. To replace an existing structure with a 43-inch x 64-inch CMP arch culvert and to place fill in 0.16 acre of wetlands in and along the Channel of a tributary to Spring Creek at a point downstream of McCorkel Road (Hershey, PA Quadrangle N: 0.0 inch; W: 2.0 inches) in Derry Township, **Dauphin County**. The permittee is required to provide 0.68 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E36-641.** Encroachment. **Elizabeth Township Board of Supervisors**, Larry Wiker, 423 Southview Drive, Lititz, PA 17543. To remove the existing structure, construct and maintain a reinforced concrete box culvert having a 10-foot span with a 6-foot height across Furnace Run on Elser Hill Road (Lititz, PA Quadrangle N: 19 inches; W: 4.3 inches) in Elizabeth Township, **Lancaster County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E67-611.** Encroachment. **York County Rail/Trail Authority**, Gwen Loose, R. D. 8, Box 438A, York, PA 17403. To fill a de minimis area of 0.03 acre of wetlands for construction of a bicycle trail along the eastern side of railroad tracks, between Church Street (SR 0214) for the Hanover Junction to Indiana Rock Dam Road rail/trail project (Seven Valleys, PA Quadrangle N: 20.2 inches; W: 2.0 inches) in Seven Valleys Borough, **York County**. This permit also includes 401 Water Quality Certification.

**E67-613.** Encroachment. **PA Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a bridge consisting of a concrete deck and prestressed concrete box beams having a clear span of 20.28 feet on an 80 degree skew, with a minimum underclearance of 6.33 feet across a Fishing Creek tributary on SR 0392-001 Segment 0060, Offset 1434 (Steelton, PA Quadrangle N: 5.5 inches; W: 8.75 inches) in Newberry Township, **York County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

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

**E57-078.** Encroachment. **DCNR**, Bureau of Facility Design & Construction, P. O. Box 8451, Harrisburg, PA 17105. To remove an existing deteriorated structure and to construct and maintain a precast reinforced concrete box beam bridge with a 36 foot clear span and a 3 foot effective rise plus the associated concrete wingwalls over Rock Run which is located approximately 1.9 miles eastbound on Brunnerdale Road from its intersection with SR 3005 (Hills Grove, PA Quadrangle N: 2.13 inches; W: 2.25 inches) in Shrewsbury Township, **Sullivan County**.

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

**E10-266.** Encroachment. **Borough of Mars**, P. O. Box 395, Mars, PA 16046. To construct and maintain a 20-foot long by 28-foot wide concrete block addition, a 22-foot diameter backwash holding tank and site improvements within the 100-year floodplain and floodway of Breakneck Creek at the Banks Water Treatment Facility approximately 1,000 feet southeast of the intersection of S. R. 228 and S. R. 3015 (Mars, PA Quadrangle N: 11.5 inches; W: 0.55 inch) located in Adams Township, **Butler County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

#### ENVIRONMENTAL ASSESSMENT

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

**EA05-003.** Environmental Assessment. **DEP Hazardous Sites Cleanup Program**, Southcentral Regional Office, Toni Martinelli, One Ararat Boulevard, Harrisburg, PA 17110. The Department of Environmental Protection Hazardous Sites Cleanup Program (HSCP) proposes to cleanup 10 acres of the F. E. Cooper Lumber Company Site. The proposed remediation involves the excavation and onsite treatment of creosote-contaminated soils and the demolition of buildings and surface debris. The site is located near the town of Hopewell (Everett East, PA Quadrangle N: 21.75 inches; W: 3.75 inches) in Broadtop Township, **Bedford County**. This Environmental Assessment was issued under section 105.15(3)(b). 401 Water Quality Certification is issued for this Environmental Assessment.

#### SPECIAL NOTICES

**Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL)**

#### Bald Eagle Creek

The Department of Environmental Protection (Department) is holding a public meeting on Tuesday, March 3, 1998 beginning at 7 p.m. at the Tyrone Borough Office, 1100 Logan Street to discuss and accept comments on a proposed TMDL, established in accordance with the requirements of Section 303(d) of the Clean Water Act. Bald Eagle Creek (Stream Code 15835) was listed on Pennsylvania's 1996 Section 303(d) List because water quality standards for temperature to support the designated uses of trout stocking are not expected to be met even after technology-based controls required by law are installed. This TMDL establishes the following allowable pollutant loading for Bald Eagle Creek from its headwaters to its confluence with the Little Juniata River, in Tyrone Borough, Blair County:

<i>Pollutant</i>	<i>TMDL</i>
Thermal	
January	478 MBTU/day
February	420 MBTU/day
March	1341 MBTU/day
April	1214 MBTU/day
May	1072 MBTU/day
June	
(1-15)	342 MBTU/day
(16-30)	205 MBTU/day
July	38 MBTU/day
August	
(1-15)	172 MBTU/day
(16-31)	366 MBTU/day
September	284 MBTU/day
October	
(1-15)	323 MBTU/day
(16-31)	280 MBTU/day
November	
(1-15)	355 MBTU/day
(16-30)	291 MBTU/day
December	391 MBTU/day

#### *Point Source Discharges Affected*

The Department has determined that Westvaco Corporation NPDES Permit No. PA0008893 is the only significant thermal discharge to Bald Eagle Creek under critical conditions (the 7-day—10 year low flow). Nonpoint source contributions of temperature are negligible at critical low flow conditions.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Roger Musselman, Water Management Program, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110, (717) 541-7996. Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users).

Written comments will be accepted at the above address and must be postmarked by March 7, 1998. Persons who plan to make a presentation at the public meeting, should notify the Department no later than 4 p.m. on

February 27, 1998, The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

**Unnamed Tributary of Mill Creek**

The Department of Environmental Protection (Department) is holding a public meeting on Thursday, March 12, 1998 beginning at 7 p.m. at the Upper Leacock Municipal Building, 28 Keystone Court, Leola to discuss and accept comments on a proposed TMDL, established in accordance with the requirements of Section 303(d) of the Clean

Water Act. The unnamed tributary of Mill Creek (Stream Code 7612) was listed on Pennsylvania's 1996 Section 303(d) List because water quality standards for dissolved osmotic pressure needed to support the designated uses of warm water fishery are not expected to be met even after technology-based controls required by law are installed. This TMDL establishes the following allowable pollutant loading for the unnamed tributary to Mill Creek from River Mile 1.2 to 0.3 mile, in Upper Leacock Township, Lancaster County.

<i>Pollutant</i>	<i>TMDL = (Total Maximum Daily Load)—</i>	<i>WLA + (Wasteload Allocation -by source)</i>	<i>LA + (Load Allocation)</i>	<i>MOS (Margin of Safety)</i>
Osmotic Pressure	76 mos/kg	76 mos/kg	Omos/kg	Omos/kg

*Point Source Discharges Affected*

The Department has determined that Dart Container NPDES Permit No. PA0044571 is the only significant contributor of osmotic pressure to the unnamed tributary under critical conditions (the 7-day—10 year low flow). Nonpoint source contributions for osmotic pressure is negligible at critical low flow conditions.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact James Miller, Water Management Program, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110, (717) 541-7996. Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD Users) or 1 (800) 654-5988 (voice users).

Written comments will be accepted at the above address and must be postmarked by March 18, 1998. Persons who plan to make a presentation at the public meeting, should notify the Department no later than 4 p.m. on Friday, March 6, 1998. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

[Pa.B. Doc. No. 98-214. Filed for public inspection February 6, 1998, 9:00 a.m.]

**DEPARTMENT OF  
GENERAL SERVICES**

**Design Professional Selections**

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

**Project No. DGS 1103-48**—Convocation/Events Center, University of Pittsburgh, Pittsburgh, Allegheny County, PA. Construction Cost: \$50,000,000. The scope of work includes, but is not limited to, construction of a multievent activity complex including a multipurpose arena for basketball, track and field, performing arts, commencement exercises, concerts, meetings, food service and ancillary spaces. The building will contain energy efficient HVAC and electrical systems appropriate for multipurpose event facility, connecting to and compatible

with University data/video/voice communication distribution system. Site improvements include development and/or modification of utilities roads, driveways, sidewalks, landscaping, parking facilities and outdoor spaces. The Department may contract separately for Construction Management Services. The Construction Manager will be responsible for scheduling and administering work during design and construction phases.

**Requirements and Information**

*Note—Project Program*

A Project Program, prepared by the Using Agency, for the above advertised project 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) as follows, 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 the 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, PA 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, PA 17125, (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.) Thursday, February 26, 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 (P. L. 75, No. 45).

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 98-215. Filed for public inspection February 6, 1998, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on March 11, 1998, at 10 a.m. in Room 812, Health and Welfare Building, Commonwealth and Forster Streets, Harrisburg, PA.

This meeting is subject to cancellation without notice.

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 Robin Bowman at (717) 783-2500.

DANIEL F. HOFFMAN,  
*Secretary*

[Pa.B. Doc. No. 98-216. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee is scheduled to hold a meeting on February 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, should contact William J. Neil, Chief, Program Development Section, Division of Health Risk Reduction at (717) 787-5900. TDD: (717) 783-6514 or Network/TDD: (8) 717-433-6514.

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-217. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Preventive Health and Health Services (PHHS) Block Grant Advisory Committee Meeting

The Preventive Health and Health Services (PHHS) Block Grant Advisory Committee is scheduled to hold a meeting on February 19, 1998, from 9:30 a.m. to 3 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, should contact Emilie M. Tierney, Director, or Terry L. Walker, Administrative Officer, Bureau of Chronic Diseases, at (717) 787-6214. TDD: (717) 783-6514/Network TDD: 8-433-6514.

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN,  
Secretary

[Pa.B. Doc. No. 98-218. Filed for public inspection February 6, 1998, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Flowers of Fortune Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-1—3761-15), 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 Flowers of Fortune.

2. *Price:* The price of a Pennsylvania Flowers of Fortune instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Flowers of Fortune instant lottery game ticket will contain one play area featuring one "Lucky Symbols" area and one "Your Symbols" area. The play symbols and their captions located in the "Lucky Symbols" area and "Your Symbols" area are: Daisy Symbol (DAISY), Rose Symbol (ROSE), Tulip Symbol (TULIP), Lily Symbol (LILY), Flower Pot Symbol (FLRPOT), Rake Symbol (RAKE), Sun Symbol (SUN) and Gloves Symbol (GLOVES).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Symbols" area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOUR DOL), \$8.<sup>00</sup> (EIGHT DOL), \$12.<sup>00</sup> (TWLV DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOUR HUN) and \$12,000 (TWLV THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$8, \$12, \$20, \$40, \$100, \$400, and \$12,000. The player can win up to six times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Flowers of Fortune instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$12,000 (TWLV THO) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$12,000.

(b) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky

Symbols" play symbols and a prize play symbol of \$400 (FOUR HUN) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(e) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$12.<sup>00</sup> (TWLV DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(g) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$8.<sup>00</sup> (EIGHT DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(h) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$4.<sup>00</sup> (FOUR DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets where any one of the "Your Symbols" play symbols matches either of the "Lucky Symbols" play symbols and a prize play symbol of \$1.<sup>00</sup> (ONE DOL) appears under the matching "Your Symbols" 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  
Symbols To Either  
Of The Lucky  
Symbols, With  
Prize(s) Of:

\$1 + \$1  
\$2

Win  
\$2  
\$2

Approximate  
Odds  
1:8.33  
1:16.67

Approximate No. of  
Winners Per 4,080,000  
Tickets  
489,600  
244,800

*Match Any Of Your Symbols To Either Of The Lucky Symbols, With Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$1 x 4	\$4	1:50	81,600
\$1 x 2 + \$2	\$4	1:75	54,400
\$2 x 2	\$4	1:83.33	48,960
\$4	\$4	1:150	27,200
\$1 x 4 + \$4	\$8	1:107.14	38,080
\$2 x 4	\$8	1:150	27,200
\$1 x 2 + \$2 x 3	\$8	1:375	10,880
\$8	\$8	1:750	5,440
\$2 x 6	\$12	1:150	27,200
\$2 x 4 + \$4	\$12	1:750	5,440
\$12	\$12	1:750	5,440
\$2 x 4 + \$4 + \$8	\$20	1:750	5,440
\$4 x 5	\$20	1:750	5,440
\$8 + \$12	\$20	1:750	5,440
\$4 x 2 + \$12	\$20	1:750	5,440
\$20	\$20	1:750	5,440
\$4 x 5 + \$20	\$40	1:1,200	3,400
\$4 x 2 + \$12 + \$20	\$40	1:2,000	2,040
\$20 + \$20	\$40	1:3,000	1,360
\$40	\$40	1:6,000	680
\$8 + \$12 + \$20 x 4	\$100	1:3,000	1,360
\$20 + \$40 x 2	\$100	1:4,000	1,020
\$20 x 5	\$100	1:12,000	340
\$100	\$100	1:30,000	136
\$100 x 4	\$400	1:15,000	272
\$400	\$400	1:30,000	136
\$12,000	\$12,000	1:291,429	14

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Flowers of Fortune 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 Flowers of Fortune, prize money from winning Pennsylvania Flowers of Fortune 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 Flowers of Fortune 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. §§ 3761-1—3761-15), 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 Flowers of Fortune or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 98-219. Filed for public inspection February 6, 1998, 9:00 a.m.]

### **Pennsylvania Joker's Wild '98 Instant Lottery Game**

Under the State Lottery Law (72 P. S. §§ 3761-1—3761-15), 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 Joker's Wild '98.

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

3. *Play Symbols:* Each Pennsylvania Joker's Wild '98 instant lottery game ticket will contain one play area designated as "Hand 1," "Hand 2," "Hand 3" and "Hand 4." The play symbols and their captions located in the play area are: A (ACE), K (KNG), Q (QUN), J (JCK), 10 (TEN), 9 (NIN), 8 (EGT), 7 (SVN), 6 (SIX), 5 (FIV), 4 (FOR), 3 (THR), 2 (TWO) and Joker Symbol (DBL).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the play area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOUR DOL), \$6.<sup>00</sup> (SIX DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWHN FITY) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$6, \$10, \$20, \$50, \$100, \$250 and \$1,000. The player can win up to four times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,840,000 tickets will be printed for the Pennsylvania Joker's Wild '98 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$1,000 (ONE THO) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$250 (TWHN FITY) in the prize area for that "Hand," and a \$250 win in two other "Hands," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$250 (TWHN FITY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$250.

(d) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$50\$ (FIFTY) in the prize area for that "Hand," and a \$50 and \$100 win in two other "Hands," on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$100 (ONE HUN) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$50\$ (FIFTY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$20\$ (TWENTY) in the prize area for that "Hand," and a \$20 win in three other "Hands," on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$50\$ (FIFTY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in two "Hands," and a prize play symbol of \$10<sup>00</sup> (TEN DOL) in the prize area for those two "Hands," and a \$10 win in another "Hand," on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$10<sup>00</sup> (TEN DOL) in the prize area for that "Hand," and a \$10 win in three other "Hands," on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$20\$ (TWENTY) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$4<sup>00</sup> (FOUR DOL) in the prize area for that "Hand,"

and a \$6, \$4, and \$2 win in three other "Hands," on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$10<sup>00</sup> (TEN DOL) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the prize area for that "Hand," and a \$2 win in three other "Hands," on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$6<sup>00</sup> (SIX DOL) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$6.

(p) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in two "Hands," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the prize area for those two "Hands," and a \$1 win in two other "Hands," on a single ticket, shall be entitled to a prize of \$6.

(q) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the prize area for that "Hand," and a \$2 win in another "Hand," on a single ticket, shall be entitled to a prize of \$6.

(r) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the prize area for that "Hand," and a \$2 win in two other "Hands," on a single ticket, shall be entitled to a prize of \$6.

(s) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$4<sup>00</sup> (FOUR DOL) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the prize area for that "Hand," and a \$2 win in another "Hand," on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets with two matching play symbols and a Joker Symbol (DBL) play symbol in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the prize area for that "Hand," on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets with two matching play symbols in "Hand 1," "Hand 2," "Hand 3" or "Hand 4," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the prize area for that "Hand," 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:

Get A Pair And  
Win Prize Shown.  
Get A Pair With  
A Joker And Win  
Double, With  
Prize(s) Of:

	Win	Approximate Odds	Approximate No. of Winners Per 9,840,000 Tickets
\$1	\$1	1:8.33	1,180,800
\$1(D)	\$2	1:18.75	524,800
\$2	\$2	1:50	196,800
\$1 + \$1 + \$1 + \$1	\$4	1:150	65,600
\$1(D) + \$2	\$4	1:214.29	45,920
\$2 x 2	\$4	1:500	19,680
\$4	\$4	1:600	16,400
\$1(D) + \$2 x 2	\$6	1:300	32,800
\$2 + \$2(D)	\$6	1:750	13,120
\$2 x 3	\$6	1:1,500	6,560
\$1(D) + \$1(D) + \$1 + \$1	\$6	1:1,500	6,560
\$6	\$6	1:1,500	6,560
\$2(D) + \$2 x 3	\$10	1:750	13,120
\$2 x 3 + \$4	\$10	1:750	13,120
\$4 + \$6	\$10	1:3,000	3,280
\$10	\$10	1:3,000	3,280
\$2 + \$4(D) + \$4 + \$6	\$20	1:750	13,120
\$4 + \$6 + \$10	\$20	1:750	13,120
\$10 + \$10	\$20	1:3,000	3,280
\$20	\$20	1:3,000	3,280
\$10(D) + \$10 x 3	\$50	1:2,400	4,100
\$4 + \$6 + \$20 x 2	\$50	1:8,000	1,230
\$10 + \$10(D) x 2	\$50	1:3,000	3,280
\$50	\$50	1:24,000	410
\$50 + \$20 x 2 + \$10	\$100	1:6,000	1,640
\$20(D) + \$20 x 3	\$100	1:12,000	820
\$50(D)	\$100	1:24,000	410
\$100	\$100	1:120,000	82
\$50(D) + \$50 + \$100	\$250	1:60,000	164
\$250	\$250	1:120,000	82
\$250 x 4	\$1,000	1:120,000	82
\$250(D) + \$250 x 2	\$1,000	1:240,000	41
\$1,000	\$1,000	1:240,000	41

D = Doubler With Joker

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Joker's Wild '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 Joker's Wild '98, prize money from winning Pennsylvania Joker's Wild '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 Joker's Wild '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. §§ 3761-1—3761-15), 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 Joker's Wild '98 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 98-220. Filed for public inspection February 6, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Notice is hereby given that pursuant to Volume 67 PA Code Chapter 495, Section 495.4, Par. D; Rules and Regulations covering the Administration of the Provisions of Act No. 37, approved March 13, 1974, and Act 251, as amended November 17, 1982, amending Section 2002, Act of April 9, 1929, P.L. 177, (No. 175) known as The Administrative Code of 1929, an application has been

made to the Pennsylvania Department of Transportation by: Richard Fiesser, and Lynn, h/w, dba Spring Valley Nurseries, 4038 Route 202, Doylestown, PA 18901 to lease a portion of Right-of-Way on S. R. 202, L. R. 152, Section 6, to be improved for parking and display of merchandise.

Interested persons are invited to submit written comments, suggestions and/or objections to the approval of the application, within thirty (30) calendar days from the date of publication of this notice to: Andrew Warren, District Administrator, Engineering District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087-5178, c/o Ray DeMasi.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-221. Filed for public inspection February 6, 1998, 9:00 a.m.]

**Contemplated Sale of Land No Longer Needed for Transportation Purposes**

Notice is hereby given that the Department of Transportation, pursuant to 71 P. S. § 513(e)(7), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel 304—Township of Ross, Allegheny County. This parcel contains approximately 24,620 sq ft ± of unimproved land situated at the corner of Winter Avenue and Perrysville Highway.

It has been determined that the land is no longer needed for present or future Transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to: Henry M. Nutbrown, P.E., District Engineer, Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-222. Filed for public inspection February 6, 1998, 9:00 a.m.]

**Retention of Engineering Firms**

**Crawford, Erie, Forest, Mercer, Venango and Warren Counties  
Project Reference No. 08430AG2157**

The Department of Transportation will retain an engineering firm for an Open-end Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 1-0, that is Crawford, Erie, Forest, Mercer, Venango, and Warren Counties. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of thirty (30) months, with a maximum cost of one million (\$1,000,000) dollars.

It is anticipated that a maximum supplementary construction inspection staff of forty-two (42) inspectors will be required for this assignment.

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

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Previous construction experience.
- c. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- d. Understanding Department procedures and policies.
- e. Past performance.
- f. Workload.
- g. NICET, or other certifications/training.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	2 (1)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	13 (8)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	27 (17)

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

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 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	3
TCIS	14
TCI	28

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. John Baker, P.E., District Engineer, District 1-0, 1140 Liberty Street, Franklin, PA 16323.

Any technical questions concerning the requirements for this project should be directed to Mr. David W. Ruhlman, P.E., District 1-0, at (814) 437-4311.

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

**Fayette, Washington and Westmoreland Counties  
Project Reference No. 08430AG2158**

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-in-Charge, for construction inspection and documentation services on the following six (6) projects in Fayette, Washington and Westmoreland Counties, Engineering District 12-0.

1. Group 12-98-SI1, Fayette County

This project involves surface improvements to various State Routes.

2. Group 12-98-SI1-2, Fayette County

This project involves surface improvements to various State Routes.

3. Group 12-98-SI4, Washington County

This project involves surface improvements to various State Routes.

4. Group 12-98-SI4-2, Washington County

This project involves surface improvements to various State Routes.

5. Group 12-98-SI5, Westmoreland County

This project involves surface improvements to various State Routes.

6. Group 12-98-SI5-2, Westmoreland County

This project involves surface improvements to various State Routes.

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 Letters of Interest in accordance with the "General Requirements and Information" Section.
- b. Number of available inspectors.
- c. Number of NICET certified inspectors.
- d. Experience and availability of inspectors.
- e. Knowledge and familiarity of Department's specifications, requirements and policies.
- 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 Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	16 (10)

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>
(TCI)	\$34.43

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:

- 5 Cellular Phones
- 5 Pagers  
(other equipment required by the District)

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>
TCI	20

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, 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 (412) 439-7137.

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

**Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties**

**Project Reference No. 08430AG2159**

The Department of Transportation will retain an engineering firm for an Open-end Contract for various engineering and/or environmental services on various projects located in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-end Contract will be \$1.0 million.

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

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Past record of performance with respect to timeliness, responsiveness, quality, cost control and ability to meet schedules.
- c. Diversity of experience and technical competence.
- d. Location of consultant in respect to the District.
- e. Relative size of firm to size of potential assignments.

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

The engineering work and services which may be required under this Contract include, but are not limited to: perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; perform constructibility reviews; review shop drawings; perform hydraulic analysis; and prepare construction plans, specifications, and estimates.

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

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

The second copy of the letter of interest and required forms (see "General Requirements and Information" section) shall be sent to: Mr. Walter E. Bortree, P.E. District Engineer, District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Technical questions concerning the requirements for this project should be directed to Mr. Donald E. Lerch, P.E., District 5-0, at (610) 791-6019.

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

#### **General Requirements and Information**

Firms interested in providing the above work and services are invited to submit two copies of a Letter of Interest and required 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 thirteen (13) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 P.M. prevailing time of the thirteenth day.

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

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual,

firm, or corporate which is permitted under the state law to engage in the practice of engineering.

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

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

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

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

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

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

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

2. Project Organization Chart (one 8 1/2" x 11" page, one side)

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

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

The Standard Form 255 must be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. Under Item 4 of this form, Column A must include the number of subconsultant personnel and Column B must include the number of prime consultant personnel to be assigned to work on this project reference number. The prime and each subconsultant may include no more than one page each for Items 10 and 11.

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

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

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

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

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

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

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

#### 6. Authorization Letters (if required)

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

#### 7. Registration To Do Business

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

#### 8. Overhead Rates (one page)

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

#### 9. Additional Information

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

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

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-223. Filed for public inspection February 6, 1998, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Cancellation of February 17, 1998, Meeting

The February 17, 1998, Environmental Quality Board meeting has been cancelled. The next meeting is scheduled for March 17, 1998, in the First Floor Meeting Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 98-224. Filed for public inspection February 6, 1998, 9:00 a.m.]

# GOVERNOR'S OFFICE

## Regulatory Review

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

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

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

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

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>ADMINISTRATION</b>			
No regulations being developed or considered at this date.			
<b>AGING</b>			
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	April 1998, as proposed.	This regulation is in the process of revision to conform to the requirements of Acts 169-96 and 13-97 and will receive final review by stakeholders. Review is occurring as a result of these Acts and of Executive Order 1996-1.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 15 Protective Services For Older Adults	July 1998, as proposed.	This regulation is being reviewed as a result of Executive Order 1996-1 and of Acts 169-96 and 13-97; it will receive initial review by stakeholders in early 1998.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	September 1998, as proposed.	This regulation is in the process of review by interested parties. Review is occurring as a result of Executive Order 1996-1.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 3 Fair Hearings and Appeals	June 1998, as proposed.	This regulation is being sent for initial review by stakeholders. Review is occurring as a result of Executive Order 1996-1.	Robert Hussar 717-783-6207
<b>AGRICULTURE</b>			
Agricultural Land Conservation Assistance Grant Program 7 Pa. Code Chapter 138h	June 1998, as proposed.	This regulation will amend current regulations to refine the criteria pursuant to which the Department awards grants for farmland protection projects of Statewide scope.	Raymond Pickering (717)783-3167
"Clean and Green" Regulations 7 PA.Code Chapter 137	September 1998, as proposed.	County Assessors have primary enforcement authority under the "Clean and Green" Act (72 P. S. §§ 5490.1-5490.13), and favor a revision of current regulations to promote uniform and consistent interpretation and enforcement of the Act statewide. The current regulations have not been revised in 15 years. The Pennsylvania Farmland and Forest Land Assessment Act of 1974, known commonly as the "Clean and Green" Act (72 P. S. §§ 5490.1-5490.13) is the statutory basis for the regulation.	Raymond Pickering (717) 783-3167
Consolidation/Update of Retail Food Store Regulations	July 1998, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. § 20.1-20.18) is the statutory basis for this regulation.	Charles Radle (717) 772-3234

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Food Employee Certification 7 Pa. Code Chapter 83	April 1998, as final.	This regulation is required by the Food Employee Certification Act (3 Pa. C.S. Sections 6501-6510), and will establish standards for training of certain food industry personnel.	Martha Melton (717) 782-8354
Maple Products	June 1998, as proposed.	This regulation is required by the Maple Products Act (3 Pa. C.S. §§ 6101-6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Charles Radle (717) 772-3234
Harness racing commission	September 1998, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186-190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Richard Sharbaugh (717) 787-5196
Horse racing commission.	No publication anticipated in next 12 months.	This commission plans an update of its regulatory authority (at 58 Pa. Code Chapters 161, 163, 165, 167, 171 and 173), for the same general reasons and on the basis of the same statutory authority cited by the Harness Racing Commission, above.	Ben Nolt (717) 787-1942
Bureau of Market Development. Standards for Grading Veal Calves.	March 1998, as proposed.	The regulation would bring the Commonwealth's standards for grading veal calves into conformity with USDA standards. The regulation would amend current regulatory authority at 7 Pa. Code Chapter 101 by deleting standards for grading veal calves and adopting USDA standards by reference.	Richard McDonald (717) 787-5319
Certification of Virus-Tested Geraniums.	September 1998, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 PA.Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically- important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Dog Law	June 1998, as proposed	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 21,23,25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et. seq.)is the statutory basis for this regulation.	Richard Hess (717) 787-4833
Plant Industry Regulations Land application of soil & groundwater contaminated with agricultural chemicals.	June 1998, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § 6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands.	David Bingaman (717) 787-4843
Farm Safety and Occupational Health Grant Program	February 1999, as proposed.	This regulation is needed to replace an existing statement of policy published in the March 16, 1996 Pa. Bulletin. This regulation would formalize the statement of policy by which the Farm Safety and Occupational Health Grant Program operates. The Program awards grants to fund projects to increase the knowledge and awareness of farm safety measures and occupational health issues among the Commonwealth's rural youth.	John Tacelosky (717) 787-4843
Fruit Tree Improvement Program.	December 1998, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/ insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609
Rides and Measurement Standards	July 1998, as proposed.	Senate Bill 509 of 1996 was enacted into law as the Consolidated Weights and Measures Act at 3 Pa. C.S. §§ 4101-4193). This statute will necessitate regulatory revisions. This regulation is a long-term project intended to update regulatory authority. The Consolidated Weights and Measures Act (3 Pa. C.S. §§ 4101-4193) is the statutory basis for the regulation.	Charles Bruckner (717) 787-6772
<b>BANKING</b>			
Secondary Mortgage Loan Act regulations.	No publication anticipated in the next six months.	The Secondary Mortgage Loan Act ("SMLA"), 7 P. S. § 6601 et seq., was passed in 1980 and most recently amended by Act 15 of 1995. The Department is evaluating the need for regulatory guidance to be provided to second mortgage residential lenders, brokers sponsoring brokers, and broker's agents under the SMLA.	Laurie S. Kennedy, (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
"Other investments" regulations for Pennsylvania state-chartered banking institutions.	No publication anticipated in the next six months.	Sections 103(a) and 315(g) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a) and 315(g), provide authority for the Department to promulgate regulations to allow Pennsylvania state-chartered banking institutions to make investments not otherwise authorized by the Banking Code. The Department is evaluating the need for such regulatory guidance and authority in the context of modernizing investment authority for Pennsylvania state-chartered banking institutions.	Reginald S. Evans (717) 787-1471
Amendments to the Leeway Investments regulations for Pennsylvania state-chartered banking institutions.	No publication anticipated in the next six months.	The existing leeway investments regulations are located at 10 Pa. Code §§ 27.1 - 27.4 and have been effective since March 9, 1974. These regulations were promulgated pursuant to authority stated in sections 103(a), 307, 311(d)(vi), and 504(b)(x) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a), 307, 311(d)(vi), and 504(b)(x), and can be amended pursuant to the same statutory authority. Leeway investments are made by Pennsylvania state-chartered banks in stock, bonds, notes, or debentures of corporations formed to promote the public welfare and community development, expand the economy, or provide for social reform. The Department is evaluating the need for additional regulatory guidance in the context of modernizing leeway investment authority for Pennsylvania state-chartered banking institutions, including amending the parameters for Pennsylvania state-chartered banking institutions to make leeway investments.	David H. Bleicken (717) 787-1471
<b>BUDGET</b>			
No regulations being developed or considered at this date.			
<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>			
Certified Provider	Spring, 1998, as proposed.	In accordance with the Job Enhancement Act of 1996, the regulation will establish professional and organizational standards that must be met in order for providers to continue packaging loans on behalf of the department.	Russell C. Bellavance (717) 783-8452
Pennsylvania Industrial Development Authority 12 Pa. Code Chapter 73 (review for amending and deleting)	Spring, 1998, as proposed.	The regulation will delete those portions of the existing regulation of The Pennsylvania Industrial Development Authority Board which ought to be in policies or guidelines rather than in regulation and, if any portion of the regulation remains, it will be brought current to comport with actual administration of the PIDA program	Gerald W. Kapp, Jr. (717) 787-6245
<b>COMMISSION ON CRIME AND DELINQUENCY</b>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>CONSERVATION &amp; NATURAL RESOURCES</b>			
Conservation of Native Wild Plants	September 1998, as proposed.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Daniel A. Devlin (717) 787-3444
State Forest Rules and Regulations	June 1998, as final.	This proposal is an update of existing regulations regarding conduct on State Forest land. The legal basis for these regulations is Section 301 of Act 18 of 1995. This update also includes changes to improve compliance where roads are closed to vehicular access, to provide for better protection of designated hiking trails, and to establish special activity agreements for commercial use of state forest roads.	Warren A. Ely (717) 787-2014
State Forest Picnic Areas Rules and Regulations	June 1998, as proposed.	This proposal is an update of existing regulations regarding conduct in State Forest Picnic Areas. The legal basis for these regulations is Section 301 of Act 18 of 1995.	Warren A. Ely (717) 787-2014
<b>CORRECTIONS</b>			
Motivational Boot Camp Act 61 P. S. Section 1221 et seq.	June 1998, as proposed.	The regulations will address boot camp administration, establishment of selection committees, inmate selection criteria, programming and supervision, inmate discipline and staff training.	Kathleen Gnall (717) 975-4860
Prison Medical Service Program	January 1998, as final.	The regulations are mandated by the Prison Medical Service Act, of May 16, 1996, Act No. 1996-40, and will enable the Department to require inmates to pay a fee for medical services. The regulations will describe the services which will and will not be subject to a fee, establish the fees and provide a mechanism for collection of the fees.	Kathleen Zwierzyna (717) 731-7031
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	June 1998, as proposed.	The regulation will be revised to eliminate unnecessary regulations and modernize necessary regulations, particularly those affecting the transfer of inmates between state and county correctional facilities.	William M. Reznor (717) 975-4876
Amendment of Media Relations regulations	January 1998, as final.	The regulations will be repealed because other internal departmental policies will enable media access to the inmate population. Repeal under such circumstances is consistent with the general principle of Executive Order 1996-1 that viable non-regulatory alternatives are preferred over regulations.	Roger H. Baumgarten (717) 975-4862

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Review and/or revision of all current Department of Corrections regulations contained in Title 37 of the Pennsylvania Code.	Spring/Summer 1998, as proposed.	The purpose of the review is to ensure that the Department's regulations are consistent with current legal standards concerning prison administration and operation. The legal basis for the action is found at Section 506 of the Administrative Code of 1929, 71 P. S. § 186, which grants the Commissioner of Corrections the authority to prescribe regulations for the Department that are not inconsistent with law.	J.D. Shutt (717) 975-4860
<b>EDUCATION</b>			
Pupil Personnel Services Pupil Attendance Students 22 Pa. Code, Chapters 7, 11, 12	May 1998, as proposed.	These proposed revisions to existing chapters of regulations are necessary to align provisions of Chapter 12 in compliance with recently-enacted legislation and court decisions; to accurately reflect current practices; delete nonregulatory language; and eliminate non-regulatory provisions. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Special Education Services and Programs 22 Pa. Code, Chapter 14	July 1998, as proposed.	These regulations are necessary to establish procedures for the identification of students who are in need of special education services and programs and to set forth requirements and procedures for the delivery of those services and programs. The review of these current regulations will focus on current federal and state law regarding special education services and programs to ensure compliance, consistent and accurate terminology and application of existing provisions.	Peter Garland (717) 787-3787
School Buildings 22 Pa. Code, Chapter 21	May 1998, as proposed.	These regulations are necessary to provide uniform standards and procedures for seeking Departmental approval in school building projects. The proposed revisions are necessary to provide clarification and to reflect current practice. These revisions are proposed under authority of the Public School Code of 1949 (P. L. 30, No.14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Higher Education General Provisions Foreign Corporation Standards Institutional Approval 22 Pa. Code, Chapters 31, 36, 40	July 1998, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions to Chapters 31 and 40 are necessary to clarify the intent of the chapters and to modify the time frame during which new institutions must achieve accreditation. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No.14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Branch Campuses for State-supported Institutions Program Approval 22 Pa. Code, Chapters 34, 42	August 1998, as proposed.	These regulations are necessary to establish procedures for the approval of branch campuses and for the approval of programs offered by institutions. Review and revision are necessary to ensure that the regulations are consistent with current practice and terminology. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Academic Standards and Assessment 22 Pa. Code, Chapter 4	April 1998, as proposed.	These regulations are proposed to establish rigorous academic standards and assessments for the public schools of the Commonwealth. These proposed regulations are designed to replace current Chapters 3 (School Profiles), 5 (Curriculum) and 6 (Vocational Education). These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Gifted Education 22 Pa. Code, Chapter 16	February 1998, as proposed.	These regulations are proposed to establish separate rules for programs and services for gifted students apart from those established for other special needs students. Current special education regulations (Chapters 14 and 342) are largely driven by federal action. Gifted education is a state program. Separation of enabling regulations will permit greater efficiency and effectiveness in program operations. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Extended School Year Services 22 Pa. Code, Chapter 14, §§ 14.1, 14.34 & Chapter 342, § 342.34	February 1998, as final.	These revisions are proposed under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B. These amendments are necessary to ensure that Commonwealth regulations and standards are consistent with federal law and judicial decisions affecting extended school year services for eligible students and to provide guidance to local educational agencies when determining whether or not eligible students under Chapter 14 are entitled to extended school year services. Additional legal basis is found in 20 U.S.C. Section 1400 et seq. known as the Individuals with Disabilities Education Act, and implementing regulations at 34 CFR Part 300.	William Penn (717) 783-2311
Certification of Professional Personnel 22 Pa. Code, Chapter 49	May 1998, as proposed.	These regulations and revisions are necessary to ensure that those individuals preparing to be teachers receive a quality education and are competent to teach in the disciplines and areas for which they are certified. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
General Standards for Preparation of Professional Educators 22 Pa. Code, Chapter 352	January 1998, as proposed.	These regulations will provide general standards for the preparation of professional educators for the Commonwealth. Pennsylvania colleges and universities must meet these standards to obtain or retain Pennsylvania Department of Education approval to conduct professional educator programs leading to Pennsylvania certification. These regulations are being promulgated under authority of 22 Pa. Code, Chapter 49.	Samuel Marcus (717) 783-6794
Private Driver Training Schools 22 Pa. Code, Chapter 101	April 1998, as final.	These regulations provide an updated set of rules and regulations for private driver training schools. The current regulations were adopted in 1970.	Robert Roush (717) 783-6595

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>EMERGENCY MANAGEMENT AGENCY</b>			
No regulations being developed or considered at this date.			
<b>ENVIRONMENTAL HEARING BOARD</b>			
25 PA Code §§ 1021	March 1998, as proposed.	The regulations are being reviewed and revised on an ongoing basis. The revisions and additions to Chapter 1021 are meant to improve the practice and procedure before the Board and to provide the regulated community, the Department of Environmental Protection, and other potential litigants with more specific guidance on how to represent their interests before the Board. The legal basis for the regulation is § 5 of the Environmental Hearing Board Act (35 P. S. § 7515).	Kimberly Hafner 717-787-3483
<b>ENVIRONMENTAL PROTECTION</b>			
Special Protection Waters (Antidegradation) Program Clean Streams Law	June 1998, as final to the EQB.	The proposal has been developed to streamline and improve the existing program and to address EPA disapproval issues. The Department utilized a regulatory negotiation (Reg Neg) process to develop program changes at proposed rulemaking; however, expediting the regulation changes has been given a high priority as a result of a Federal Court order that EPA promulgate Federal regulations to correct program disapproval issues. EPA promulgated regulations for Pennsylvania in December 1996. The Reg Neg Group included representatives of conservation groups, the regulated community, public interest groups and government. The EQB received over 1,700 comments on its proposal. The Department has considered and responded to comments and is preparing final amendments. The Water Resources Advisory Committee (WRAC) will be briefed on the final rulemaking.	Carol Young, 717-787-4686
Stream Redesignations - French Creek, et al. (Part A) Clean Streams Law	March 1998, as final to the EQB.	This proposal evaluates 26 water bodies in 15 counties for addition, deletion or modification to the Special Protection use designations or for addition of use designations for streams which were not previously listed in Chapter 93. The changes will allow wastewater treatment requirements for dischargers to be consistent with water uses actually or potentially supportable by these streams. French Creek (Chester County), Sutton Creek (Luzerne County), Cedar Run and Slate Run (Lycoming and Tioga Counties), and Cove Creek (Bedford County), were evaluated as a result of petitions submitted to the Environmental Quality Board (EQB). Part B of the package contains recommendations for Browns Run (Warren County) and Trout Run (York County) and will be restudied by the EQB and considered in early 1999.	Tom Barron, 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapters 91, 97 & 101 - Wastewater Management Clean Streams Law	April 1998, as final to the EQB.	This proposal has been developed as a result of the Regulatory Basics Initiative (RBI) and Executive Order 1996-1 and consolidates references to related water pollution control requirements into a single source, Chapter 91. The proposal will provide the regulated community and DEP greater flexibility in implementing pollution prevention measures and will provide authority for DEEP to issue general water quality management permits. The former Water Subcommittee of the Air and Water Quality Technical Advisory Committee (AWQTAC), which has been renamed the Water Resources Advisory Committee (WRAC), reviewed this proposal in February 1997. The proposal was discussed with the Agricultural Advisory Board (AAB) in October 1997. WRAC and the AAB will review the draft final rulemaking in early 1998.	Milt Lauch, 717-787-8184
Chapter 94 - Municipal Wasteload Management Clean Streams Law	April 1998, as final to the EQB.	This proposal was developed as a result of the RBI and Executive Order 1996-1 and deletes regulations related to implementation of the federal pretreatment program. These references are unnecessary because DEP has not accepted delegation of this EPA program, nor does it plan to seek delegation in the foreseeable future. The proposal also provides clarity with respect to annual reporting requirements for municipal wastewater facility permittees. WRAC will review the draft final rulemaking in early 1998.	Milt Lauch, 717-787-8184
Chapters 92, 93, 95, 96 & 97 - Water Quality Amendments Clean Streams Law	March 1998, as proposed to the EQB.	These revisions will address several of the principles of the RBI and Executive Order 1996-1. The revisions will reorganize these chapters into permitting, water quality standards and implementation chapters respectively and will make several modifications to the programs. The WRAC reviewed drafts of the proposed rulemaking. The draft proposal was discussed with the AAB in December 1997.	Carol Young, 717-787-4686
Chapter 102, Erosion Control Clean Streams Law	Fall 1998, as final to the EQB.	This proposal includes minor revisions such as eliminating obsolete terms, simplifying technical requirements for control facilities, updating and clarifying permit requirements to reflect current Federal NPDES permit requirements for construction activities, revising requirements that may be interpreted as more restrictive than Federal requirements, and establishing a minimum area of disturbance to require the development of an erosion and sedimentation control plan. The WRAC and the AAB will review drafts of the final rulemaking.	Ken Murin, 717-787-6827

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 105, Dam Safety and Waterway Management Clean Streams Law, Dam Safety and Encroachment Act	December 1998, as proposed to the EQB.	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits; simplify the application fee schedule; and clarify the Chapters 105 and 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee (WetPAC) and the AAB are reviewing drafts of the proposal.	Ken Reisinger, 717-787-6827
Chapter 171, Schools Administrative Code of 1929	June 1998, as final to the EQB.	The Department proposes to eliminate these regulations concerning general sanitation at private and public schools because of the transfers of the Eating and Drinking Program to the Department of Agriculture and the Bathing Place Program to the Department of Health. The Department is working with these agencies to ensure that all regulatory programs continue to be administered in schools. Most basic sanitation requirements such as adequate sewage disposal, safe drinking water and proper solid waste disposal are provided by existing programs in DEP.	Joseph Hoffman, 717-787-5017
Bottled Water Systems Permit by Rule Safe Drinking Water Act	March 1998, as proposed to the EQB.	These amendments to Chapter 109 would incorporate a permit by rule for bottled water systems meeting specified criteria to streamline the permitting process. DEEP formed a working group of stakeholders and other interested parties to assist in identifying and selecting implementation options. The draft amendments will also include some changes pertaining to streamlining approval of new labels and clarifying reporting requirements as well as changes resulting from the RBI and Executive Order 1996-1. The Technical Assistance Center for Small Water Systems and WRAC have reviewed the draft amendments.	John Wroblewski, 717-787-9037
Chapters 260-270 - Comprehensive Hazardous Waste Amendments Solid Waste Management Act	September 1998, as final to the EQB.	The amendments are a major initiative to update Pennsylvania's hazardous waste regulations and to bring the state program into conformance with the federal RCRA program by adopting large portions of the federal regulations by reference. The SWAC reviewed the draft proposed rulemaking and will review the draft final amendments. The proposed rulemaking was published December 6, 1997. The public comment period closed February 4, 1998.	Rick Shipman, 717-787-6239

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Municipal Waste Revisions Solid Waste Management Act	April 1998, as proposed to the EQB.	This proposal changes the environmental assessment requirements to evaluate harms or potential harms vs. benefits; revises the criteria for permit issuance or denial based upon harms vs. benefits; includes revisions to ICW permit by rule and general permit requirements; includes standards for odor, noise and other nuisance control; modifies the closure requirements, and assessment and abatement standards to be consistent with the Act 2 regulations and federal Subtitle D criteria; revises the planning and grant procedures; revises isolation distances; changes the equivalency review procedure for municipal waste permits so that once approval is given, it may be applicable statewide; revises the mandatory site inspection schedules to reduce inspections at facilities with successful environmental management programs; revises the facility design and operating standards for composting facilities to be more performance based; moves the landfill liner specifications from regulations to guidance to allow for flexibility based upon technological advancements; revises leachate sampling requirements to delete parameters from quarterly sampling if not detected by monitoring; allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants. The draft proposal was reviewed by SWAC.	Bill Pounds, 717-787-7564
Residual Waste Revisions Solid Waste Management Act	March 1998, as proposed to the EQB.	The proposal changes the definition of waste and related terms to be similar to the solid waste definitions in RCRA Subtitle C; revises definitions and final closure standards to be consistent with the Act 2 regulations; allows for industry wide coproduct determinations and recycling of scrap metal; revises the assessment and abatement procedures to be consistent with the Act standards; includes standards for odor, noise and other nuisance control; revises isolation distances; modifies the environmental assessment requirements; revises the mandatory site inspection schedules to reduce inspections at facilities with successful environmental management programs; reduces the permit application fee and simplifies the approval process for demonstration facilities; revises the facility design and operating standards for composting facilities to be more performance based; expands the current permit-by-rule provisions; moves the landfill liner specifications from regulations to guidance to allow for flexibility based upon technological advancements; revises leachate sampling requirements to delete parameters from quarterly sampling if not detected by monitoring; allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants; modifies the attenuating soil requirements at landfills to allow for equivalency modeling based upon site specific conditions. The draft proposal was reviewed by SWAC.	Bill Pounds, 717-787-7564

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Waste Oil Amendments Solid Waste Management Act	April 1998, as proposed to the EQB.	This proposal consolidates the requirements for the management of used oil into one chapter. The SWAC reviewed the draft amendments in January 1998.	Bill Pounds, 717-787-7564
Aerospace Manufacturing and Rework - VOC Emission Limitations Air Pollution Control Act	May 1998, as final to the EQB.	This proposal establishes surface coating, adhesive, solvent cleaning, and housekeeping requirements specific to the aerospace manufacturing and rework industry. Presently, these operations are regulated, where applicable, by the general surface coating limitations contained in Section 129.52. The proposed regulation is based on the provisions of an EPA draft Control Techniques Guidance (CTG) which specifies minimum performance levels. The CTG and the companion maximum achievable control technology (MACT) document stress pollution prevention in use, reuse/recycling, handling, storage and disposal of solvents. The EPA CTG and MACT also specify application techniques which may be used. These requirements acknowledge the unique nature of the aerospace coatings and coating processes and provide for the use of some materials which have higher VOC levels than are permissible under existing regulations. The proposal also deletes the requirement from Section 129.51 which requires that all equivalencies be submitted to EPA as revisions to the State Implementation Plan (SIP). The Air Quality Technical Advisory Committee (AQTAC) reviewed the draft proposal and will review the draft final amendments.	Terry Black, 717-787-4310
New Motor Vehicle Emissions Control Program Air Pollution Control Act	September 1998, as final to the EQB.	This proposal establishes the mechanism for Pennsylvania to opt into the National Low Emission Vehicle (NLEV) program. It allows NLEV to be a fully acceptable compliance alternative to state emission limitations established for certain new vehicles sold after a specified model year. Should the state program be implemented, the applicable model year will be determined based on the time of adoption of the final rule; however, the model year cannot be earlier than the second model year following final adoption. The state emission limitations for nonmethane organic compounds (NMOG) and oxides of nitrogen (NOx) must be identical to those in effect for those applicable to cars sold in California. Each manufacturer must also meet a fleet emissions average for NMOG which gets increasingly more stringent over the years until 2003. This allows the manufacturer to vary the mix of vehicles according to market demand. The program will not require "California fuels" nor a zero emissions vehicle (ZEV) mandate. The AQTAC reviewed this proposal and will review the final amendments. The proposed rulemaking was published November 29, 1997.	Arleen Shulman, 717-787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOCs from Gasoline Dispensing Facilities (Stage II) Air Pollution Control Act	April 1998, as final to the EQB.	DEP formed stakeholder groups to assist the Department in selecting air quality control strategies to address ozone nonattainment in the Pittsburgh and Philadelphia areas. The stakeholders evaluated control strategies to address and resolve the problem. The Pittsburgh area proposed strategies resulted in proposed regulations regarding Stage II. This proposal will result in a revision to the SIP. The AQTAC was briefed in the development of the final rulemaking.	Terry Black, 717-787-4310
Air Quality Amendments - RBI #2 Air Pollution Control Act	April 1998, as final to the EQB.	These amendments are the second in a series of regulatory proposals implementing changes to DEP's air resource regulations resulting from the RBI. The proposal deletes portions of Chapter 128 which established alternative emission reduction limitations for certain air contamination sources; allows 45 days in Section 129.56 for repairs of defective seals on floating roof storage tanks of 40,000 gallons or more; revises Section 129.67(b)(2) to insert the term "less water" which was inadvertently deleted in a previous rulemaking; deletes the perchloroethylene (perc) requirements for dry cleaning facilities in Section 129.70 since EPA no longer considers perc a volatile organic compound (VOC); and deletes the Pennsylvania ambient air quality standards for sulfates, hydrogen fluoride and hydrogen sulfide in Chapters 131 and 139 because they are not required under the Clean Air Act. The ATAC will review the draft final amendments.	Terry Black, 717-787-4310
Malodors - RBI #3 Air Pollution Control Act	June 1998, as final to the EQB.	The malodor regulations will be modified to clarify the definition of "malodor," add a definition for "odor investigation" and add a technology limitation to resolve malodor problems. Drafts of the final rulemaking will be reviewed by AQTAC.	Terry Black, 717-787-4310
New Source Review Air Pollution Control Act	Contingent on EPA action.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits. The Department will propose a separate rulemaking package regarding emission reduction credits. In addition, the Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be reviewed by the AQTAC. EPA has proposed in its draft new source review (NSR) regulations a number of mechanisms related to generation and use of ERC's, and the use of an "area wide" plantwide applicability limit (PAL) to address trading issues. The proposed rules were issued in July 1996, and EPA indicates that final rules are to be issued in mid 1998. With the uncertainty of the nature of the final rules, the Department cannot proceed with revisions of the existing trading regulations until the final EPA rule is promulgated.	Terry Black, 717-787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Surface Coating Processes Air Pollution Control Act	April 1998, as proposed to the EQB.	This regulation will simplify the calculation procedure for determining compliance with Chapter 129 and consider small source exemptions to the extent possible without degrading air quality. The AQTAC will review the draft regulations.	Terry Black, 717-787-4310
Mobile Equipment Repair and Refinishing Air Pollution Control Act	December 1998, as final to the EQB.	The Southwest and Southeast Ozone Stakeholder Working Groups recommended that DEP adopt programs to reduce VOC emissions from automobile refinishing. The proposed regulations will establish maximum VOC content levels for automobile refinish materials used in the Commonwealth. The proposed regulation will also establish permitting requirements, pollution prevention and work practice standards. The AQTAC reviewed the draft proposed regulations.	Terry Black, 717-787-4310
Degreasing Operations Air Pollution Control Act	June 1998, as proposed to the EQB.	The Southwest and Southeast Ozone Stakeholder Working Groups recommended that DEP adopt programs to reduce VOC emissions from degreasing operations. The proposed regulations will establish requirements for solvent cleaning operations not presently regulated by the provisions of Section 129.63. The AQTAC will review the draft proposed rulemaking.	Terry Black, 717-787-4310
Emissions Trading - NOx and VOCs (ERCs)	July 1998, as proposed to the EQB.	The proposed regulations will modify the existing program for emissions trading of NOx and VOCs. The AQTAC will review a draft of the proposed rulemaking. The proposed rule will address the generation of ERCs from pre-1994 source shutdowns; the elimination of VOC offset requirements in certain attainment counties; elimination of offset requirements for NOx MOU covered sources; and issues related to enhanced BAT.	Terry Black, 717-787-4310
Chapter 240, Radon Certification Radon Certification Act	December 1998, as proposed to the EQB.	DEP conducted workshops attended by selected individuals from the Pennsylvania certified radon community to discuss possible amendments to the current regulations which appear to be of concern to the regulated community and which do not fully address new technologies that were developed since the effective date of the 1991 radon certification regulations in Chapter 240. Draft regulations are anticipated to be developed by July 31, 1998.	Michael Pyles, 717-783-3594
Low-Level Radioactive Waste - Waste Minimization Low-Level Radioactive Waste Disposal Act	March 2000, as proposed to the EQB.	DEP prepared a draft waste minimization issues (WM) paper which identifies ideas and options pertaining to waste minimization plan requirements for low-level radioactive waste generators. This document was presented to the Low-Level Waste Advisory Committee (LLWAC) in September 1997. The WM issues paper was subsequently converted into draft WM criteria and was presented to the LLWAC on December 12. The draft WM criteria document is anticipated to be finalized by June 1998.	Rich Janati, 717-787-2163

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Radiological Health (Chapters 216, 218, 221, 223, 227, 228) Radiation Protection Act	July 1998, as final to the EQB.	The Department is developing amendments to its radiological health regulations which were last revised in 1983. The amendments will address technological advances, mostly in the medical profession, which have occurred since that time. Issues to be addressed include new diagnosis and treatment methods, and particle accelerators which have changed in design and function. The amendments will offer increased protection to both employees and patients for medical diagnosis and treatment applications and address health and safety concerns, including the reduction in unnecessary exposure to patients and employees/operators. The Department consulted with its Radiation Protection Advisory Committee (RPAC) to solicit input on a draft of the regulations. RPAC will review the draft final regulations in April 1998.	Stuart Levin, 717-787-3720
Radiological Health (Chapters 215, 217, 219, 220, 224, 225, 226, 230 and 232) Radiation Protection Act	November 1998, as final to the EQB.	The Department is updating its regulations for the control of radioactive material in preparation for becoming an Agreement State with the U.S. Nuclear Regulatory Commission (NRC). One of the NRC requirements for the agreement is to have and maintain compatible regulations with the NRC. The proposed regulations address industrial radiography, well logging, irradiators, medical uses, transportation and packaging, protection standards and licensing. The Department consulted with RPAC to solicit input on a draft of the regulations.	Stuart Levin, 717-787-3720
Chapter 86, Subchapters A and D - General Provisions and Areas Unsuitable for Mining Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act	Fall 1998, as final to the EQB.	The amendments address regulations which are more stringent than federal requirements, lack clarity, and which are inconsistent with language used in federal regulations. This proposal was reviewed by the MRAB and is anticipated to be published in February.	David Hogeman, 717-787-4761
Chapter 89 - Mine Subsidence Control, Damage Repair (Act 54) Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act, Bituminous Mine Subsidence and Land Conservation Act	March 1998, as final to the EQB.	Various sections of Chapter 89 are obsolete and are being addressed along with amendments which are necessary to bring Pennsylvania's program into conformance with 1994 amendments to Pennsylvania law (Act 54) and 1995 amendments to Federal regulations. These changes involve subsidence damage and water loss due to underground bituminous coal mining. These changes do not fall within the purview of the MRAB; therefore, there was no advisory committee review.	Harold Miller, 717-783-8845
<b>GENERAL SERVICES</b>			
Instructions to Bidders 4 Pa. Code, Chapter 61	Spring, 1998, as proposed.	This Chapter has been superseded and should be repealed because such instructions should not be set out in regulatory form. There is a need for flexibility which can be of benefit to the Department as well as bidders.	Merle H. Ryan (717) 787-7095
General Conditions of the Construction Contract 4 Pa. Code, Chapter 63	Spring, 1998, as proposed.	See comment for Chapter 61.	Merle H. Ryan (717) 787-7095

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Art Commission 4 Pa Code, Chapter 65	Spring, 1998, as proposed.	The legislation creating the State Art Commission was sunsetted.	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code, Chapter 67	Summer, 1998, as proposed.	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code, Chapter 68	Spring, 1998, as proposed.	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	John R. McCarty (717) 783-8720
Commonwealth Parking Facilities 4 Pa. Code, Chapter 71	Summer, 1998, as proposed.	Amendments are required because parking locations have been changed.	Ronald L. Coy (717) 783-5028
Commonwealth Automotive Fleet 4 Pa. Code, Chapter 73	Summer, 1998, as proposed.	The regulation will be amended to eliminate the requirement for a Pennsylvania license to drive a state vehicle and will permit out-of-state licenses.	Gary Ankastrandt (717) 783-1982
Processing Subscriptions and Sales of Pennsylvania Code and Related Publications 4 Pa. Code, Chapter 81	Fall, 1998, as proposed.	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the Pennsylvania Code. The Pennsylvania Code contractor is now responsible for Pennsylvania Code subscriptions. New regulations will be developed to address sales of Commonwealth publications in general.	John R. McCarty (717) 783-8720
First Amendment Rights Amendment to 4 Pa. Code, Chapter 86	Spring, 1998, as proposed.	The amendment will extend coverage of the statement of policy to the Philadelphia State Office Building, Pittsburgh State Office Building, Scranton State Office Building, and Reading State Office Building.	Gregory C. Santoro (717) 787-5599
Death Benefits for Survivors of Firemen and Law Enforcement Officers 4 Pa. Code, Chapter 89	Summer, 1998, as proposed.	Since Act 101 of June 24, 1976 (P. L. 424) was amended by Act 161 of 1994 (P. L. 1373), the regulations must be amended to reflect the legislative changes.	Ronald L. Coy (717) 783-5028
<b>HEALTH</b>			
Emergency Medical Services 28 Pa. Code § 1001.1 et seq.	July 1998, as proposed.	The proposed amendments to the current regulations for the operation of the Emergency Medical System in the Commonwealth pursuant to the Emergency Medical Services Act, 35 P. S. §§ 6921-6938.	Kenneth Brody 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	October 1998, as proposed.	The amendments to existing regulations to make them consistent with current public health practices for the control of communicable and other reportable conditions. Currently under review by Bureau of Community Health, Bureau of Preventive Health, Bureau of Epidemiology and Bureau of Maternal and Child Health.	Suzanne Craig 717-783-2500
Personnel Administration in County Health Departments, 28 Pa. Code § 13.1 et seq.; State Aid to Local Health Departments, 28 Pa. Code § 15.1 et seq.	October 1998, as proposed.	The amendments to existing regulations to make them consistent with current local health administration practices. Currently under review by Bureau of Community Health.	Suzanne Craig 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Drug and Alcohol Confidentiality 4 Pa. Code § 255.1 et seq. and § 257.1 et seq.	July 1998, as proposed.	These regulations are being reviewed for updating and to address concerns regarding availability of records of patients being treated for drug and alcohol related problems.	Keith Fickel 717-783-2500
Newborn Screening 28 Pa. Code § 28.1 et seq.	No publication anticipated in the next six months.	These regulations are to address amendments to the Newborn Child Testing Act regarding procedures and time frames for the drawing of blood and filing of reports and the addition of two reportable diseases. Authority for these regulations is set forth in the Newborn Child Testing Act, 35 P. S. § 621.1 et seq.	Yvette Kostelac 717-783-2500
Amendments to the List of Drugs Which Optometrists May Use in the Course of Their Practice 28 Pa. Code Ch. 6	March 1998, as proposed.	These amendments to the regulations currently set out at 28 Pa. Code Ch. 6 are intended to comport with the expansion of the definition of the practice of optometry in the Optometric Practice and Licensure Act, (P. L. 197, No. 57) (63 P. S. § 244.1 et seq.). That act was amended by the Act of October 30, 1996, (P. L. 721, No. 130) to permit the administration and prescription of legend and nonlegend drugs as approved by the Secretary of Health for treatment of certain areas of the visual system, and under certain conditions. These proposed regulations include an expanded list of drugs approved by the Secretary for use by optometrists in the course of their practice.	Yvette Kostelac 717-783-2500
Environmental Health Assessment 28 Pa. Code § 17.1 et seq.	July 1998, as proposed.	These amendments are necessitated by the transfer of authority for certain environmental regulations from the Department of Environment Protection to the Department of Health. The DOH has met with consumer groups to obtain stakeholder input.	Nan Lipton 717-783-2500
Dental Laboratories 28 Pa. Code § 25.301 et seq.	March 1998, as proposed.	These new regulations are needed to establish standards for the operation of laboratories in dental offices, as required by the Controlled Substances, Drug Device and Cosmetic Act at 35 P. S. § 780-101 et seq.	Laurie McGowan 717-783-2500
Managed Care Organizations 28 Pa. Code §§ 9.1-9.227	July 1998, as proposed.	Amendment and update of regulations for Health Maintenance Organizations and Preferred Provider Organizations.	Howard Burde Laurie McGowan 717-783-2500
Head Injury Program	February 1998, as proposed.	Regulations will facilitate the implementation of this program.	Lawrence Otter 717-783-2500
Health Facility Licensure— Ambulatory Surgical Facilities 28 Pa. Code § 551.1 et seq.	March 1998, as final.	Amendment and update of regulations for ambulatory surgical facilities. Review occurred due to sunset of Certificate of Need	James T. Steele, Jr. 717-783-2500
Health Facility Licensure— Long Term Care Facilities & 28 Pa. Code § 201.1 et seq.	April 1998, as final.	Amendment and update of regulations for long term care facilities. Review occurred due to sunset of Certificate of Need	James T. Steele, Jr. 717-783-2500
Health Facility Licensure— General & Special Hospitals & Health Planning 28 Pa. Code § 101.1 et seq. 28 Pa. Code § 301.1 et seq. 28 Pa. Code § 401.1 et seq.	March 1998, as proposed.	Amendment and update of regulations for general and acute care hospitals, emergency services and psychiatric services. Also, the chapters on health planning are proposed for repeal. Review occurred due to sunset of Certificate of Need	James T. Steele, Jr. 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Health Facility Licensure— General Administrative Chapter & General and Special Hospitals 28 Pa. Code § 51.1 et seq. 28 Pa. Code § 101.1 et seq.	February 1998, as final.	Addition of general administrative chapter providing regulations relevant to all health care facilities; and addition of chapters to the general and special hospital regulations detailing requirements for the provision of specific types of services: open heart surgery, cardiac catheterization, organ transplantation surgery and neonatal care. Review occurred due to sunset of Certificate of Need.	James T. Steele, Jr. 717-783-2500
<b>HOUSING FINANCE AGENCY</b>			
No regulations being developed or considered at this date.			
<b>INFRASTRUCTURE INVESTMENT AUTHORITY</b>			
Pennsylvania Infrastructure Investment Authority Financial Assistance, (relating generally to Letters of No Prejudice). 25 Pa Code Chapter 963.17(b)	Summer 1998, as proposed.	These amendments to Chapter 963 will notify the public of certain less onerous regulatory requirements for obtaining a Letter of No Prejudice. The Letter of No Prejudice is an exception to PENNVEST's refinancing limitation allowing the applicant or potential applicant to proceed to construction provided a satisfactory financial plan to interim fund the project is approved and the construction is necessary to accomplish an objective delineated in Section 963.17(b)(2) of PENNVEST's regulations. These amendments will eliminate the need to demonstrate why the Letter of No Prejudice is necessary, leaving that decision with local government. As a result, the Letter of No Prejudice shall be issued upon request provided the applicant or potential applicant has a satisfactory financial plan approved by PENNVEST. The grant of authority to issue amendments to 25 Pa. Code § 963.17(b) is set forth in Section 6(4)(i) of the Pennsylvania Infrastructure Investment Authority Act, 35 P. S. § 751.6(4)(i).	Brion Johnson (717) 783-6798 Jayne B. Blake (717) 783-6776
Individual On-Lot Sewage Disposal System Program. 25 Pa Code Chapter 967	Summer 1998, as proposed.	The On-Lot Program affords citizens of the Commonwealth a means to finance and comply with environmental sewage disposal regulations in rural areas where households are not and will not be served by a centralized sewage disposal system. The aforementioned regulations set forth the terms and conditions for obtaining financial assistance from the On Lot Program and are necessary to instruct the individual homeowners on the particulars of the On-Lot Program. For example, the On-Lot Program regulations will inform the homeowners on how to apply for assistance, funding eligibility criteria and on how the Program is administered. The On-Lot Program regulations are a collaborative effort of the United States Environmental Protection Agency, the Department of Environmental Protection, the Pennsylvania Housing Agency and PENNVEST. The grant of authority to issue these regulations is set forth in Section 6(4)(i) of the Pennsylvania Infrastructure Investment Authority Act 35 P. S. § 751.6(4)(i).	Brion Johnson (717) 783-6798 Jayne B. Blake (717) 783-6776
<b>INSPECTOR GENERAL</b>			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>INSURANCE</b>			
Operating Expense Classifications 31 Pa. Code, Chapters 1, 5, 7 and 9	January 1998, as final.	Repeal obsolete, unnecessary regulations. The Insurance Commissioner has determined that the form, instructions and manuals prescribed by the National Association of Insurance Commissioners (NAIC) sufficiently address the classification of the types of expenses covered in the regulations. Therefore, the regulations are outdated and redundant to the NAIC guidelines and are no longer needed.	Peter J. Salvatore 717-787-4429
Allocation of Joint Expenses 31 Pa. Code, Chapter 3	July 1999, as proposed.	Amend to be consistent with current NAIC accounting instructions and to expand the scope of the regulations to include life and health insurers in holding company systems .	Peter J. Salvatore 717-787-4429
Miscellaneous (Relating to Uniform Classification of Expenses) 31 Pa. Code, Chapter 11	July 1999, as proposed.	Repeal § 11.2 and 11.5-7 to eliminate outdated unnecessary regulations and amend § 11.4 to clarify current NAIC accounting instructions for electronic data processing expenses.	Peter J. Salvatore 717-787-4429
Costs of Examinations (EDP Expenses) 31 Pa. Code, Chapter 12	July 1999, as proposed.	Amend to clarify the various types of costs incurred in the conduct of department examinations.	Peter J. Salvatore 717-787-4429
Stock Ownership Statements 31 Pa. Code, Chapter 21	July 1999, as proposed.	Amend to update requirements relating to Stock Ownership Statements consistent with NAIC model language.	Peter J. Salvatore 717-787-4429
Proxies, Consents and Authorizations 31 Pa. Code, Chapter 23	July 1999, as proposed.	Amend to update requirements relating to Proxies, Consents and Authorizations consistent with NAIC model language.	Peter J. Salvatore 717-787-4429
Acquisitions of Capital Stock (Insurance Company Holding Law) 31 Pa. Code, Chapter 25	August 1998, as proposed.	Amend to be consistent with 1993 amendments to the authorizing statute and to eliminate unnecessary filing requirements	Peter J. Salvatore 717-787-4429
Disclosure of Material Transactions 31 Pa. Code, Chapter 27	March 1998, as final.	Under § 320 of The Insurance Company Law of 1921 (40 P. S. § 443), insurers transacting business in the Commonwealth are required to file financial statements with the Department on an annual basis, and the Department has the discretion to require additional statements as necessary. The proposed regulation requires domestic insurers to file interim statements of specific transactions which may have an effect on the financial condition of the company. The regulation is required for continued accreditation by the NAIC.	Peter J. Salvatore 717-787-4429
Advances to Mutual, Stock and Life Companies	January 1999, as proposed.	New regulation to address surplus notes issued by mutual stock and life companies consistent with authorizing statute adopted in 1992.	Peter J. Salvatore 717-787-4429
Assigned Risk Plan 31 Pa. Code, Chapter 33	May 1998, as proposed.	Amend regulation to be consistent with Pennsylvania Assigned Risk Plan	Peter J. Salvatore 717-787-4429
Producer Licensing 31 Pa. Code, Chapter 37	April 1998, as proposed.	Amend 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, consistent with statutory amendments in Act 72 of 1996 and 40 of 1997.	Peter J. Salvatore 717-787-4429
Producer Licensing 31 Pa. Code, Chapter 38	April 1998, as proposed.	Amend Statement of Policy regarding procedures for National and State Chartered Banks to sell insurance and annuities.	Peter J. Salvatore 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Producer Licensing 31 Pa. Code, Chapter 39	April 1998, as proposed.	Amend Chapter 39 relating to continuing education for agents and brokers consistent with statutory amendments in Act 72 of 1996.	Peter J. Salvatore 717-787-4429
Fraternal Benefits Societies Administration 31 Pa. Code, Chapter 41	March 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Reserves of Beneficial Societies 31 Pa. Code, Chapter 43	December 1998, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Advertising of Insurance 31 Pa. Code, Chapter 51	May 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Special Rules of Administrative Practice and Procedure 31 Pa. Code, Chapter 56	March 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Publication of Citations and Notice of Hearings 31 Pa. Code, Chapter 57	March 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Objections and Procedure for Hearings on Reports of Examination 31 Pa. Code, Chapter 58	July 1999, as proposed.	Repeal to eliminate outdated, unnecessary requirements consistent with the new examination law adopted in 1992 (40 P. S. §§ 323.1 - 323.8) .	Peter J. Salvatore 717-787-4429
Cancellations and Refusal to Renew Homeowners Insurance 31 Pa. Code, Chapter 59	May 1999, as proposed.	Amended language to regulation and statute is being drafted pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Notices for and Appeals of Cancellations and Refusals to Renew Automobile Insurance Policies 31 Pa. Code, Chapter 61	July 1998, as proposed.	Modify regulation consistent with the statute (40 P. S. § 1008.1 et seq.). The regulations provide guidance to automobile insurers relating to cancellations and nonrenewals of certain automobile insurance policies, and the available administrative process to secure an administrative review of such terminations.	Peter J. Salvatore 717-787-4429
Physical Damage Appraisers 31 Pa. Code, Chapter 62	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Uninsured Motorist Coverage 31 Pa. Code, Chapter 63	August 1999, as proposed.	Amend pursuant to Executive Order 1996-1 and pending filing before the Department.	Peter J. Salvatore 717-787-4429
Private Passenger Automobile Policy Forms 31 Pa. Code, Chapter 64	July 1998, as proposed.	Repeal pursuant to Executive order 1996-1.	Peter J. Salvatore 717-787-4429
Charter Amendments 31 Pa. Code, Chapter 65 65"65.21-26	July 1999, as proposed.	Amend to eliminate outdated, unnecessary provisions relating to minimum capital and surplus requirements pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Collision Loss Settlements 31 Pa. Code, Chapter 65, §§ 65.11-14	March 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Catastrophic Loss Trust Fund 31 Pa. Code, Chapter 67, §§ 67.1-16	July 1999, as final.	Amend obsolete regulation for the automobile insurance Catastrophic Loss Trust Fund. The Fund was abolished and replaced with the Catastrophic Loss Benefits Continuation Fund.	Peter J. Salvatore 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Motor Vehicle Financial Responsibility Law - Evidence of Financial Responsibility 31 Pa. Code, Chapter 67, §§ 67.21-28	June of 1998, as final.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Motor Vehicle Financial Responsibility Law Consumer Protections Statement of Policy 31 Pa. Code, Chapter 68	June 1999, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Credit Insurance 31 Pa. Code, Chapters 71 and 73	February 1998, as final.	Delete Chapter 71 and amend Chapter 73. Because legislation passed in July 1994 expanded the Insurance Department's regulatory authority over credit unemployment insurance, the current credit insurance regulations will be expanded to include credit unemployment insurance. Additionally, the regulations will be revised to provide for less burdensome rating and rate deviation procedures, for new prima facie rates, and to incorporate and update numerous current credit insurance notices and guidelines.	Peter J. Salvatore 717-787-4429
Life Insurance Illustrations	September 1998, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore 717-787-4429
Replace Life Insurance Annuities 31 Pa. Code, Chapter 81, §§ 81.1-9	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Variable Life Insurance 31 Pa. Code, Chapter 82, §§ 82.1-91	September 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Disclosure in Solicitation of Life Insurance 31 Pa. Code, Chapter 83, §§ 83.1-57	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Mortality Tables Used in Determining Nonforfeiture Standards 31 Pa. Code, Chapter 84, §§ 84.1-6	May 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Minimum Reserve Standards 31 Pa. Code, Chapter 84a., §§ 84a.1-8	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Actuarial Opinion & Accumulation Contracts 31 Pa. Code, Chapter 84b., §§ 84b.1-11	September 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Variable Annuity & Accumulation Contracts 31 Pa. Code, Chapter 85, §§ 85.1-40	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Premium & Retirement Deposit Fund 31 Pa. Code, Chapter 86, 86.1-12	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Requirements for Life Policies and Sales Practices 31 Pa. Code, Chapter 87, §§ 87.1-42	August 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Individual Accident & Sickness Minimum Standards 31 Pa. Code, Chapter 88, §§ 88.1-195	September 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Accident and Health Insurance Regulation 31 Pa. Code, Chapter 89 §§ 89.1-11 and § 89.17	May 1998, as proposed.	Changes will be promulgated regarding the deregulation of rates and forms filings for accident and health insurance, as a result of Act 159 of 1996. Changes will be made pursuant to the health care provisions of the Federal Health Insurance Portability and Accountability Act of 1996.	Peter J. Salvatore 717-787-4429
Preparation of Forms, etc. 31 Pa. Code, Chapter 89, §§ 89.12-16, 89.18-62 and 89.101	August 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Separate Accounts for Principle and Interest Guarantees 31 Pa. Code, Chapter 90a, §§ 90a.1-31	July 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Various Individual Death/Life/Annuity Benefits 31 Pa. Code, Chapter 90c-90h	August 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105	January 1999, as proposed.	Amend to reflect statutory amendments adopted in 1992 and 1995 and to eliminate outdated, unnecessary provisions relating to cash advancements to insurance companies pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Policies Covering Personal Property Pledged as Collateral 31 Pa. Code, Chapter 112	August 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Consent to Rate Filings 31 Pa. Code, §§ 113.1-9	October 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Mass Merchandising of P&C Insurance 31 Pa. Code, §§ 113.51-62	January 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Notice of Increase in Premium 31 Pa. Code, Chapter 113,"113.81-87	March 1998, as final.	Amend current regulations to be consistent with 1995 amendments to Act 86 of 1986, which governs the termination of commercial property and casualty insurance policies. Act 10 of 1995 reduced the period for advance notice of increase in renewal premium from 60 to 30 days and eliminated the requirement that companies provide insureds with notice of estimated increases in premium. The proposed regulation reflects these statutory changes and clarifies various other provisions of Act 86 .	Peter J. Salvatore 717-787-4429
Public Adjusters 31 Pa. Code, Chapter 115	June 1998, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. "1601-1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Additionally, three sections have been proposed for deletion since they mirror the Act.	Peter J. Salvatore 717-787-4429
Discounting Workers' Compensation Loss Reserves 31 Pa. Code, Chapter 116, "116.1-9	May 1998, as proposed.	Blend regulations on discounting of loss reserves into one regulation consistent with Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Anti Arson Application 31 Pa. Code, Chapter 117, §§ 117.1-8	March 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Discounting Medical Malpractice Loss Reserve 31 Pa. Code, Chapter 118. "118.1-6	May 1998, as proposed.	Blend regulations on discounting of loss reserves into one regulation consistent with Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Fees for Out of State Companies 31 Pa. Code, Chapter 121	March 1998, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Surplus Lines 31 Pa. Code, Chapter 124	March 1998, as proposed.	Repeal two current regulations, 31 Pa. Code, Chapters 35 and 123 and replace with one updated regulation relating to surplus lines insurance consistent with 1992 statutory amendments.	Peter J. Salvatore 717-787-4429
Title Insurance 31 Pa. Code, Chapter 125	July 1998, as proposed.	Amend pursuant to Executive Order 1196-1.	Peter J. Salvatore 717-787-4429
Title Insurance 31 Pa. Code, Chapter 126	July 1998, as proposed.	Amend pursuant to Executive Order 1196-1.	Peter J. Salvatore 717-787-4429
Deductible Program 31 Pa. Code, Chapter 131	January 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval 31 Pa. Code, Chapter 133	September 1998, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Qualifications of Persons Signing Annual Financial Statements 31 Pa. Code, Chapter 135	March 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Miscellaneous (Unsafe Products, Consumer Affairs, Advertising 31 Pa. Code, Chapter 137	February 1998, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Description of Reserves - Prohibited Phrases 31 Pa. Code, Chapter 139	August 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices 31 Pa. Code, Chapter 146	June 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Securities Held Under Custodial Agreements 31 Pa. Code, Chapter 148	December 1998, as proposed.	Amend to eliminate unnecessary forms, add uniform requirements relating to custodial agreements and duties of custodians and update provisions relating to permissible custodians .	Peter J. Salvatore 717-787-4429
Continuing Care Providers 31 Pa. Code, Chapter 151	July 1999, as proposed.	Amend to be consistent with 1996 statutory amendments relating to the order of distribution of assets in insolvencies and to provide for the voluntary surrender of a certificate of authority.	Peter J. Salvatore 717-787-4429
Contractual Agreements with Integrated Delivery Systems 31 Pa. Code, Chapter 152	December 1998, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore 717-787-4429
Medical Professional Catastrophe Loss Fund 31 Pa. Code, Chapters 242 §§ 242.1- 242.20	December 1998, as proposed.	Act 135 of 1996 reforms the Medical Professional Liability Catastrophe Loss Fund (Fund) by raising primary coverage limits for health care providers to \$300,000. The statute also changes the formula used to assess providers' Fund coverage from a premium based method to one fixed on filed Joint Underwriting Association rates. The Insurance Department will amend its regulations consistent with the statute.	Peter J. Salvatore 717-787-4429
Health Maintenance Organizations 31 Pa Code, Chapters 301-303	August 1998, as proposed.	Amend pursuant to Executive order 1996-1.	Peter J. Salvatore 717-787-4429
Underground Storage Tank Indemnification Fund - Claims Regulation 25 Pa. Code, Chapter 977	October 1998, as proposed.	Requires underground storage tank owners be in compliance with certain leak detection standards in order to obtain claims coverage from the Underground Storage Tank Indemnification Fund. The proposed regulation establishes requirements for owners to file such claims.	Peter J. Salvatore 717-787-4429
Underground Storage Tank Indemnification Fund - Fee Regulation 25 Pa. Code, Chapter 971	October 1998, as final.	Amend the existing fee regulation for the Underground Storage Tank Indemnification Fund (USTIF) to comport with the USTIF Board's decision to reduce fees of the USTIF.	Peter J. Salvatore 717-787-4429
<b>LABOR AND INDUSTRY</b>			
Workers' Compensation Judges and Workers' Compensation Appeal Board 34 Pa. Code Chapters 131 and 111	Fall 1998, as proposed.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation. Draft (tentatively) to be prepared by September 1998, but not into approval process until late 1998 for Judges Rules. Workers' Compensation Appeal Board, draft tentatively in 1998.	Thomas J. Kuzma (717) 783-4467

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Work-place Safety Committee Certification; Evaluation of Accident/Illness Prevention Services & Programs of Insurers and Self-insureds; Qualifications of Accident/Illness Prevention Service Providers 34 Pa. Code Chapter 129	March 1998, as proposed.	The rulemaking implements the health and safety provisions of Article X of the Workers' Compensation Act. The proposed rulemaking specifies the safety committee certification application and renewal processes and establishes the necessary program components and evaluation criteria for accident and illness prevention programs maintained or provided by licensed insurers and self-insured employers. In addition, the regulation ensures the uniform application of the provisions of Article X.	Len Negley (717) 772-1917
Group Self Insurance Funds 34 Pa. Code Chapter 125	March 1998, as final.	These regulations will bring Chapter 125 into compliance with certain amendments (Sections 30582, 802 (b)(11), 819) which resulted from Act 57.	George Knehr (717) 783-4476
Underground Storage Facilities	July 1998, as proposed.	This regulation will address requirements for natural or man-made caverns used for LPG storage.	James Varhola (717) 787-3329
Dry Cleaning	October 1998, as proposed.	Dry Cleaning Law, Act of December 19, 1990, P. L. 1387, No. 214, 35 P. S. '1270.1 et seq. This regulation is to regulate the construction, operation and maintenance of dry cleaning plants.	Edward Leister (717) 787-3323
Personal Care Homes Housing Immobile Residents 34 Pa. Code Chapters 49, 55 & 56.	May 1998, as proposed.	The regulation is a result of the Act of December 21, 1988, P. L. 1883, No. 185, which permitted the housing of immobile persons in personal care homes. The current Fire and Panic Regulations for personal care homes require personal care home occupants to be both physically and mentally capable of taking appropriate measures for self preservation with minimal supervision in the event of a fire. They are not designed to provide a fire safe environment for immobile persons. The proposed regulations will require the installation of an automatic sprinkler system in personal care homes which house immobile residents.	Edward Leister (717) 787-3323
Asbestos Occupations Accreditation and Certification	June 1998, as proposed.	Act of December 19, 1990, P. L. 05, No.194, 63 P. S. §§ 2101-2112. This regulation established the Department's worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency's model plan.	Sharon Lawson (717) 772-3396
Elevators and Lifting Devices	October 1998, as proposed.	The new regulation will amend the current standards to include ANSI/ASME A17.1, B20.1 and other national consensus standards. There is a need to update standards to bring them in line with national standards.	James Varhola (717) 787-3329

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND</b>			
Payment and Collection of Fund Surcharge 31 Pa Code §§ 242.1 et. seq.	January 1999, as proposed.	This regulations will further clarify the basis upon which the Medical Professional Liability Catastrophe Loss Fund's surcharge is to be paid. The regulation will be consistent with the statute as it relates to the procedure for levying, payment and collection of the surcharge, and the date on which it is to be remitted to the Fund. Statutory authority 40 P. S.§§ 1301.701 et.seq.	Arthur McNulty 717-783-3770
<b>MILITARY AND VETERANS AFFAIRS</b>			
State Veterans Home 43 Pa.Code Section 7.1 et. seq.	July 1998, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Robert P. Daday 717-861-8503
<b>PARDONS</b>			
Recommendation 37 PA. Code § 81.301	April, 1998, as final omitted.	This regulation will be amended to conform with Joint Resolution 1997-2.	Nelson R. Zullinger 717-787-2596
<b>PROBATION AND PAROLE</b>			
No regulations being developed or considered at this date.			
<b>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</b>			
Change in Benefit Payment Plan 22 Pa. Code § 213.45	January 1999, as proposed.	Under the current regulations, a benefit payment plan becomes irrevocable upon filing of the application for annuity. The member, however, does not receive a final audit of the retirement account until after the application has been filed and benefits have commenced. The proposed regulation seeks to correct the unfairness of having the member make irrevocable retirement elections before receiving final account information by making the benefit payment plan irrevocable only after the required account audit is performed. The regulations are promulgated under the authority of the Public School Employes' Retirement Code (Act of October 2, 1975, P. L. 298, No. 96, as amended), 24 Pa.C.S. §§ 8101-8535.	Frank Ryder (717) 720-4733
22 Pa. Code Chapters 201, 211, 213 and 215	No publication anticipated in next six months	These regulations are in the process of review as a result of Executive Order 1996-1.	Frank Ryder (717) 720-4733
<b>PUBLIC WELFARE</b>			
Subsidized child day care	May 1998, as final.	The final regulation will provide policy changes needed to implement an integrated child care system as required by the Federal Child Care and Development Block Grant. The final regulation includes the requirements for a family to be eligible for the subsidized child care program and the benefit available through the subsidized child care system.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Protective Services Law	February 1998, as proposed.	This regulation incorporates the amendments to the child protective services law as a result of Act 151 of 1994 and Act 10 (Special Services No. 1) of 1995. The major changes are: provisions for investigating reports of suspected sexual abuse or exploitation or serious bodily injury by a school employee against a student; screening applicants for employment in schools against childline files to determine whether or not their names are on file as an abuser; and reports of neglect.	Tom Vracarich (717) 783-2209
Child Residential and Day Treatment Facility	February 1998, as proposed.	These revisions are being proposed to update regulations, which were last revised on June 7, 1986. the regulations address contemporary changes in the fields of residential care and day treatment. The emphasis is on protecting the health, safety and well-being of children served. The Department's legal basis for proposing the regulations is found in Article IX and X of the Public Welfare Code, Act of June 13, 1967 (P. L. 31, No. 21) (62 P. S. § 901-922 and 1001 and 1080).	Tom Vracarich (717) 783-2209
Medical assistance estate recovery	April 1998, as proposed.	This regulation will codify the department's collection practices to recover correctly paid Medical Assistance from the estates of certain deceased recipients age 55 or older who receive Medical Assistance for nursing facility care (includes Intermediate Care Facilities/Mental Retardation and Intermediate Care Facilities/Other Related Conditions), home and community based services, and related hospital prescription drug services. Changes effective August 15, 1994 and are the result of OBRA' 93 and Act 1994-49.	Tom Vracarich (717) 783-2209
Disclosure of social security number	June 1998, as final.	This regulation incorporates federal requirements that applicants for and recipients of benefits administered by the Department of Public Welfare are required to disclose or apply for a social security number as a condition of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Continuation of Medical Assistance throughout pregnancy.	September 1998, as final omitted.	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Lump sum payments	February 1998, as proposed.	This proposed regulation will require that any balance remaining of a lump sum that has been treated as income in the calendar month of receipt for the Medical Assistance eligibility determination is treated as a resource in subsequent months. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Veterans Affairs Aid and Attendance	June 1998, as final omitted.	This regulation codifies the provision that the VA aid and attendance benefit received by an MA recipient in a nursing facility is not counted as income when determining the amount of income an individual is expected to pay toward the cost of care. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Emergency Assistance Program	June 1998, as proposed.	This regulation eliminates the allocation of emergency assistance for housing under the cash grant line. Funding for this purpose will be transferred to the Office of Social Programs. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Exclusion of Resources-Medical Assistance children	October 1998, as final omitted.	This regulation codifies the provision that resources are excluded in the Medical Assistance eligibility determination process for supplemental security income (SSI) related, general assistance (GA) related, and TANF-related persons under 21 years of age and for SSI-related, TANF-related, and GA-related families with children under 21 years of age. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Workfare/Community Service	January 1999, as proposed.	The revisions clarify who may be assigned and the priority and factors to be considered in making Workfare program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for Workfare recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Assistance Restructure - Act 1994-49	February 1998, as final omitted.	This regulation incorporates provisions of Act 1994-49 including acceptance of written verification of medical disability for chronically needy non-financial eligibility determination; 60-day residency requirement; savings designated for educational purposes; and certain medical services which are no longer compensable expenses. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Elimination of transitionally needy component of general assistance program	February 1998, as final omitted.	This regulation codifies the elimination of cash assistance payments to persons in the GA-Transitional Needy ("TN") category. References to both the TN and chronically needy (CN) components are deleted since there is no longer a need to differentiate between GA program requirements. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35 - General eligibility changes	February 1998, as final omitted.	This regulation codifies statutory changes to eligibility conditions for General Assistance benefits, including the following: expanding the eligibility determination period to 30 days; establishing a period of residency; imposing ineligibility periods based on welfare fraud convictions; limiting Medically Needy Only/Medical Assistance ("MNO/MA") eligibility to certain groups; and revising the methodology used to determine eligibility for retroactive MNO/MA. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Elimination of PACE requirement	October 1998, as final omitted.	This regulation codifies the elimination of the deduction from income for the PACE program and the mandate to enroll in the PACE program as required by Title XIX. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Minor parent	February 1998, as final omitted.	This regulation incorporates Act 1995-20 revisions to the Temporary Assistance for Needy Families and General Assistance general eligibility requirements by adding a condition that, to receive cash assistance, certain minor parents who are applicants or recipients and the dependent children in the minor parent's care, must reside in the home of a parent, legal guardian, other adult relative, or in an adult-supervised supportive living arrangement, unless one of several exceptions is met. Act 35 expanded this provision to include the TANF-related category of categorically needy- nonmoney payment medical assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Real property liens	June 1998, as proposed.	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. In addition, the regulation would address other policy issues and a general restructure of the existing chapter. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Criminal history	April 1998, as final omitted.	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35 - Provisions Effective March 3, 1997	February 1998, as final omitted.	This regulation incorporates provisions of the TANF program implemented 3/3/97 by NORC including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; establishing a two-tier benefit level based on residency; and further defining Title IV-D cooperation requirements and procedures for TANF and GA applicants and recipients. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Act 1996-35 - Community Service	March 1998, as final.	This proposed regulation would provide that a person who verifies they are actively engaged in volunteer community services for 100 hours per month can qualify for MNO-MA benefits if otherwise eligible. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical support rights	December 1998, as final omitted.	This regulation will require Medical Assistance applicants/ recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Annuity rule	October 1998, as final omitted.	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized spouse or their representative may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Intentional Program Violations	April 1998, as final omitted.	This regulation incorporates federal mandates by the U.S. Department of Agriculture and the U.S. Department of Health and Human Services that individuals found to have committed an intentional program violation be subject to an immediate disqualification penalty regardless of the individual's current eligibility status for benefits. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client groups.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT)	July 1998, as final omitted.	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan. This regulation will be reviewed by the medical assistance advisory committee (MAAC) which includes representatives of professional provider associations, providers, the health law project, the welfare rights organization, consumers, and client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Clozapine support services	May 1998, as final omitted.	This regulation codifies coverage for psychiatrists, outpatient psychiatric clinics and psychiatric partial hospital facilities for support services provided to MA recipients receiving clozapine. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Medical Assistance case management services	May 1998, as final omitted.	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
General Assistance Restructure - Act 1994-49	May 1998, as final omitted.	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for (1) dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; (2) medical supplies and equipment except as prescribed for family planning or with home health agency service; and (3) prescription drugs except legend birth control drugs. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Prior authorization	May 1998, as final omitted.	This final regulation adds a prior authorization requirement for home health services, psychiatric partial hospitalization and multisource brand name drugs identified by the department as having equivalent generic drug products available for substitution. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinue coverage - infertility	May 1998, as final omitted.	This final regulation codifies Act 1994-49 provisions that discontinues payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Residential Treatment Facilities (RTF) for mental health services	May 1998, as final omitted.	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Pharmaceutical services drug coverage	May 1998, as final omitted.	This regulation provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
\$150 deductible for General Assistance recipients	May 1998, as final omitted.	This regulation implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Inpatient Hospital Services - Negotiated Rate Agreement	June 1998, as final omitted.	This final regulation incorporates the provisions of the negotiated rate agreement between the Department and the hospital industry. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Minimum Data Set	June 1998, as final omitted.	This final regulation replaces the Department's current minimum data set forth for long term care providers. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Early Intervention Services	September 1998, as proposed.	This regulation will establish program regulations for early intervention services in keeping with the Federal regulations under the Individuals with Disabilities Education Act and Act 212 of 1990. Early intervention services regulations are called for by the Legislative Budget and Financing Committee Report on early intervention services.	Tom Vracarich (717) 783-2209
<b>REVENUE</b>			
Books, Publications and Advertising Materials 61 Pa. Code § 31.29	September 1998, as final.	The Department is amending § 31.29 (relating to books, printed matter and advertising materials) in response to statutory changes and inquiries from the public.	Douglas A. Berguson 717-787-1382
Calculation of Title Insurance Company Gross Premiums 61 Pa. Code § 162.11	June 1998, as final.	The Department is proposing a change in the method of calculating the gross premiums tax on title insurance policies for which the issuer charges the insured an all-inclusive fee pursuant to the rate schedule approved by the Pennsylvania Insurance Department.	Douglas A. Berguson 717-787-1382
Cigarette Tax 61 Pa. Code, Article III	January 1998, as final.	This regulation is a comprehensive amendment to the cigarette tax regulations set forth in Title 61, Article III. Cigarette and Beverage Taxes.	Douglas A. Berguson 717-787-1382
Compensation; Allowable Deductions From Gross Compensation and Deferred Compensation Arrangements 61 Pa. Code §§ 101.6, 101.6a and 101.6b	April 1998, as proposed.	The Department is amending §§ 101.6 and adding 101.6a and 101.6b to set forth its interpretation of current case law and current policy in the areas of compensation; commonly recognized old age or retirement benefits; reimbursements of business expenses; and guaranteed payments.	Douglas A. Berguson 717-787-1382
Credits Against Tax; Estimated Tax 61 Pa. Code §§ 111.2 - 111.5, 115.1 - 115.5, 115.8, 115.9 and 115.11 - 115.12	May 1998, as proposed.	This regulation sets forth the Department's policy relating to taxes for which credit is not allowed; other conditions for allowance of the credit for taxes paid to other states; limitations on the amount of the credit for taxes paid to other states; proof requirements; jointly paid estimated tax; and application of overpayments of estimated tax. This regulation is necessary to delete obsolete text; add language consistent with statutory changes; and provide additional guidance in areas that have been subject to questions from the public.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Commercial Motion Pictures 61 Pa. Code § 32.38	March 1998, as proposed.	The Department is setting forth its interpretation of section 2 of Act 7-1997, section 204(54) (72 P. S. § 7204(54)) regarding the sales and use tax exclusion for the sale at retail to or use by a producer of commercial motion pictures of any tangible personal property directly used in the production of a feature-length commercial motion picture distributed to a national audience.	Douglas A. Berguson 717-787-1382
Computer Software and Related Transactions 61 Pa. Code § 31.33	June 1998, as proposed.	Pursuant to Act 7-1997, various types of computer services are no longer subject to sales and use tax on or after July 1, 1997. However, certain computer related transactions remain subject to tax. This regulation provides guidance concerning these transactions.	Douglas A. Berguson 717-787-1382
Corporate Net Income Tax Taxpayers and Capital Stock and Foreign Franchise Tax Taxpayers 61 Pa. Code §§ 153.1 and 155.1	May 1998, as proposed.	Act 7-1997 substantially revised the entities that are subject to the corporate net income tax and capital stock franchise tax effective for tax years beginning after December 31, 1997. The purpose of the regulation is to revise the lists of taxable entities that are subject to these taxes consistent with Act 7.	Douglas A. Berguson 717-787-1382
Definitions; Net Profits and Regulated Investment Companies 61 Pa. Code §§ 101.1, 103.12 and 155.30	June 1998, as final.	Section 101.1 (relating to definitions) is being amended by replacing the existing definitions of "employee" and "employer" with new definitions consistent with the requirements of 72 P. S. § 7301(g) and (h). The definition of "income" is being expanded to implement the provisions of 72 P. S. § 7602(f)(2)(A) and reflect recent holdings in <i>Morgan v. Commonwealth</i> , 42 Pa. Commonwealth Ct. 557, 400 A.2d 1384 (1979) and <i>Wettach v. Commonwealth</i> , 153 Pa. Commonwealth Ct. 293, 620 A.2d 730 (1993). Section 103.12 (relating to net profits) is also being amended to reflect <i>Morgan and Wettach</i> . The definition of "personal income tax income" set forth in § 155.30(b)(4) (relating to regulated investment companies) is being amended to provide that the term means income computed in the same manner and on the same basis as the income of an individual under Article V. Personal Income Tax.	Douglas A. Berguson 717-787-1382
Disclaimers of Nonprobate Taxable Assets 61 Pa. Code § 93.81	June 1998, as final.	The regulation sets forth specific conditions that must be met in order for a disclaimer executed in regard to nonprobate taxable assets and nontrust assets of resident decedents to be valid for Pennsylvania inheritance tax purposes. Based on the decision and order received from the Commonwealth Court <i>In Re Estate of Bernecker</i> , 654 A.2d 246 (Pa. Commonwealth 1995), the Department is revising its policy on the effectiveness of disclaimers of nonprobate taxable assets for Pennsylvania inheritance tax purposes.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
File-by-phone (TeleFile) System and Federal and State Electronic Tax Filing Program 61 Pa. Code §§ 117.19 - 117.21	April 1998, as proposed.	The file-by-phone (TeleFile) program involves the filing of a Pennsylvania personal income tax return by phone. The Federal and State electronic tax filing program involves the filing of a Pennsylvania personal income tax return as part of the Federal and State Electronic Filing Program.	Douglas A. Berguson 717-787-1382
Further Examination of Books and Records 61 Pa. Code §§ 6.22, 8a.1 and 35.1	March 1998, as final.	This regulation interprets section 2915-A of the act of June 30, 1995 (P. L. 139, No. 21) (Act 21) by adding § 8a.1 (relating to further examination of books and records). It also deletes § 6.22 (relating to further examination of books and records) because the section will not be necessary upon final publication of § 8a.1. To avoid confusion, § 35.1 (relating to tax examinations and assessments) is being amended to delete language that is similar in nature to § 8a.1. Section 2910-A of Act 21 required the Department to develop regulations to implement the provisions of Article XXIX-A. Tax Amnesty Program, of which section 2915-A, further examination of books and records, is a part.	Douglas A. Berguson, 717-787-1382
Local Tax 61 Pa. Code §§ 60.16, and 95.1 - 95.303	June 1998, as proposed.	This regulation sets forth the Department's interpretation of sections 501-509 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P. S. §§ 12720.501 - 12720.509), sections 3150-B - 3157-B of the Second Class County Code (16 P. S. §§ 6150-B - 6157-B) and section 201-A of the Tax Reform Code of 1971 (72 P. S. § 7201-A). Currently the Department's interpretation is set forth as a pronouncement and codified at 61 Pa. Code § 60.16 (relating to local sales, use and hotel occupancy tax). The Department has concluded that its policy relating to local sales, use and hotel occupancy tax should be set forth as a regulation. Therefore, in addition to proposing to add Chapter 95. Local Tax, the Department is also proposing to delete the pronouncement set forth at § 60.16.	Douglas A. Berguson, 717-787-1382
Public Transportation Assistance Fund Taxes and Fees 61 Pa. Code §§ 9.4 and 47.19	March 1998, as final.	This regulation sets forth the Department's interpretation of 72 P. S. § 9301 relating to public transportation assistance fund taxes and fees. Currently the Department's interpretation is set forth as a pronouncement and codified at § 9.4 (relating to public transportation assistance fund taxes and fees). The Department has concluded that its policy relating to public transportation assistance fund taxes and fees should be set forth as a regulation. Therefore, in addition to proposing to add § 47.19 (relating to public transportation assistance fund taxes and fees), the Department is also proposing to delete the pronouncement set forth at § 9.4.	Douglas A. Berguson, 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Return of Information as to Payment In Excess of \$10 61 Pa. Code § 117.18	March 1998, as final.	This regulation amends § 117.18 (relating to return of information as to payment in excess of \$10) to clarify how a Pennsylvania information return may be made by a regulated investment company. In March, 1996, the Department adopted a final-form regulation that amended § 117.18 in addition to other personal income tax regulatory sections. During the final stages of the adoption process, a comment was made regarding the information return made by a regulated investment company. To avoid delay in adoption of the entire regulatory package, the Department agreed to amend the section in a separate regulation.	Douglas A. Berguson, 717-787-1382
Single Factor Apportionment 61 Pa. Code § 155.10	January 1998, as proposed.	Regulation provides that it is the policy of the Department that for tax years beginning on or after January 1, 1998, student loan assets set forth in § 155.10(d)(4)(vi) that are owned or held by a trust or other entity created or formed for the securitization of student loans, or by a trustee on its behalf, are exempt by reason of public policy from taxation for purposes of the taxable assets fraction under § 155.10.	Douglas A. Berguson 717-787-1382
Telecommunications Service 61 Pa. Code §§ 31.1, 31.24, 48.1 and 55.8	September 1998, as final.	This regulation sets forth the Department's interpretation of the 1991 statutory changes set forth in section 201(m), 202(c) and 204(5) of the Tax Reform Code of 1971 (72 P. S. §§ 7201(m), 7202(c) and 7204(5)) regarding telephone, telegraph and telecommunications services.	Douglas A. Berguson, 717-787-1382
Sales and Use Tax Amendments 61 Pa. Code §§ 7.3, 7.6, 31.4, 31.5, 31.7, 31.26, 32.1 - 32.5, 32.21, 32.22, 32.31 - 32.37, 33.1, 33.2, 33.4, 42.1, 42.3, 44.2, 45.1, 46.9, 47.18 and 58.13	February 1998, as proposed.	The Department is proposing numerous amendments to the Pennsylvania Code, Title 61. This regulatory package is the result, in part, of a comprehensive review of sales and use tax regulations in light of legislative changes from 1991 to the present.	Douglas A. Berguson, 717-787-1382
Vehicle Rental Tax 61 Pa. Code §§ 9.14 and 47.20	April 1998, as final.	This regulation sets forth the Department's interpretation of Article XVI-A Vehicle Rental Tax (72 P. S. §§ 8601-A - 8604-A). Currently the Department's interpretation is set forth as a pronouncement and codified at § 9.14 (relating to passenger car rental tax). The Department has concluded that its policy relating to Article XVI-A should be set forth as a regulation. Therefore, in addition to proposing to add § 47.20 (relating to vehicle rental tax), the Department is also proposing to delete the pronouncement set forth at § 9.14.	Douglas A. Berguson, 717-787-1382
Utility Gross Receipts Tax 61 Pa. Code §§ 160.21 - 160.43	May 1998, as proposed.	The Department is proposing this regulation to clarify the changes to the utility gross receipts tax brought about by utility deregulation (Act 138-1996) codified in Title 15 and Title 66. This regulation will also provide guidance and clarity to out-of-state businesses and the emerging industry.	Douglas A. Berguson, 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>SECURITIES COMMISSION</b>			
"Registration Procedure" 64 Pa. Code § 303	March 1998, as proposed.	The Commission plans to amend this regulation to conform its requirements to the state preemption provisions of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Post-Registration Provisions" 64 Pa. Code § 304	March 1998, as proposed.	The Commission plans to amend this regulation to conform its requirements to the state preemption provisions of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Suspension & Revocation" 64 Pa. Code § 305	March 1998, as proposed.	The Commission plans to amend this regulation to conform its requirements to the state preemption provisions of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Advertisements by investment advisers" 64 Pa. Code § 404.010	March 1998, as proposed.	The Commission plans to amend this regulation to conform its requirements to the state preemption provisions of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
"Notice to Purchasers under Section 207(m)" 64 Pa. Code § 207.130	March 1998, as proposed.	This amendment would implement provisions of Act 126 of 1994. Act 126 of 1994 amended Section 207(m) and deleted its application to transactions under Sections 203(e) and (r) of the 1972 Act while also making the furnishing of a notice reciting the withdrawal rights under Section 207(m) a condition of the exemption in Section 203(d). Act 126 also gave the Commission explicit authority to adopt a regulation specifying the form and manner in which a 207(m) notice has to be given.	G. Philip Rutledge (717) 783-5130
"Financial institutions exempt from broker-dealer registration" 64 Pa. Code § 302.065	March 1998, as proposed.	This regulation would exempt financial institutions and individuals representing financial institutions from broker-dealer and agent registration if the activities are conducted in connection with a net working arrangement or brokerage affiliate arrangement.	G. Philip Rutledge (717) 783-5130
<b>STATE</b>			
Corporations Bureau	Spring 1998, as proposed.	The Corporations Bureau will propose deleting references by name to the Governor, Secretary of the Commonwealth and Director of the Corporation Bureau on its sample filing forms and to the docketing statement promulgated by the Department pursuant to 15 Pa. C. S. § 133 because changes in administration render such references obsolete. It should be noted that under Section 133 sample filing forms are not considered to be agency regulations for purposes of the Administrative Code, the Commonwealth Attorneys Act or the Regulatory Review Act but shall be subject to opportunity of public comment required under Section 201 of the Commonwealth Documents Law.	Michael Frick, (717) 787-1057

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Commissions, Elections and Legislation	Spring 1998, as proposed.	The Department proposes comprehensive revisions to regulations found at 4 Pa. Code to eliminate obsolete provisions, reflect recent statutory changes and to reflect changes to campaign expense reporting as a result of the computerization initiative. The amendments will be proposed pursuant to the Pennsylvania Voter Registration Act (25 P. S. § 961.301), the Pennsylvania Election Code (25 P. S. § 2601 et seq ) and Campaign Expense Reporting Law (25 P. S. § 3241 et seq)	Richard Filling, (717) 787-5280
Bureau of Commissions, Elections and Legislation	Spring 1998, as final.	The Department proposes to eliminate references to campaign expense reporting forms which are obsolete. The amendments will be proposed pursuant to the Campaign Expense Reporting Law (25 P. S. § 3241 et seq)	Richard Filling, (717) 787-5280
State Athletic Commission	February 1998, as final. Spring 1998, as proposed.	The State Athletic Commission (SAC) proposes to amend 58 Pa. Code Chapter 21 to require professional boxers and kickboxers to submit, as part of their annual application for licensure, a report from a licensed medical laboratory that the applicant has tested negative for HIV. The final regulations were transmitted to the committees and IRRC in November 1997. The SAC proposes comprehensive revisions to 58 Pa. Code in order to reflect changes to the Pennsylvania Athletic Code as well as changes in commission procedures. The regulations will be promulgated pursuant to the Pennsylvania Athletic Code (5 Pa. C.S.A. § 101 et. seq).	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries	Winter 1998, as proposed.	The Navigation Commission will propose comprehensive revisions to 13 Pa. Code Chapters 201 - 209 to enhance navigational safety, eliminate obsolete regulations and reflect statutory changes pursuant to 55 P. S. § 31 and 71 P. S. § 670.2(4).	Brian Gottlieb, (717) 787-6458
State Board of Auctioneer Examiners Absolute Auctions - 49 Pa. Code § 1.41.	No publication anticipated in next 6 months.	The proposal would identify those auctions in which the term "absolute auction" (an auction of sale to the highest bidder without any reserve limitation or conditions) may be used in auctioneer advertising and when conducting an auction. The regulation will protect the consumer at auctions by making false or deceptive advertising or auctioneering grounds for discipline. The Board has authority to regulate the conduct of licensed auctioneers under Section 32 of the Auctioneer and Auction Licensing Act, Act of December 22, 1983, P. L. 327, 63 P. S. § 734.32.	Linda Dinger (717) 783-3397
Approved Course of Study - 49 Pa. Code § 1.11.	No publication anticipated in next 6 months.	The proposal would establish standards for school course practicum work in auctioneering. The regulation will permit the Board to verify the minimum level of education the Board believes necessary for licensure. Legal authority for the regulation is Section 32, 63 P. S. § 734.32.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Sponsorship of Apprentices - 49 Pa. Code § 1.31.	No publication anticipated in next 6 months.	The proposal would require that sponsors provide minimum training of apprentices and document supervision of apprentices whom they employ. The regulation is needed to provide objective standards for sponsors to follow in training and supervising apprentices whom they employ and whose apprenticeship qualifies them for licensure. Legal authority for the regulation is Section 32, 63 P. S. § 734.32.	
Biennial Renewal Increase - 49 Pa. Code § 1.41	February 1998, as proposed. May 1998, as final.	Proposed rulemaking will increase biennial renewal fees for auctioneers and apprentices. Legal authority for the regulation is 63 P. S. §§ 734.32, 734.33.	
State Board of Barber Examiners 49 Pa. Code, Chapter 3.	Fall 1998, as proposed.	Revision of all regulations. Updating all regulations and deleting antiquated provisions. Statutory authority: 63 P. S. § 566.4(b).	Sara Sulpizio (717) 783-3402
State Board of Chiropractic Sexual Misconduct - 49 Pa. Code § 5.54.	June 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 302(3) of the Chiropractic Practice Act, Act of December 16, 1986, P. L. 1646, as amended, 63 P. S. § 625.302(3).	Deb Smith (717) 783-7156
Peer Review - 49 Pa. Code § 5.55.	No publication anticipated in next 6 months.	The proposal would regulate standards for review of chiropractic treatment. The proposal would assure that when chiropractic diagnosis and treatment are subject to utilization review by chiropractors, appropriate standards will be employed. The statutory authority for the regulation is Section 302(3) of the Act, 63 P. S. § 625.302(3).	
State Board of Cosmetology Disinfection, Equipment and Supplies; Accreditation - 49 Pa. Code §§ 7.71, 7.71a, 7.71b, 7.105, 7.113a and 7.114.	March 1998, as proposed.	These regulations reflect updated changes in industry standards for disinfecting and sterilizing necessary equipment required to be available and in use in cosmetology shops. Minimum safety and sanitation standards in cosmetology shops and schools are authorized under Section 11 of the Act of May 3, 1933, P. L. 242, as amended, 63 P. S. § 517.	Sara Sulpizio (717) 783-7130
General Revisions - 49 Pa. Code, Chapter 7.	September 1998, as proposed.	Revision of all regulations; updating all regulations and deleting outdated provisions. Statutory authority: 63 P. S. § 517.	
State Architects Licensure Board General Revisions - 49 Pa. Code §§ 9.1 -9.211.	March 1998, as final.	The amendments will delete unnecessary and outmoded provisions and revise language concerning requirements for licensure, professional conduct and board procedures. The regulations provide necessary guidance to applicants for licensure in Pennsylvania and will notify licensees of disciplinary process and procedures. Legal authority: Section 6(a) of the Architects Licensure Law, 63 P. S. § 34.6(a).	Dorna Thorpe (717) 783-3398

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Accountancy Continuing Education Program Sponsors - 49 Pa. Code §§ 11.1, 11.4, 11.64, 11.65, 11.66, 11.70-11.73, 11.80.	September 1998, as proposed.	The regulations would require approved continuing education program sponsors to biennially renew their approval and would authorize the Board to conduct audits of approved programs. The regulations are necessary to ensure that continuing education programs meet licensure renewal needs. Statutory authority: 63 P. S. § 9.3(10).	Dorna Thorpe (717) 783-1404
Commissions and Referral Fees - 49 Pa. Code § 11.24.	No publication anticipated in next 6 months.	The regulation would set forth the nature of the written disclosure that certified public accountants and public accountants must make in order to pay or receive commissions and referral fees in connection with the referral or recommendation of products and services. The regulation is necessary to comply with recent amendments to the C.P.A. Law. Statutory authority: 63 P. S. § 9.12(p).	
General Revisions - 49 Pa. Code §§ 11.4, 11.5, 11.7-11.9, 11.12-11.14, 11.18, 11.25, 11.27, 11.30, 11.31, 11.35, 11.41 and 11.53-11.55.	September 1998, as proposed.	The regulations would revise or eliminate existing requirements to conform to sweeping amendments to the C.P.A. Law that took effect February 3, 1997. Statutory authority: 63 P. S. § 9.3(10)-(12).	
State Board of Funeral Directors Pre-need 49 Pa. Code Chapter 13	Fall 1998, as proposed.	The board intends to promulgate regulations to provide clear and concise guidance to licensees regarding pre-need monies and contracts. Legal authority: Section 16(a) of the Law, 63 P. S. § 479.16(a).	Cheryl Lyne (717) 783-3397
State Board of Landscape Architects Continuing Education - 49 Pa. Code § 15.71-15.83.	April 1998, as proposed.	The amendments establish procedures and standards for continuing education as a condition of biennial renewal. The Board is required to adopt regulations establishing requirements of continuing education as a condition for renewal of a license under Section 9.1 of the Landscape Architects' Registration Law, Act of January 24, 1966, P. L. (1965) 1527, added by the Act of December 7, 1994, P. L. 774, 63 P. S. § 909.1.	Shirley Klinger (717) 783-3397
Examination Fees - 49 Pa. Code § 15.12.	May 1998, as final.	Amendments are required to raise fees for C.L.A.R.B. partial licensing examination commencing December, 1998, pursuant to contract. The Board is required to administer this examination under Sections 4(2) and 4(3) of the Landscape Architects' Registration Law, Act of January 24, 1966, P. L. (1965) 1527, 63 P. S. §§ 904(2) and 904(3).	
State Board of Medicine Sexual Misconduct - 49 Pa. Code, Chapter 16.	Summer 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 8 of the Medical Practice Act, Act of December 20, 1985, P. L. 457, as amended, 63 P. S. § 422.8.	Cindy Warner (717) 783-1400

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Complaint Process - 49 Pa. Code § 16.62.	April 1998, as final.	Regulations which provide for recommendation by the Board prosecutor to the Board on the disposition of complaints were declared invalid in <i>Lyness v. State Board of Medicine</i> , 605 A.2d 1204 (1992). The Board has authority to repeal these regulations under Section 8 of the Medical Practice Act of 1985, 63 P. S. § 422.8.	Cindy Warner (717) 783-1400
Certified Registered Nurse Practitioners (CRNPs) - 49 Pa. Code § 18.21.	No publication anticipated in next six months.	The Board intends to collaborate with the State Board of Nursing to jointly promulgate standards and criteria by which CRNPs could write prescriptions for medical therapeutic measures. Provide for prescriptive authority of the CRNP in the Commonwealth under Section 15 of the Medical Practice Act, 63 P. S. § 422.15.	
Requirements for approval of training programs for Certified Registered Nurse Practitioners (CRNP) - 49 Pa. Code § 18.41.	Summer 1998, as proposed.		
Renewal Fees - 49 Pa. Code § 16.13.	February 1998, as proposed. May 1998, as final.	This regulation would require that all CRNP programs applying for approval by the Board meet specific criteria prior to approval. The regulations will assist educational institutions in developing programs in advanced practice nursing which will qualify graduates for certification as CRNPs. The Board has authority to jointly promulgate with the Nurse Board under Section 15(b) of the Medical Practice Act, 63 P. S. § 422.15(b).	
49 Pa. Code § 16.98.	No publication anticipated in next six months.	The Board intends to increase renewal fees. Section 6 of the Medical Practice Act, 63 P. S. § 422.6 requires the Board to fix fees to meet expenditures over a two-year period. If fees are not increased, the Board projects a deficit by the end of the next renewal period.	
Administration of Anesthesia - 49 Pa. Code § 16.98.	No publication anticipated in next six months.	This regulation would establish standards for the delegation of the administration of anesthesia. Publication as proposed occurred October 19, 1996. The Board has received a significant number of comments. The Board has determined further study is warranted before final rulemaking will occur. Statutory authority: Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	Cindy Warner (717) 783-1400
Sympathomimetic Amines - 49 Pa. Code § 16.96.	April 1998, as final.	The Board intends to delete regulations pertaining to the prescribing of sympathomimetic amines. The regulation was sunset by its own terms January 17, 1992.	
State Board of Vehicle Manufacturers, Dealers and Salespersons  General Provisions, Licensure, Facility requirements - 49 Pa. Code §§ 19.1-19.23.	Summer 1998, as proposed.	The Board intends to revise all its regulations to delete outdated provisions and take into account industry-wide changes in business practices. The amendments are needed to conform to changes in the 1996 amendments to the Board of Vehicles Act. The Board has authority to promulgate regulations under Section 4(9) of the Board of Vehicles Act, Act of December 22, 1983, as amended, 63 P. S. § 818.4(9).	Teresa Woodall (717) 783-1697

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Nursing Requirements for approval of training programs for Certified Registered Nurse Practitioners (CRNP) - 49 Pa. Code § 21.271.	Summer 1998, as proposed.	This regulation would require that all CRNP programs applying for approval by the Board meet specific criteria prior to approval. The regulations authorized under Section 6.1 of the Professional Nursing Law, 63 P. S. § 216.1, will assist educational institutions in developing programs in advanced practice nursing which will qualify graduates for certification as CRNPs. The Board has authority to jointly promulgate with the Medical Board under Section 2(1) of the Law, 63 P. S. § 212(1).	Ann Steffanic (717) 783-7142
Nursing Functions - 49 Pa. Code §§ 21.11, 21.12, 21.13, 21.14, 21.15, 21.16, 21.145.	Winter 1998, as final.	These regulations would confirm the registered nurse's authority to accept oral orders and authorize licensed practical nurses to accept oral orders for medical and therapeutic regimens, update, clarify and delete unnecessary language pertaining to the functions of registered nurses and authorize licensed practical nurses as well as registered nurses to administer drugs. The regulation of the practice of nursing and licensed practical nursing by the Board is authorized under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k) and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.	
RN general revisions - 49 Pa. Code §§ 21.1—21.126.	Spring 1998, as proposed.	These regulations will update or delete outdated provisions pertaining to registered nurses and consolidate all regulatory provisions pertaining to registered nurse education programs. Revisions to the regulations are authorized by Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
LPN general revisions - 49 Pa. Code §§ 21.141—21.234.	Summer 1998, as proposed.	These regulations will update or delete outdated provisions pertaining to licensed practical nurses and consolidate all regulatory provisions pertaining to practical nurse education programs. Revisions to the Practical Nurse Law are authorized under Section 17.6, 63 P. S. § 667.6.	
CRNP prescriptive privileges 49 Pa. Code §§ 21.151 - 21.351.	Summer 1998, as proposed.	These regulations, to be promulgated by both the State Board of Medicine and the State Board of Nursing, would authorize CRNPs to prescribe medications in cooperation with a licensed physician. These regulations, authorized under Section 2 and 2.1 under the Professional Nursing Law, 63 P. S. §§ 212 and 212.1(k), and Section 15 of the Medical Practice Act of 1985, 63 P. S. § 422.15, will clarify and update current, ambiguous provisions regarding CRNPs' prescriptive authority.	Ann Steffanic (717) 783-7142
Sexual Misconduct - 49 Pa. Code §§ 21.18 and 21.148.	Spring 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Optometry Sexual Misconduct - 49 Pa. Code, Chapter 23.	Fall 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 3(a)(14) of the Optometric Practice and Licensure Act, Act of June 6, 1980, P. L. 197, as amended, 63 P. S. § 244.3(a)(14).	Deb Smith (717) 783-7134
General Revisions - 49 Pa. Code, Chapter 23.	No publication anticipated in next six months.	The Board proposes to revise regulations concerning fee sharing, corporate and fictitious name practice, specialty advertising and reciprocity. The Board intends to remove regulations which unduly burden optometrists in the business structure of practices and in procedures related to reciprocal licensure, as well as to clarify the parameters of specialty advertising. Statutory authority: Section 3(a)(14) of the Optometric Practice and Licensure Act, Act of June 6, 1980, P. L. 197, as amended, 63 P. S. § 244.3(a)(14).	
Certification for the Prescription of Therapeutic Drugs - 49 Pa. Code, Chapter 23.	March 1998, as final.	The Board will propose regulatory amendments to implement the therapeutic drug provisions added by Act 130 of 1996 effective October 30, 1996. The regulatory amendments would approve appropriate educational providers and examinations prerequisite to certification of optometrists in the prescription and administration of therapeutic drugs, and amend continuing education requirements. The amendments are authorized under Sections 3(a)(14) and 4.1 of the Optometric Practice and Licensure Act.	
State Board of Osteopathic Medicine Sexual Misconduct - 49 Pa. Code, Chapter 25.	June 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 16 of the Osteopathic Medical Practice Act, 63 P. S. § 271.16.	Gina Bittner (717) 783-4858
Sympathomimetic Amines - 49 Pa. Code § 25.211.	February 1998, as final.	The Board anticipates deleting 49 Pa. Code § 25.211. Section 25.211(g) provides that the Board would delete section 25.211 by January 17, 1992, unless the section were revised or reestablished. The Board has determined not to revise or reestablish this section. The Board, therefore, will delete.	
State Board of Pharmacy General Revisions - 49 Pa. Code, Chapter 27.	April 1998, as final.	The Board proposes to delete outdated and redundant regulations and to clarify language in others. The proposal is needed to eliminate unnecessary provisions, reflect changes in state and federal law, and clarify practice parameters and standards. Sections 3(f), 4(j), 6(k)(1) and (9) of the Pharmacy Act, Act of September 27, 1961, P. L. 1700, as amended, 63 P. S. §§ 390-3(f), 390-4(j), 390-6(k)(1) and 390-6(k)(9), authorize the promulgation of these amendments.	W. Richard Marshman (717) 783-7157

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Podiatry Sexual Misconduct - 49 Pa. Code, Chapter 29.	June 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 16(a)(3) of the Podiatry Practice Act, Act of March 2, 1956, P. L. (1955) 1206, 63 P. S. § 42.16(a)(3).	Gina Bittner (717) 783-4858
State Board of Veterinary Medicine Rules of Professional Conduct - 49 Pa. Code § 31.21.	Spring 1998, as final.	Final rulemaking will remove standards imposed on licensees when terminating the veterinarian/client relationship. The Board is authorized to establish standards of professional conduct under Section 5(2) of the Act, 63 P. S. § 485.5(2).	Robert Kline (717) 783-1389
Advertising Emergency Services - 49 Pa. Code § 31.21.	Spring 1998, as proposed.	The regulation will require all veterinarians who advertise emergency services or 24-hour veterinary care, to include in any advertisement information indicating the hours when emergency services are available, and whether a veterinarian will be on call or on the premises. Statutory authority: 63 P. S. § 485.5(2).	
Application Fees - 49 Pa. Code § 31.41.	Spring 1998, as proposed.	Proposed rulemaking will increase application fees for veterinarians and animal health technicians, the temporary permit fee and the continuing education program approval fee. Statutory authority: 63 P. S. § 485.13.	
State Board of Dentistry Fees - 49 Pa. Code § 33.3.	Winter 1998, as final.	The regulations will establish temporary permit and certification fees for expanded function dental assistants (EFDAs) and increase application fees for dentists and dental hygienists. The Dental Law requires the Board to issue temporary permits and certificates for EFDAs and collect a fee for those documents, 63 P. S. §§ 122(d.1) and 130h, and to collect the costs associated with the review of applications.	June Barner (717) 783-7162
Sexual Misconduct - 49 Pa. Code, Chapter 33.	No publication anticipated in next six months.	Reports of sexual misconduct by health care practitioners are on the rise. This regulation will provide licensees with guidance in this area, as authorized under Section 3(o) of the Dental Law, Act of May 1, 1933, P. L. as amended, 63 P. S. § 122(o).	
Advertising - 49 Pa. Code § 33.203(b)(4).	No publication anticipated in next six months.	The regulation will amend outdated provisions, clarify dental specialties and add a provision to the advertising regulations regarding the advertising of dental referral services. Section 4.1(a)(10) of the Dental Law prohibits false, misleading or deceptive advertising. The Board believes that the failure to advise patients that a dentist pays a fee for participation in a dental referral service falls within that prohibition and should be included in Section 33.203(b) of the regulations. The regulation will also update this provision consistent with Act 113 of 1996.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Expanded Function Dental Assistants - 49 Pa. Code, Chapter 33.	Summer 1998, as proposed.	The regulations will add EFDAs to the appropriate sections of the dental regulations including general provisions and minimum standards of conduct and practice. In December 1994, the Dental Law was amended to authorize the certification of expanded function dental assistants (EFDAs). Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
Continuing Professional Education - 49 Pa. Code, Chapter 33.	Winter 1998, as proposed.	This regulation will establish continuing education regulations for dentists, dental hygienists and expanded function dental assistants. The regulations are required under Act 113 of 1996, which amended Section 3(j) of the Dental Law, 63 P. S. § 122(j).	
Lasers - 49 Pa. Code, Chapter 33	No publication anticipated in next six months.	The regulation will codify the existing statement of policy and clarify educational requirements for the use of lasers in a dental office. Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	June Barner (717) 783-7162
State Real Estate Commission General Revisions - 49 Pa. Code, Chapter 35.	February 1998, as proposed.	The Commission plans a comprehensive amendment to Chapter 35 to bring its existing regulations up to date with today's current policies. Statutory authority: 63 P. S. § 455.404.	Debra Sopko (717) 783-3658
State Board of Certified Real Estate Appraisers Definitions - 49 Pa. Code § 36.1.	September 1998, as proposed.	The regulation would define the term "evaluation" to parallel the meaning of the term as it is used by institutions regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision. Statutory authority: 63 P. S. § 457.5(2).	Cheryl Lyne (717) 783-3397
Experience Options for Certification 49 Pa. Code § 36.13.	April 1998, as proposed.	The regulation would expand the categories of qualifying experience for certification as an appraiser; require appraisers who supervise appraisal assistants to keep records of assistants' activities and provide verification of their experience to the Board; and mandate that all appraisal reports submitted as qualifying experience by applicants for certification conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulation brings more fairness, efficiency and structure to the Board's evaluation of qualifying experience. The regulation complies with standards established for state appraiser boards by the Appraisal Foundation's Appraiser Qualifications Board (AQB), a federal regulatory body. Statutory authority: 63 P. S. § 457.5(2).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Inspection of Property 49 Pa. Code § 36.51	April 1998, as proposed	The regulation would clarify that a certified general appraiser, certified residential appraiser or certified broker/appraiser is required, when performing an appraisal, to conduct a complete interior and exterior inspection of the subject property unless an inspection is not physically possible. The regulation is necessary to ensure that every appraisal performed by a certificate-holder of the Board complies with appropriate professional standards. Statutory authority: 63 P. S. § 457.5 (2).	Cheryl Lyne (717) 783-3397
Standards of Professional Conduct - 49 Pa. Code § 36.281.	February 1998, as final.	The regulation would set forth the standards of professional conduct for Certified Pennsylvania Evaluators practicing in the Commonwealth. The regulation is necessitated by Section 7(a)(6) of the Assessors Certification Act, which empowers the Board to discipline certificate holders who violate any standards of professional conduct for real property assessment as adopted by the Board by regulation. Statutory authority: 63 P. S. §§ 458.3 and 458.7(a)(6).	
Broker/Appraiser Fees - 49 Pa. Code § 36.6.	April 1998, as proposed.	The regulation would establish an application fee and initial certification fee for the newly created appraiser certification class of broker/appraiser. The fees will help to defray expenses of the Board associated with regulating broker/appraisers. Statutory authority: 63 P. S. §§ 457.5(6) and 457.9(c).	
Continuing Education - 49 Pa. Code §§ 36.41, 36.42, 36.261 and 36.262.	April 1998, as proposed.	The regulation would raise the biennial continuing education requirements for certified general and certified residential appraisers and Certified Pennsylvania Evaluators from 20 classroom hours to 28 classroom hours; establish a 28-classroom hour continuing education requirement for broker/ appraisers; and mandate that all certificate-holders complete a minimum number of classroom hours on the USPAP and the Board's statutory and regulatory requirements. The regulation is necessary to improve the effectiveness of the Board's continuing education program and to comply with the standards established by the AQB. Statutory authority: 63 P. S. § 457.5(2).	
Pre-certification Education and Experience - 49 Pa. Code §§ 36.11 and 36.12.	September 1998, as final.	The regulation would raise the experience and education requirements for certification as a residential appraiser and general appraiser to comply with standards established by the AQB that take effect January 1, 1998, pursuant to federal rules. Statutory authority: 63 P. S. § 457.5(2).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Examiners of Nursing Home Administrators Experience and Education Requirements - 49 Pa. Code § 39.5.	No publication anticipated in next 6 months.	The regulation will amend and clarify education and experience requirements for licensure. Section 6 of the Nursing Home Administrators License Act, 63 P. S. § 1106, specifies the qualifications for admission to examination. The education and experience regulations at Section 39.5 have not been reviewed or clarified since 1991. The amendments will remove outdated and confusing provisions. Statutory authority: Section 4(c) of the Nursing Home Administrators License Act, Act of June 22, 1970, P. L. 378, as amended, 63 P. S. § 1104(c).	Melissa Wilson (717) 783-7155
Temporary Permits - 49 Pa. Code § 39.17.	No publication anticipated in next 6 months.	The regulation will amend and clarify the requirements for temporary permits. Section 14 of the Nursing Home Administrators License Act, 63 P. S. § 1114, authorizes the Board to issue temporary permits. The revisions will update and clarify the existing statement of policy.	
General Revisions - 49 Pa. Code §§ 39.1-39.91.	No publication anticipated in next 6 months.	These regulations will update and delete outdated provisions of current regulations, including definitions, subject matter for examinations, approval of programs of study, and licensure renewal. The Board's regulations have not been reviewed or updated since 1992. These revisions are authorized under Sections 4 and 9 of the Law, 63 P. S. §§ 1104 and 1109.	
Continuing Education - 49 Pa. Code §§ 39.31-39.71.	June 1998, as proposed.	The regulation will amend and clarify the continuing education requirement in Section 9 of the Nursing Home Administrators License Act, 63 P. S. § 1109.	
State Board of Physical Therapy Physical Therapists - 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21-40.24.	July 1998, as proposed.	Regulations correct and revise existing regulations regarding physical therapists. Proposed under Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Robert Kline (717) 783-7134
Sexual Misconduct - 49 Pa. Code, Chapter 40.	May 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Sections 3, 5 and 10 of the Act, 63 P. S. § 1303, 1305 and 1310.	
State Board of Psychology Private practice by certified school psychologists - 49 Pa. Code § 41.56.	No publication anticipated in next 6 months.	This regulation governs the conditions under which school psychologists may engage in private practice. The Board plans to define the term "employed" within the context of Chapter 41. Statutory authority: 63 P. S. § 1203.2(2).	Melissa Wilson (717) 783-7155
Definitions - 49 Pa. Code § 41.1.	No publication anticipated in next 6 months.	The regulations would update terms to reflect current accreditation entities. The term "Accredited college or university" should be amended to reflect the new name for the "Council on Postsecondary Accreditation (COPA)", which is the "Commission on Recognition of Postsecondary Accreditation (CORPA)." Statutory authority: 63 P. S. § 1203.2(2).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Postdoctoral Experience - 49 Pa. Code § 41.31(c)(1)(ii)(E).	No publication anticipated in next 6 months.	The regulation establishes necessary experience for licensure. The Board plans to clarify its intent that an individual working two jobs need only meet with his/her respective supervisors one hour per week to satisfy the two hours/week requirement of this paragraph. Statutory authority: 63 P. S. § 1203.2(2).	
Licensure of master's degree candidates - 49 Pa. Code § 41.54.	February 1998, as final.	This regulation pertains to licenses issued prior to January 1, 1996. The Board plans to repeal this section, because the Board no longer issues licenses to Master's degree candidates. Statutory authority: 63 P. S. § 1203.2(2).	
Professional records - 49 Pa. Code § 41.57.	No publication anticipated in next 6 months.	This regulation establishes minimum requirements for records which psychologists must maintain. The Board plans to add language to its existing regulation to address a psychologist's responsibility to release information to clients and to authorize psychologists to charge a fee for reasonable costs of copying. Statutory authority: 63 P. S. § 1203.2(2).	
Standards for the employment and supervision of unlicensed persons with graduate training in psychology - 49 Pa. Code § 41.58(9).	No publication anticipated in next 6 months.	The regulations establish minimum levels of supervision of unlicensed persons who provide psychological services under the direction of a licensed psychologist. Statutory authority: 63 P. S. § 1203.2(2).	
Definitions/ "Sexual Intimacies" - 49 Pa. Code § 41.61.	February 1998, as proposed.	The regulation will establish specific prohibitions against sexual intimacies with current client/patients and other individuals encountered by a psychologist in the course of professional practice. The regulation will also establish related standards and procedural matters and bar psychologists who have been disciplined for engaging in prohibited sexual intimacies from participation in the impaired professional program. Statutory authority: 63 P. S. § 1203.2(2).	Melissa Wilson (717) 783-7155
State Board of Social Work Examiners Unprofessional Conduct and Sexual Misconduct - 49 Pa. Code, Chapter 47.	Fall 1998, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations establishing standards of professional practice and conduct under Section 6(2) of the Social Workers' Practice Act, Act of July 9, 1987, P. L. 220, 63 P. S. § 1906(2).	Clara Flinchum (717) 783-1389
Continuing Education 49 Pa. Code § 47.32	April 1998, as proposed.	The regulation would limit home-study or self-study continuing education programs to no more than 10 of the 30 hours required for biennial renewal of a license. The regulation is necessary to improve the effectiveness of the Board's continuing education in programs that provide for interaction among presenters and attendees. Statutory authority: 63 P. S. § 1918 (a)	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<b>STATE EMPLOYES' RETIREMENT SYSTEM</b>			
Preliminary Provisions 4 Pa. Code, Chapter 241.	July 1998, as proposed.	Various definitions will be added and current definitions will be updated to clarify language and conform to legal precedent.	Larry Brandenburg (717) 237-0352
Membership, Credited Service, etc. 4 Pa. Code, Chapter 243.	July 1998, as proposed.	Changes will be made to Chapter 243 that will clarify optional membership status and seasonal employment. Changes to sections 5 and 6 will be made to make consistent with judicial rulings. Annuity, vesting, refund, and eligibility point criteria will also be evaluated for change.	Larry Brandenburg (717) 237-0352
Contributions 4 Pa. Code, Chapter 245.	July 1998, as proposed.	Unnecessary sections will be proposed for deletion. Sections effecting contributions for the purchase of previous state and non-state service will be clarified to address procedural issues.	Larry Brandenburg (717) 237-0352
Benefits 4 Pa. Code, Chapter 247.	July 1998, as proposed	Provisions will be added to reflect the McKenna and Catania decisions.	Larry Brandenburg (717) 237-0352
Administration, Funds, Accounts, General Provisions 4 Pa. Code, Chapter 249.	July 1998, as proposed	Various changes to administrative role and functions of the Board will be considered.	Larry Brandenburg (717) 237-0352
<b>STATE POLICE</b>			
Firearm Regulations Standards for licensed retail dealers Chapter 31	Summer 1998, as proposed.	The provisions of this chapter set forth regulations for the storage of firearms, rifles, and shotguns by licensed retail dealers in the event a clear and present danger to public safety is found to exist by the Commissioner of the State Police within this Commonwealth during the hours when licensed retail dealers are closed for business. The provisions of this chapter will apply to all licensed retail dealers and their designated employees.	Corporal Albert Picca 717-783-5598
Procedures & Specifications for firearm record forms Chapter 33	Summer 1998, as proposed.	The State Police will promulgate rules and regulations, and in the manner provided by law, the responsibility to administer and enforce these rules and regulations, and the provisions of the Uniform Firearms Act in order to ensure the identity, confidentiality, and security of all records and data pursuant thereto.	
Procedures for the receipt and processing of DNA samples for the state DNA database. Chapter 58	Spring 1998, as final.	This chapter sets forth policy and procedures for the collection, submission, preservation, analysis, and dissemination of information or records relating to DNA samples from individuals convicted of a felony sex or other specified offenses.	Trooper Mark Van Buskirk 717-783-5598
<b>STATE SYSTEM OF HIGHER EDUCATION</b>			
No regulations being developed or considered at this date.			
<b>TRANSPORTATION</b>			
Temporary Registration Cards and Plates Chapter 43	June 1998, as final.	Proposed amendments based on concerns identified by Dealer Industry/Department efforts. Revises sanctioning requirements for Dealers, making sanctions more equitable. Final Promulgation package with the Department's Legal Counsel.	Linley Oberman (717) 787-2780

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	April 1998, as final.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns. Final Promulgation package with the Department's Legal Counsel.	Linley Oberman (717) 787-2780
60 - Permanent Registration of Fleet Vehicles	July 1998, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Tom Zamboni (717) 787-3977
60 - Proportional Registration of Fleet Vehicles	July 1998, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Tom Zamboni (717) 787-3977
School Buses and School Vehicles Chapter 171	June 1998, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the School Bus Vehicle Industry and related Associations. The Department has prepared draft amendments based on recommendations received by various associations. Proposed Regulatory package final draft to be reviewed by Legal Counsel.	Anne Titler (717) 783-4737
Vehicle Equipment and Inspection Chapter 175	June 1998, as final.	Amendments are required due to changes in PA Vehicle Code and Federal equipment regulations. Final adoption delayed as a result of the prioritization of the Emission regulation amendments.	John Munafo (717) 783-6823
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	December 1998, as proposed.	As a result of a Pa Supreme Court decision (Clayton v.s. Department of Transportation), additional waivers to seizure disorder provisions must be adopted. The Department's Medical Advisory Board is in the process of approving proposed amendments.	Anne Titler (717) 783-4737
Liquid Fuels Tax Chapter 449	June 1998, as proposed.	The Department is working with the Department of Community and Economic Development's Center for Local Government Services on processing revisions that will be incorporated into a shorter revised regulation.	Mitzi Westover (717) 783-5315
School Bus Drivers Chapter 71	December 1998, as proposed.	Creates waivers for school bus drivers, with medical conditions, which pose no significant danger to driving. The Department's Medical Advisory Board is in the process of approving proposed amendments.	Anne Titler (717) 783-4737
Mechanical, Electrical and Electronic Speed-Timing Devices Chapter 105	June 1998, as proposed.	Amendments reflect updates (periodically required) to ensure speed timing devices used by law enforcement officials conform to State and Federal requirements.	John Munafo (717) 783-6823
Work Zone Traffic Control Devices Chapter 203	March 1998, as proposed deletion.	Repeal this chapter since it typically is more stringent than federal standards included in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some current provisions not included in the MUTCD would be incorporated into Chapter 211.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	March 1998, as proposed.	Repeal the current chapter since it duplicates federal standards included in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Adopt the MUTCD by reference, and provide some additional criteria unique to the Commonwealth.	Art Breneman (717) 787-3620

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Hold-Down and Tie-down Devices for Junked Vehicles and Vehicle Hulks Chapter 181	March 1998, as proposed.	Repeal—incorporate provisions in Chapter 231	Daniel Smyser (717) 787-7445
Engineering and Traffic Studies Chapter 201	September 1998, as proposed	Revise this chapter to eliminate some portions that duplicate federal standards included in the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> .	Art Breneman (717)787-3620
Intrastate Motor Carrier Safety Requirements Chapter 231	March 1998, as proposed	Incorporate new Federal provisions, and provisions from Chapter 181.	Daniel Smyser (717) 787-7445
Hazardous Materials Transportation Chapter 403	January 1998, as proposed.	Incorporate new federal provisions and eliminate registration requirement.	Daniel Smyser (717)787-7445

[Pa.B. Doc. No. 98-225. Filed for public inspection February 6, 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>
10-148	Department of Health Health Facility Licensure	1/22/98
15-373	Department of Revenue Public Transportation Assistance Fund Taxes and Fees	1/28/98

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-226. Filed for public inspection February 6, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Louis Apsokardu; Doc. No. SC98-01-017

The Order to Show Cause was issued on January 26, 1998, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: section 604 of the Insurance Department Act of June 11, 1992, P. L. 284, as amended (40 P. S. § 234); 40 P. S. § 279; 31 Pa. Code §§ 37.46 and 37.47.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If

Respondent files a timely answer, a formal administrative hearing shall be held in accordance with the Administrative Agency Law, 2 Pa. C.S. §§ 101, et. seq.; General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251; Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3 and other relevant procedural provisions of law.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-227. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Alleged Violation of Insurance Laws; Michael P. Lynady; Doc. No. SC98-01-011

The Order to Show Cause was issued on January 26, 1998 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: section 604 of the Insurance Department Act of June 11, 1992, P. L. 284, as amended (40 P. S. § 234); 40 P. S. § 279.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with the Administrative Agency Law, 2 Pa. C.S. §§ 101, et. seq.; General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251; Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3 and other relevant procedural provisions of law.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-228. Filed for public inspection February 6, 1998, 9:00 a.m.]

### **Pasquale J. Scaramuzza; Doc. No. SC97-12-013**

The hearing is scheduled for March 25, 1998 at 10 a.m., in the Administrative Hearing Office, Suite 200, 901 North Seventh Street, Harrisburg, PA 17102.

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 5101—508, 701—704 (relating to the Administrative Agency Law) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

Pending hearing, parties shall exchange proposed exhibits, the names of witnesses and provide an offer of proof with respect to each witness, and informally attempt to resolve undisputed facts by stipulation.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing, with the Docket Clerk, Pennsylvania Department, Suite 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before March 4, 1998.

A prehearing conference initiated by the Administrative Hearing Office is scheduled for March 11, 1998 at 10 a.m.

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. 98-229. Filed for public inspection February 6, 1998, 9:00 a.m.]

### **Rate Filing; Pennsylvania Compensation Rating Bureau; Workers' Compensation Proposed Revisions**

On January 12, 1998, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau proposed revisions to the Pennsylvania Construction Classification Premium Adjustment Program.

The Pennsylvania Compensation Rating Bureau requests that for policies with anniversary rating dates on or after July 1, 1998, the reporting period used to determine the payroll and hours worked for determining the credit be updated to the third quarter of 1997.

The Pennsylvania Compensation Rating Bureau also requests that the minimum hourly wage eligible for premium credit be updated in accordance with the most

recent change in the Statewide Average Weekly Wage (SAWW), bringing the minimum wage eligible for PC-CPAP premium credit to \$16.75 per hour.

Revisions are proposed in the increments in qualifying wages used in constructing the PCCPAP table of premium credits.

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

Interested parties are invited to submit written comments, suggestions or objections to Nabila Audi, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, Actuarial Review Division, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-230. Filed for public inspection February 6, 1998, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

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

Appeal of Carol Sullivan; file no. 97-280-37097; Tico Insurance Company; doc. no. PH98-01-013; February 25, 1998, at 10 a.m.;

Appeal of Tracey S. Scholl; file no. 97-280-37339; Fidelity and Guaranty Insurance Co.; doc. no. PH98-01-015; February 26, 1998, at 10 a.m.;

Appeal of John B. Dunn and Mildred A. Molino; file no. 97-181-08125; Erie Insurance Exchange; doc. no. P98-01-020; March 4, 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. 98-231. Filed for public inspection February 6, 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.

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

Appeal of David P. and Marie Z. Alan; file no. 97-303-72655; State Farm Fire & Casualty Co.; doc. no. P198-01-014; February 26, 1998, 11 a.m.;

Appeal of James T. and Helen A. Birkhead; file no. 97-280-37022; State Farm Fire & Casualty Co.; doc. no. PH98-01-021; March 5, 1998, 11 a.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 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. 98-232. Filed for public inspection February 6, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before March 2, 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.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-00106548, F. 1, Am-B. DEBO Moving & Storage, Inc.** (P. O. Box 278, New Brighton, Beaver County, PA 15066), a corporation of the Commonwealth of Pennsylvania—household goods in use, between points in the borough of New Brighton, Beaver County, and within 10 miles by the usually traveled highways of the limits of said borough: *so as to permit* the transportation of household goods in use between points in the county of Beaver, and from points in the said county, to points in Pennsylvania, and vice versa. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**A-00107916, F. 1, Am-A. Ace World-Wide Moving & Storage Co.** (8 Headley Place, Fallsington, Bucks County, PA 19054), a corporation of the Commonwealth of Pennsylvania—household furniture in use, between points in the city of Philadelphia, Philadelphia County, and from points in the said city to points in the borough of Upper Darby, Delaware County, and vice versa: *so as to permit* the transportation of household goods in use between points in the city and county of Philadelphia, and the counties of Bucks, Delaware, Montgomery and Chester, and from points in said city and counties to points in Pennsylvania, and vice versa. *Attorney:* Louis J. Carter, 7300 City Line Avenue, Philadelphia, PA 19151-2291.

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

**A-00114596. Superior Transportation Services, Inc., t/d/b/a Superior Limousine Service** (P. O. Box 122, Hershey, Dauphin County, PA 17033), a corporation of the Commonwealth of Pennsylvania—(1) persons in limousine service, between points in the county of Dauphin, and from points in said county, to points in Pennsylvania, and return; subject to the following condition: that no right, power or privilege is granted to provide service to or from the Harrisburg International Airport in Lower Swatara Township, Dauphin County; (2) persons in limousine service, between points in the counties of Adams and Perry, and the boroughs of Gratz

and Elizabethville and the townships of East Hanover and West Hanover, Dauphin County, and from said counties, boroughs and townships, to points in Pennsylvania, and return; which is to be a transfer of all of the rights authorized Raymond D. Bensch, t/d/b/a Superior Limousine Service of Harrisburg, under the certificate issued at A-00110383, subject to the same limitations and conditions. *Attorney:* Scott W. Pohlman, 4407 North Front Street, Harrisburg, PA 17110.

**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-00114597. Norwest Transportation, Inc.** (6221 Magnolia Street, Philadelphia, Philadelphia County, PA 19144), a corporation of the Commonwealth of Pennsylvania—prison guards employed at the Graterford State Correctional Institution from points in the city and county of Philadelphia, to the Graterford State Correctional Institution located in Montgomery, and vice versa. Francis Grimes, 1515 Locust Street, Philadelphia, PA 19102.

**A-00114603. HERCO, Inc.** (300 Park Boulevard, P.O. Box 860, Hershey, Dauphin County, PA 17033-0860), a corporation of the Commonwealth of Pennsylvania—persons in airport transfer service, who are guests of the Hershey Lodge and Convention Center, from the Hershey Lodge and Convention Center located in Derry Township, Dauphin County, to the Harrisburg International Airport located in Lower Swatara Township, Dauphin County. *Attorney:* John P. Neblett, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

**A-00114604. Time Saver Taxi, Inc.** (Beartown Road, P.O. Box 402, Canadensis, Monroe County, PA 18325), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in Monroe County. *Attorney:* Robert G. Williamson, 190 Washington Street, East Stroudsburg, PA 18301.

**A-00114599. Hazle Yellow Cab Company, Inc.** (RR 1, Box 203 A, Hazleton, Luzerne County, PA 18201), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the city of Hazleton, Luzerne County, and within an airline distance of 10 statute miles of the limits of said city. Temporary authority application filed seeking the right cited above. *Attorney:* James D. Campbell, Jr., 3631 North Front Street, Harrisburg, PA 17110-1533.

**A-00114593. Majestic Limousine Service, Inc. t/d/b/a Majestic Taxi** (444 North Main Street, Doylestown, Bucks County, PA 18901), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the city of Doylestown, Bucks County, and within an airline radius of 5 statute miles of the limits of said city. *Attorney:* Steven A. Cotlar, 23 West Court Street, Doylestown, PA 18901.

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

**A-00114580, Folder 2. Kenneth C. Lapinski and Diane M. Lapinski, Tenants by Entireties, t/a Falcon Enterprises** (101 Orchard Road, New Wilmington, Mercer County, PA 16142)—persons, in paratransit service,

between points in the county of Lawrence, and from points in the said county, to points in the counties of Beaver, Allegheny, Butler and Mercer, and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00104231, F. 3 to Frank S. Sfara, Jr., t/a Sfara Sales & Service, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**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-00114598. AAA Mid-Atlantic Travel Agency, Inc., t/a AAA Travel Services** (2040 Market Street, Philadelphia, Philadelphia County, PA 19103), a corporation of the Commonwealth of Pennsylvania—brokerage license, evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* Birchard T. Clothier, 2020 Market Street, Philadelphia, PA 19103.

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

**A-00086452, Folder 2, Am-F. The Snyder Brothers Moving, Inc., t/a George Transportation Company** (729 New Castle Street, Zelienople, Butler County, PA 16063), a corporation of the Commonwealth of Pennsylvania—household goods in use, between points in the borough of McKees Rocks, Allegheny County, and within 25 miles by the usually traveled highways, of the limits of the said borough: *so as to permit* the transportation of household goods in use: (1) between points in the borough of New Bethlehem, Clarion County, and within 10 miles by the usually traveled highways of the limits of said borough; and (2) from points in the borough of New Bethlehem, Clarion County, and within 10 miles by the usually traveled highways of the limits of said borough, to points in Pennsylvania, and vice versa; which is to be a transfer of part of the rights authorized under the certificate issued at A-00109734, F. 1, Am-B, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**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 February 23, 1997.

A-00114607 H. Scott & Vickie J. Kepner, t/a S & V Trucking  
R R 4, Box 82, Muncy, PA 17756-8814

A-00114608 Jeffrey W. Claycomb, t/a Jeff's Water Service  
735 Miller Road, Alum Bank, PA 15221

- A-00114610 Barbara L. Feather & Susan L. Terner, t/a T & F Transport  
8984 Eastview Drive, Allison Park, PA 15101
- A-00114611 Lawrence Joseph Kubitzka, t/a Larry J. Kubitzka Trucking  
208 B Long Avenue, Belle Vernon, PA 15012
- A-00114617 David, Kermit L. & Byrd Wagner, Partners, t/a Charles B. Wagner & Son  
P O Box 26, Strausstown, PA 19559
- A-00114618 Now Messenger, Inc.  
555 South 16th Street, Columbia, PA 17512; James D. Campbell, Jr., 3631 North Front Street, Harrisburg, PA 17110
- A-00114619 Nicholas Fenelli Rigging & Trucking, Inc.  
64 Hillman Avenue, Trenton, NJ 08638; Dwight L. Koerber, Jr., P O Box 1320, Clearfield, PA 16830
- A-00114620 Loren M. Glick & Kevin L. Beiler, Copts., t/a K & L Trucking  
16 Mt. Vernon Road, Gap, PA 17527; James K. Weaver, 132 West Main Street, New Holland, PA 17557-1295
- A-00114616 Andrew T. Mandel  
Route 53 North, Kylertown, PA 16847
- A-00114615 Doyle L. Martin  
R D 4, Box 153-A, Mifflinburg, PA 17844
- A-00114614 Geoffrey L. Arnold, t/a Arnold Trucking  
4090 Admire Road, Dover, PA 17315; Anthony J. Foschi, 3425 Simpson Ferry Road, Camp Hill, PA 17011 .
- A-00114613 John T. & Katherine A. Rotundo, t/a Rotundo Trucking  
RR 4, Box 1282, Honesdale, PA 18431; Wendell R. Kay, 1104 Court Street, Honesdale, PA 18431
- A-00114612 Robert Carmel, t/a Robert Carmel Trucking  
RR 1, PRL 415, Bushkill, PA 18324
- A-00114609 Pittsburgh-Verona-Oakmont Express, A PA LTD Partnership  
1443 Maple Avenue, Verona, PA 15147; John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219
- A-00114606 D & D Hauling, Inc.  
47 Mill Road, Myerstown, PA 17067; Emily Long Hoffman, P O Box 11475, Harrisburg, PA 17108
- A-00114605 Justus Fuel Sales, Inc.  
R R 2, Box 193, Layton Road, Olyphant, PA 18447
- A-00114602 Transpodigm, Inc.  
3503 Crosspoint, San Antonio, TX 78217; John R. Wemhaner, 8214 Windsor, TX 78218
- A-00114601 Powell Excavating and Landscaping, Inc.  
1100 Naaman's Creek Road, Boothwyn, PA 19061

- A-00114600 Joseph Scott Kovatto, t/a Kovatto Trucking  
318 Walker Road, Macungie, PA 18062

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-233. Filed for public inspection February 6, 1998, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting sealed bids for Construction of New Salt Storage Shed, Mt. Gretna Maintenance, Milepost 265.56 EB, (Lancaster County).

*Mandatory Site Inspection:* February 27, 1998 at 10:30 a.m. at Mt. Gretna Maintenance.

*Open Date:* March 11, 1998 at 11 a.m.

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

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-234. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Request for Bids

The Turnpike Commission is requesting sealed bids for Aerial Lift Truck.

*Open Date:* March 2, 1998 at 11 a.m.

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

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-235. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Request for Information; Fiber Optic Resource Sharing Project; Registration Extension Notice

#### Dauphin County Reference No. 98-034

The Turnpike Commission (Commission) is developing the requirements for a shared resources project. In the envisioned project, the Commission will offer access to the Turnpike right-of-way (ROW) for installation of fiber optic

telecommunications infrastructure; as compensation, the Commission is primarily interested in receiving telecommunications capacity (bandwidth and/or dedicated fiber) along all segments of ROW to support Commission telecommunications requirements, including deployment of advanced traveler information systems (ATIS).

### General Requirements and Information

Firms interested in providing the requested information for the above resource sharing project are invited to register by phone with Robert L. Brown, DED of Information Technology at the Pennsylvania Turnpike Commission, Administration Building, located on Eisenhower Boulevard at the Harrisburg-East Interchange near Highspire, PA. (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676). Registration and questions regarding this project or advertisement should be directed to Robert Brown at (717) 986-9722. Once the firm registers, the guidelines for the submittal of the RFI will be mailed to the firm. Firms must be registered to receive updates to questions and be eligible to submit a response to the RFI.

Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with their response a copy of their registration to do business in this Commonwealth as provided by the Department of State.

Registration must be received by 4 p.m., February 20, 1998. The original registration closing date was January 14, 1998 at 4 p.m.

The assignment of the above project will be made to one of the firms responding to this notice, but the Commission reserves the right to reject all submitted responses, to cancel the project under this notice and/or to readvertise the project.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-236. Filed for public inspection February 6, 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. 98-020-RM06**—Redecking Bridge B-483A and Bituminous Overlay, ID-3, SRL-E of the Turnpike Ramps E and F of the New Stanton Interchange M.P. 75.58 in Westmoreland Co., PA

*Bid Opening Date*—March 17, 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 \$35 per set (Do not add State tax) 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 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.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-237. Filed for public inspection February 6, 1998, 9:00 a.m.]

### Retention of an Aerial Photogrammetric Mapping Firm for an Open End Contract

#### Reference No. 3-105

The Turnpike Commission (Commission) will retain one aerial photogrammetric mapping firm for an Open End Contract to provide analytical aerial triangulation, digital and conventional map compilation, cross section readout and conventional map drafting services. The work to be performed on each specific project may include any or all of the above phases of work on various projects located throughout the entire length of the Pennsylvania Turnpike System. Mapping control will be provided by the Commission. The contract will be for a maximum cost of \$750,000, or for a period of 3 years, whichever occurs first.

The photogrammetric mapping work must be performed in accordance with the requirements of applicable sections of the "Specifications For Aerial Photography, Field Control Surveys, and Topographic Mapping" contained in Form 442, PA Department of Transportation, Bureau of Design Specifications For Consultant Engineering Agreements and/or the "Surveying And Mapping Manual," Publication 122M, Pennsylvania Department of Transportation, Bureau of Design as directed by the Commission. The services will encompass a wide range of design related mapping efforts with the possibility of several different types of projects being mapped under short completion schedules.

The firm may be required to: provide digital data in AutoCAD, DXF, ARC/INFO and Microstation formats; provide topographic mapping, GIS data, digital orthophoto mapping; provide low altitude photography for high accuracy aerial surveys; and provide DTM and DEM collection.

The firm will provide analytically determined supplemental mapping control points meeting Commission specifications. Map compilation may be in digital format with drafting by automated processes. Translation capability to other CADD systems will be required.

Firms submitting an expanded letter of interest for this work should have prior experience in large scale photogrammetric mapping and low altitude photography for high accuracy aerial surveys for highway design. Firms should have sufficient qualified permanent full-time personnel to complete mapping work assignments with short delivery schedules utilizing current state-of-the-art photogrammetric instruments, equipment and software.

Questions and inquiries concerning this project should be directed to Thomas E. Farcht, Jr. at (717) 939-9551, Ext. 5761.

### General Requirements and Information

Firms interested in performing the above services are invited to submit one copy of the expanded letters of interest to Barry L. Troup, P.E., Assistant Chief Engineer, Pennsylvania Turnpike Commission Administration Building located at the intersection of Eisenhower Boulevard and State Route 283, Highspire, PA 17034 (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The expanded letters of interest must include in the heading the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, and Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each letter of interest. If the firm has multiple offices, the location of the office performing the work must be identified.

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 this Commonwealth as provided by the Department of State.

The Commission currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Commission currently limits its participation in the consultant's indirect payroll costs (overhead) on design projects to 130% or the consultant's actual audited overhead rate, whichever is less.

The following factors may be considered by the Committee during their evaluation of the firms submitting expanded letters of interest:

(A) Specialized experience and technical competence of firm, including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.

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

(C) Expanded letters of interest should include an indication of the prime consultant's and subconsultant's current workload listing all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

(D) Location of consultant's office where the work will be performed.

(E) Listing of subconsultants intended. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission, if selected.

(F) Special requirements of the project.

(G) Other factors, if any, specific to the project.

Each firm shall demonstrate in its expanded letter of interest its ability to perform the specific requirements indicated for this project by including a maximum three page report on this subject.

The expanded letters of interest and required forms must be received by 12 p.m., Friday, February 20, 1998. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest in response to this advertisement, one firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical proposals will not be requested for final selection.

The Commission reserves the right to reject all letters of interest submitted, to cancel the solicitation requested under this notice and/or to re-advertise solicitation for these services.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-238. Filed for public inspection February 6, 1998, 9:00 a.m.]