

# 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 March 9, 1999.

### BANKING INSTITUTIONS

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-22-99	Premier Bank Doylestown Bucks County	101 Floral Vale Blvd. Yardley Bucks County	Opened
2-22-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 4275 County Line Road Chalfont Bucks County	Opened
3-1-99	Suburban Community Bank Chalfont Bucks County	40 East Street Road Feasterville Lower Southampton Twp. Bucks County	Opened
3-1-99	Firsttrust Savings Bank Flourtown Montgomery County	288 S. Main Street Doylestown Bucks County	Opened
3-1-99	Twin Rivers Community Bank Easton Northampton County	2400 Schoenersville Rd. Bethlehem Hanover Township Northampton County	Opened
3-1-99	Twin Rivers Community Bank Easton Northampton County	3815 Linden Street Bethlehem Bethlehem Township Northampton County	Opened
3-4-99	Wayne Bank Honesdale Wayne County	Stroud Mall US Route 611 Stroud Township Monroe County	Filed
3-8-99	Prime Bank Philadelphia Philadelphia County	12 Chestnut Road Paoli Chester County	Approved
3-8-99	Prime Bank Philadelphia Philadelphia County	1401 Dreshertown Rd. Dresher Upper Dublin Twp. Montgomery County	Approved
3-8-99	Prime Bank Philadelphia Philadelphia County	473 York Road Warminster Bucks County	Approved
3-8-99	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	1000 Village Run Rd. Wexford Pine Township Allegheny County	Approved
3-8-99	Farmers First Bank Lititz Lancaster County	Route 897 & Toddy Dr. East Earl Township Lancaster County	Filed

## NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-99	Reliance Savings Bank Altoona Blair County	Corner of North Pine Street & Logan Blvd. Lakemont Altoona Blair County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-99	Harris Savings Bank Harrisburg Dauphin County	<i>To:</i> 3556 Old Gettysburg Rd. Lower Allen Township Cumberland County  <i>From:</i> 3555 Capital City Mall Lower Allen Township Cumberland County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-12-99	U. S. Bank Johnstown Cambria County	101 W. High Street Ebensburg Cambria County	Effective
2-27-99	Patriot Bank Pottstown Montgomery County	Redner's Supermarket 703 S. West End Blvd. Quakertown Bucks County	Effective
3-3-99	Laurel Bank Johnstown Cambria County	922 N. Philadelphia Ave. Indiana Indiana County	Filed
3-8-99	Patriot Bank Pottstown Montgomery County	500 Main Street Royersford Montgomery County	Approved

**SAVINGS ASSOCIATIONS****Branch Applications**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
3-3-99	East Stroudsburg Savings Association Stroudsburg Monroe County	Mr. Z's Supermarket 695 N. Courtland St. East Stroudsburg Monroe County	Filed
3-8-99	First Financial Savings Bank, PaSA Downingtown Chester County	414 Lancaster Avenue Devon Chester County	Opened

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-4-99	Philadelphia Telco Credit Union, Trevose, and Connelly Container Credit Union, Bala Cynwyd Surviving Institution— Philadelphia Telco Credit Union, Trevose	Trevose	Approved and Effective
3-4-99	Philadelphia Telco Credit Union, Trevose, and UTO Philadelphia Federal Credit Union, Philadelphia Surviving Institution— Philadelphia Telco Credit Union, Trevose	Trevose	Approved and Effective

**Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-3-99	First Credit Union of Scranton Scranton Lackawanna County	2800 Stafford Avenue Scranton Lackawanna County	Approved Opened 3-4-99

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-458. Filed for public inspection March 19, 1999, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 1999**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of April, 1999, is 8%.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U. S. Treasury. The latest yield rate on long-term government securities is 5.60 to which was added 2.50 percentage points for a total of 8.10 that by law is rounded off to the nearest quarter at 8%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-459. Filed for public inspection March 19, 1999, 9:00 a.m.]

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT****Local Economic Development Program; Special Purpose Grants**

The Department of Community and Economic Development (Department) gives notice of the establishment of Special Purpose Grants under the Local Economic Development Program. The program provides grants for planning and implementing child care programs by two or more businesses that are coordinating their efforts to provide child care programs for their employees.

Industrial development agencies who wish to apply for funds under the program can receive a copy of the program guidelines by contacting the Department's Grants Office.

Further information can be obtained from: Department of Community and Economic Development, Grants Office, 494 Forum Building, Harrisburg, PA 17120, (717) 787-7120, E-mail: DCED@state.pa.us.

SAMUEL A. MCCULLOUGH,  
*Secretary*

[Pa.B. Doc. No. 99-460. Filed for public inspection March 19, 1999, 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 (800) 654-5984.

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

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

**PA 0056103.** Sewage, **Noble and Shirley McHugh**, 1981 Kimberwick Road, Media, PA 19063-1948.

This application is for renewal of an NPDES permit to discharge treated sewage from a single residence STP in Upper Providence Township, **Delaware County**. This is an existing discharge to a Tributary to Ridley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of .0005 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N) (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0056081.** Sewage, **Jones & McKissock, Inc. (Wycombe Inn)**, P. O. Box 204, Wycombe, PA 18980.

This application is for renewal of an NPDES permit to discharge treated sewage from Wycombe Inn Restaurant in Wrightstown Township, **Bucks County**. This is an existing discharge to unnamed tributary to Mill Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1,750 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N) (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Oil and Grease	15	30
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0042978.** Sewage, **Commonwealth of Pennsylvania**, P. O. Box 103, Washington Crossing, PA 18977-0103.

This application is for renewal of an NPDES permit to discharge treated sewage from Washington Crossing Historic Park Upper Plant in Solebury Township, **Bucks County**. This is an existing discharge to Delaware River.

The receiving stream is classified for the following uses:

The proposed effluent limits for Outfall 001 mgd, based on an average flow of .025 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N)	20	40
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0053015.** Sewage, **Joseph F. Werner**, 1007 Route 313, Perkasie, PA 18944.

This application is for renewal of an NPDES permit to discharge treated sewage from Country Place Restaurant in East Rockhill Township, **Bucks County**. This is an existing discharge to UNT to Three Mile Run Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 4,320 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Total Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine		
(0—3 years)	monitor/report	monitor/report
(4—5 years)	0.16	0.38
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 4.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.*

**PA 0063045.** Industrial waste, SIC: 2013, **Penthouse Meat Company**, 270 Congress Street, Boston, MA 02210.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater sewage into the South Branch of Tunkhannock in Scott Township, **Lackawanna County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.008 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	270	540	
Total Suspended Solids	326	652	
Oil and Grease	15.0	30.0	
NH <sub>3</sub> -N			
(5-1 to 10-31)	60.0	120.0	150.0
(11-1 to 4-30)	180.0	360.0	450.0
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	400/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management, 208 West Third Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3666.*

**PA 0020800.** SIC: 4952, **Municipal Authority of White Deer Township**, P. O. Box 90, West Milton, PA 17886.

This proposed action is to amend the NPDES permit and make the NPDES permit consistent with the Water Quality Management Part II permit for the treatment plant rerate. The discharge of treated sewage is at the existing location on unnamed tributary of the West Branch Susquehanna River (locally known as Dog Run) in White Deer Township, **Union County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton, PA, 3 miles below the discharge.

The proposed effluent limits for Outfall 001, based on the existing design flow of 0.6 mgd, are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
pH (std units)		within the range 6.0—9.0	
Total Cl <sub>2</sub> Residual	monitor		monitor
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
NH <sub>3</sub> -N			
(6-1 to 10-31)	2.5	3.8	5.0
(11-1 to 5-31)	7.5	11	15
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

*Other Conditions:* None.

The EPA waiver is in effect.

**PA 0113948.** SIC: 4952, **Department of Corrections—Quehanna Camp**, P. O. Box 598, Camp Hill, PA 17001-0598.

This proposed action is for reissuance of an NPDES permit for an existing discharge of treated sewage to Marks Run in Karthaus Township, **Clearfield County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company, 100 miles below the discharge, on the West Branch Susquehanna River at Milton.

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

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
pH (std units)	6.0—9.0 at all times	
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Total Suspended Solids		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
NH <sub>3</sub> -N		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Cl <sub>2</sub> Residual*	monitor and report	monitor and report
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	

*Other Conditions:* none.

The EPA waiver is in effect.

**PA 0208558.** Sewerage, SIC: 4952, **Shamokin Township Municipal Authority**, P. O. Box 64, Paxinos, PA 17860.

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

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.01 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	1.0		2.3
Fecal Coliforms: (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0035602.** Sewerage, SIC: 4952, **Pennsylvania Department of Transportation**, Bureau of Design, P. O. Box 3060, Harrisburg, PA 17105-3060.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary to Beaver Run in Liberty Township, **Montour County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Authority located approximately 15 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.007 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		50
TSS	30		60
Ammonia-N (6-1 to 10-31)	75		150
(11-1 to 5-31)	report		
Total Nitrogen	report		
Total Cl <sub>2</sub> Residual	report		
Fecal Coliforms		200 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0035599.** Sewerage, SIC: 4952, **Pennsylvania Department of Transportation**, Bureau of Design, P. O. Box 3060, Harrisburg, PA 17105-3060.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary to Beaver Run in Liberty Township, **Montour County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Authority located approximately 15 river miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.007 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		50
TSS	30		60
Ammonia-N (6-1 to 10-31)	75		150
(11-1 to 5-31)	report		
Total Nitrogen	report		
Total Cl <sub>2</sub> Residual	report		
Fecal Coliforms		200 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0208736.** Sewerage, SIC: 4952, **Mountain Top Area Municipal Authority**, P. O. Box 275, Snow Shoe, PA 16874.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Unnamed Tributary of Black Moshannon Creek in Snow Shoe Township, **Centre County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.038 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	report		
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 0032271.** Sewage, **DCNR—Bureau of State Parks, Keystone State Park**, R. R. 2, Box 101, Derry, PA 15627.

This application is for renewal of an NPDES permit to discharge treated sewage from Keystone State Park Sewage Treatment Plant in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as McCune Run, directly below Keystone Lake, 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 Saltsburg Municipal Waterworks located on the Conemaugh River.

*Outfall 001:* existing discharge, design flow of 0.075 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)	20			40
(11-1 to 4-30)	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	2.0			4.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.1			0.2
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* The applicant also proposes to discharge treated water treatment plant backwash wastewater to Keystone Lake in Derry Township, Westmoreland County. Keystone Lake is classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfall 002:* existing discharge, design flow of 0.01 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids	30			60
Iron	2			4
Manganese	1			2
Aluminum	4			8
pH	6—9 at all times			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.5			1.0

The EPA waiver is in effect.



**PA 0040843.** Sewage, **Lutheran Camp Association, Inc.**, P. O. Box 245, Jennerstown, PA 15547.

This application is for renewal of an NPDES permit to discharge treated sewage from the Camp Sequanota Sewage Treatment Plant in Jenner Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pickings Run, which are classified as a high quality-cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Jennerstown Borough Water Works.

*Outfall 001:* existing discharge, design flow of 0.015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,500/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.0			2.5
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0042242.** Sewage, **Sewickley Hills—Kilbuck Run Sanitary Authority**, P. O. Box 283, Sewickley, PA 15143.

This application is for renewal of an NPDES permit to discharge treated sewage from the Sewickley Hills—Kilbuck Run STP in Sewickley Hills Borough, **Allegheny County**.

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

*Outfall 001:* relocated discharge, expanded design flow of 0.04 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	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	5.9	8.8		11.8
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	.13			.31
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0093335.** Sewage, **Louis and Iona Yenich**, 105 Hutchinson Road, Apt. No. 1, West Newton, PA 15089-3063.

This application is for renewal of an NPDES permit to discharge treated sewage from D. Fox's Family Diner STP in Sewickley Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an Unnamed Tributary of Sewickley 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 McKeesport Municipal Water Company.

Outfall 001: existing discharge, design flow of .0025 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.5			7.0
(11-1 to 4-30)	10.5			21.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	.83			1.9
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0094382.** Sewage, **Greensburg—Salem School District**, 11 Park Street, Greensburg, PA 15601.

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

The following effluent limitations are proposed for discharge to the receiving waters, known as Loyalhanna Lake, 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 Saltsburg Municipal Water Works.

Outfall 001: existing discharge, design flow of .0022 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	25			50
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	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0220736.** Sewage. **Flying "W" Ranch, Inc.**, HC 2, Box 150, Tionesta, PA 16353.

This application is for a new NPDES permit, to discharge treated sewage to Unnamed Tributary of Church Run in Kingsley Township, **Forest County**. This is an existing discharge.

The receiving water is classified for the following uses: cold 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 Allegheny River and the Emlenton Water Company located at river mile 90.00, approximately 78.47 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.010000 mgd, are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
	CBOD <sub>5</sub>	10
TSS	20	40
Ammonia-Nitrogen		
(5-1 to 10-31)	5	10
(11-1 to 4-30)	15	30
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen		minimum of 3 mg/l at all times
pH		6.0—9.0 at all times

The EPA waiver is in effect.

**PA 0210790.** Industrial waste, SIC: 3089, **West Penn Plastic, Inc.**, Route 422 W, R. D. 8, Box 801, New Castle, PA 16101.

This application is for renewal of an NPDES permit, to discharge noncontact cooling water and stormwater to the Shenango River in Union Township, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: 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 PA American Water Company intake on the Shenango River located at New Castle, approximately 2 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.00007 mgd, are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
Temperature	monitor and report		
pH			6.0—9.0 at all times

The EPA waiver is in effect.

**PA 0210196, Amendment No. 1.** Industrial waste, SIC: 4953, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046.

This application is for an amendment of an NPDES permit, to discharge treated industrial waste to Connoquenessing Creek in Jackson Township, **Butler County**. This is an existing discharge. This amendment is being issued to remove the flow limitation contained in the previous permit.

The receiving water is classified for the following uses: 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 Zelienople Municipal Water Works on Connoquenessing Creek located at Zelienople, approximately 2.6 miles below point of discharge.

The proposed discharge limits, based on a design flow of .016 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
CBOD <sub>5</sub>	100	200	250
NH <sub>3</sub> -N	20	40	50
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml 100,000/100 ml	
TSS	100	200	250
Oil and Grease	15		30
Aluminum	0.275	0.55	0.69
Barium	0.3	0.6	0.75
Boron	3.0	6	7.5
Cobalt	0.05	0.1	0.13
Total Iron	3.5	7.0	8.8
Manganese	1.0	2.0	2.5
Arsenic	0.05	0.1	0.13
Cadmium	0.005	0.01	0.01
Total Chromium	0.125	0.25	0.31
Copper	0.05	0.1	0.13
Lead	0.036	0.07	0.09
Nickel	0.15	0.3	0.38
Selenium	0.075	0.15	0.187
Vanadium	0.009	0.02	0.023
Zinc	1.0	2.0	2.5
4,4'-DDT	0.0002	0.0004	0.0005
Total Residual Chlorine	XX		XX
pH			6.0—9.0 at all times

XX—monitor and report

The proposed discharge limits, based on a design flow of N/A mgd, are:

*Outfall No. 002 and 003*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Chemical Oxygen Demand			
Oil and Grease			
Total Dissolved Solids (TDS)			
Total Organic Carbon (TOC)			
Total Barium			
Total Chromium			
Total Lead			
Total Mercury			
Total Magnesium			
Dissolved Magnesium			
Total Selenium			
Total Silver			
Ammonia			
Total Arsenic			
Total Cyanide			
Nitrate plus Nitrite Nitrogen			
Dissolved Iron			
pH			within limits of 6.0—9.0 standard units at all times

The EPA waiver is in effect.

**PA 0222801.** Sewage. **Sarah Heinz House**, 934 East Ohio Street, Pittsburgh, PA 15212.

This application is for a new NPDES permit, to discharge treated sewage to Slippery Rock Creek in Wayne Township, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: cold 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 Camp Allegeny on the Slippery Rock Creek located at river mile 3.24 and is located 1.72 miles below the discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.006 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform (5-1 to 10-31)	200/100 ml as a geometric average	
(11-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0021504, Amendment No. 1.** Sewage. **Western Butler County Authority**, P. O. Box 427, Zelienople, PA 16063.

This application is for an amendment of an NPDES permit to discharge treated sewage to the Connoquenessing Creek in Zelienople Borough, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: 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 Beaver Falls Municipal Authority—Eastvale Plant intake on the Beaver River located at Beaver Falls, approximately 27 miles below point of discharge.

The proposed interim effluent limits, based on a design flow of 1.5 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen			
(5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Phosphorus (as P) (4-1 to 10-31)	2		4
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 15,700/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.6
pH		6.0—9.0 at all times	

The proposed final effluent limits, based on a design flow of 2.2 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
CBOD <sub>5</sub> (5-1 to 10-31)	15	20	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	6.5		13
(11-1 to 4-30)	19.5		36
Phosphorus (as P) (4-1 to 10-31)	2		4
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 11,300/100 ml as a geometric average	
Total Residual Chlorine	0.36		1.2
pH		6.0—9.0 at all times	

The EPA waiver is not in effect.

**PA 0222810.** Sewage. **C. Thomas Cumberledge, Sr.**, P. O. Box 404, Evans City, PA 16033.

This application is for a new NPDES permit to discharge treated sewage to Little Connoquenessing Creek in Connoquenessing Township, **Butler County**. This is a new discharge.

The receiving water is classified for the following uses: cold 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 Harmony Water Company on Little Connoquenessing Creek located in Harmony, approximately 6.46 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .0004 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform	200/100 ml as a geometric average	
Total Residual Chlorine	XX	XX
pH		6.0—9.0 at all times

The EPA waiver is in effect.

**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 name, address and telephone number of the protester, identifica-

tion of the plan or application to which the protest is addressed and a concise statement or protest in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each protester will be notified in writing of the time and place of any scheduled hearing or conference concerning the plan, action or application to which the protest relates. To insure consideration by the Department prior to final action on permit 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.

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

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

**A. 3599401.** Sewerage. **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18519. Application for modification of the existing aerobic sludge digesters at the Archbald Wastewater Treatment Facility, located in Archbald Borough, **Lackawanna County**. Application received in the Regional Office—February 25, 1999.

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

**NPDES Permit No. PA0112020.** Sewerage. Submitted by **Brookside Manor Associates**, 215 W. Church Rd., Suite 105, King of Prussia, PA 19406. Renewal application for PA0112020 Brookside Mobile home park in North Centre Township at **Columbia County** to discharge from facility serving Mobile Home Park to the West Branch of Briar Creek, was received in the Northcentral Regional Office on February 22, 1999.

**WQM Permit No. 5999401.** Sewerage. Submitted by **Delmar Township**, R. D. 5, Box 70A, Wellsboro, PA 16901. This application to construct and operate a wastewater collection system and treatment plant to serve the Stony Fork area of Delmar Township was received in the Northcentral Regional Office on February 19, 1999.

**WQM Permit No. 1499401.** Sewerage. Submitted by **Spring-Benner-Walker Joint Authority**, 170 Irish Hollow Road, Bellefonte, PA 16823. This application to construct and operate a gravity sewer extension to serve the Spring Creek Road area of Benner Township was received in the Northcentral Regional Office on February 24, 1999.

*Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**A. 0376201, Amendment No. 1.** Industrial waste. **Highland Car Wash**, 215 Butler Road, Kittanning, PA 16201. Application for the modification and operation of the existing wastewater treatment plant located in East Franklin Township, **Armstrong County**.

**A. 6573407-A4.** Sewerage. **Latrobe Municipal Authority**, Box 88, Latrobe, PA 15650. Application for removal of the existing chlorine disinfection system and installation and operation of a UV disinfection system to serve Latrobe Municipal Authority STP located in Latrobe City, **Westmoreland County**.

**INDIVIDUAL PERMITS  
(PAS)**

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**NPDES Individual**

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

erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department 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 (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-T098.** Stormwater. **PADOT**, District 6-0, 200 Radnor Chester Roads, St. Davids, PA 19087, has applied to discharge stormwater from a construction activity located in Upper Merion Township, **Montgomery County** and Tredyffrin Township, **Chester County**, to Trout Creek.

**NPDES Permit PAS10-G358.** Stormwater. **R. Samuel McMichael**, P. O. Box 296, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in Penn Township, **Chester County**, to East Branch Big Elk Creek.

**NPDES Permit PAS10-G052-R.** Stormwater. **J. Loew and Associates, Inc.**, 55 Country Club Drive, Downingtown, PA 19335, has applied to discharge stormwater from a construction activity located in Charles Township and East Whiteland Township, **Chester County**, to Unnamed Tributary to Valley Creek.

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

*Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064-9211, (610) 746-1971.*

**NPDES Permit PAS10U109.** Stormwater. **John Burd**, 3078 Old Post Rd., Slatington, PA 18080, has

applied to discharge stormwater from a construction activity located in Plainfield Township, **Northampton County**, to Bushkill Creek.

*Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

**NPDES Permit PAS10Q031-R.** Stormwater. **G & W Developers**, William Hacker, 2624-B Rolling Green Drive, Macungie, PA 18062, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

**NPDES Permit PAS100243.** Stormwater. **Fourways Properties, Ltd.**, 1198 Mulberry Street, Bridgewater, PA 15009, has applied to discharge from a construction activity located in South Beaver Township, **Beaver County** to the North Fork of Little Beaver Creek.

**NPDES Permit PAS10W072.** Stormwater. **Eighty Four Commerce Park**, P. O. Box 177, Eighty Four, PA 15330-0177, has applied to discharge from a construction activity located in North Strabane Township, **Washington County** to a tributary to Little Chartiers Creek.

## SAFE DRINKING WATER

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

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

**A. 1599503.** Public water supply. **Citizen Utilities Water Company of PA**, 4 Wellington Boulevard, Wyomissing Hills, PA 19610. This proposal involves the construction of a booster pump station that will serve the Centre Creek East and West subdivisions in East Vincent Township, **Chester County**.

**A. 1599505.** Public water supply. **Elverson Water Company, Inc.**, 26 East Main Street, P. O. Box 20, Elverson, PA 19520. This proposal involves the construction of a 550,000 gallon water storage tank in Elverson Borough, **Chester County**.

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

**A. 5999501.** The Department has received a construction permit application from the **Municipal Authority of the Borough of Mansfield**, 19 East Wellsboro Street, Mansfield, PA 16933. The proposal is for construction of Well No. 2 as an additional water supply source in Mansfield Borough, **Tioga County**.

**A. 6099501.** The Department has received a construction permit application from the **Borough of Mifflinburg**, 333 Chestnut Street, Mifflinburg, PA 17844 (Mifflinburg Borough, **Union County**). The proposal is for construction of an additional filter at their water filtration plant.

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

**A. 9996473. McKesson Water Products Company**, 3280 East Foothill Boulevard, Suite 400, Pasadena, CA 91107-3190; Shayron Barnes-Selby, Manager, Regulatory/Public Affairs. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand name Sparkletts Decanter Mountain Spring Water.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302, 303, 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 the background, Statewide health standard, the site-specific standard or who intend to remediate a site as 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 demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation 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. Furthermore, the person 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 standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, 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 the municipality may request that the person identified, as the remediator of the 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 Environmental Cleanup Program Manager in 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 Coordina-

tor at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Blue Ribbon Enterprises, Inc.**, City of Philadelphia, **Philadelphia County**. Keith Tockman, Whitestone Associates, Inc., 776 Mountain Blvd., Watchung, NJ 07060, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. 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 Leader* on February 17, 1999.

**Former Quaker Lace Company**, City of Philadelphia, **Philadelphia County**. Keith Choper, P.E., Keating Environmental Management, Inc., 479 Thomas Jones Way, Suite J, Exton, PA 19341-2552, has submitted a Notice of Intent to Remediate site soil contaminated with lead and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals and solvents. The applicant proposes to remediate the site to meet background, Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on February 19, 1999.

**ACME Store No. 22-1764 (Former)**, East Nottingham Township, **Chester County**. Iain Bryant, Sovereign Consulting, Inc., 111 A North Gold Drive, Robbinsville, NJ 08691, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. 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 *Daily Local News* on December 11, 1998.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**Pennsylvania State University**, College Township, **Centre County**. David W. Mooney, EPSYS Corporation, on behalf of his client, Pennsylvania State University, 208 Old Main, University Park, PA 16802 has submitted a Notice of Intent to Remediate soil contaminated with solvents, BTEX, PHCs and PAHs. 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 *Centre Daily Times* on January 30, 1999.

**Williamsport Wirerope Works, Inc.**, City of Williamsport, **Lycoming County**. Jo Hinish, P.G., Mountain Research, on behalf of her client, Williamsport Wirerope Works, Inc., 100 Maynard Street, Williamsport, PA 17701 has submitted a Notice of Intent to Remediate soil and groundwater 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 *Williamsport Sun Gazette* on February 3, 1999.

## SOLID AND HAZARDOUS WASTE 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, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**A. 301280. Remtech Environmental (Lewisberry) L. P.** (550 Industrial Drive, Lewisberry, PA 17339-9537). Application for a residual waste processing facility in Fairview Township, **York County**. Application determined to be administratively complete in the Regional Office March 1, 1999.

### PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

#### INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

**Renewal applications received 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.*

**Stericycle, Inc.**, 369 Park East Drive, Woonsocket, RI 02895; Paul B. Hartman, Regulatory and Compliance Manager; License No. **PA-HC 0196**; renewal application received on January 5, 1999.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the



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

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

### OPERATING PERMITS

#### Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

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

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

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

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

**21-05001: Lear East LP** (50 Spring Road, Carlisle, PA 17013) located in Carlisle Borough, **Cumberland County**. The facility's major sources of emissions include two boilers, three carpet dryers and other sources which primarily emit NOx and particulate matter.

**21-05011: The Frog, Switch & Manufacturing Co.** (600 East High Street, Carlisle, PA 17013) located in Carlisle Borough, **Cumberland County**. The facility is a steel foundry. The operation primarily emits volatile organic compounds (VOC).

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

**TVOP-49-00014: Jeraco Enterprises Inc.** (135 Sodom Road, Milton, PA 17847) for the light truck accessories manufacturing facility located in Milton Borough, **Northumberland County**. The facility's main sources include: a gel coat application booth, gel coat and fiberglass mixing and application booths, surface coating booths, a drying oven and a paint mixing room. These sources emit major quantities of volatile organic compounds (VOCs) and styrene, which is a hazardous air pollutant (HAP). As a result of emissions of major quantities of VOCs and HAPs the facility is a major stationary source as defined in Title 1, Part D of the Clean Air Act Amendments. The facility is therefore subject to Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The facility also emits carbon monoxide, sulfur dioxide, nitrogen oxide and particulate matter. This facility is also subject to all applicable requirements of Reasonably Available Control Technology (RACT).

**TVOP-19-00001: Magee Rieter Automotive Systems** (480 West Fifth Street, Bloomsburg, PA 17815), for their manufacturing facility located in Bloomsburg Borough, **Columbia County**. The Magee Rieter Automotive Systems facility manufactures automotive carpet. The facility's main sources include: two coal fired boilers, two no. 4 oil-fired boilers, two propane-fired dryers, 13 propane-fired heaters and miscellaneous emergency equipment which emit major quantities of nitrogen oxides (NOx). As a result of emissions of major quantities of NOx the facility is a major stationary source as defined in Title 1, Part D of the Clean Air Act Amendments. The facility is therefore subject to Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility also emits carbon monoxide, sulfur dioxide, volatile organic compounds and particulate matter. This facility is also subject to all applicable requirements of Reasonably Available Control Technology (RACT).

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

**TV-65-00837: Consolidated Natural Gas Transmission Corporation, Oakford Compressor Station** (Mail Drop 5-2, 625 Liberty Avenue, Pittsburgh, PA 15222) located in Salem Township, **Westmoreland County**. The facility's major source of emissions include 20 internal combustion engines and other combustion sources as well as several storage tanks which primarily emit NOx and VOCs.

#### Applications received and intent to issue Operating Permits 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.*

**40-309-038: CetainTeed Corp.** (1220 Oakhill Road, Crestwood Industrial Park, Mountaintop, PA 18707) for operation of the wet multistage electrostatic precipitator to control the emissions from the M-2 Fiberglass Manufacturing Line at the facility located in Wright Township, **Luzerne County**.

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

**05-302-013: Blue Triangle Hardwoods, Inc.** (P. O. Box 249, Everett, PA 15537) for operation of a wood fired, fluidized bed boiler in West Providence Township, **Bedford County**.

**21-310-008A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) for a crushing and screening operation in Silver Spring Township, **Cumberland County**. These sources are subject to 40 CFR 60, Subpart 000, Standards of Performance for Nonmetallic Mineral Processing Plants.

**36-05092: Greiner Industries, Inc.** (1650 Steel Way, Mount Joy, PA 17552) for a spray painting operation in Mount Joy Township, **Lancaster County**.

**36-317-070F: Tyson Foods, Inc.** (403 South Custer Avenue, New Holland, PA 17551) for a deep fryer line in New Holland Borough, **Lancaster County**.

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

**08-301-014A: Tioga Point Crematory, Inc.** (802 North Main Street, Athens, PA 18812) for operation of a crematory incinerator in Athens Borough, **Bradford County**.

**49-302-059: Runner-Less Knits, Inc.** (301 North 5th Street, Sunbury, PA 17801) for operation of a no. 2 fuel oil-fired boiler previously owned and operated by Cerven Dye and Finish Co. in the City of Sunbury, **Northumberland County**.

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

**OP-56-00159: Somerset County AVTS** (281 Vo-Tech Road, Somerset, PA 15501) for operation of a technical school in Somerset Township, **Somerset County**.

**OP-56-00155: Somerset Area School District** (645 S. Columbia Ave., Somerset, PA 15501) for operation of a senior high school in Somerset Borough, **Somerset County**.

**OP-56-00149: Somerset Area School District** (645 S. Columbia Ave., Somerset, PA 15501) for operation of Maple Ridge Elementary in Somerset Township, **Somerset County**.

**OP-56-00230: Somerset Area School District** (645 South Columbia Avenue, Somerset, PA 15501) for operation of Friedens Elementary School in Somerset Township, **Somerset County**.

**OP-63-00488: Monongahela Valley Hospital, Inc.** (1163 Country Club Road, Monongahela, PA 15063) for operation of Monongahela Valley Hospital in Carroll Township, **Washington County**.

**OP-04-00009: Maverick Tube, L. P.** (4400 West Fourth Avenue, Beaver Falls, PA 15010) for operation of metal fabricating at Beaver Falls Site in Beaver Falls, **Beaver County**.

**OP-65-00711: Airtek, Inc.** (76 Clair Street, North Huntingdon, PA 15642) for operation of industrial machinery/equipment manufacturing at North Huntingdon Facility in North Huntingdon Township, **Westmoreland County**.

**OP-11-00282: United States Bank** (216 Franklin Street, Johnstown, PA 15901) for operation of tri-fuel boiler in Johnstown, **Cambria County**.

#### PLAN APPROVALS

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

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

**36-3068A: Meridian Products, Inc.** (124 Earland Drive, New Holland, PA 17557) for construction/installation of four spray booths in East Earl Township, **Lancaster County**.

**38-03003A: Bayer Corp.** (400 West Stoever Avenue, Myerstown, PA 17067) for construction/installation of a new tablet spray coater in Myerstown Borough, **Lebanon County**.

**38-3018: Elk Corp. of America** (Wellington Centre, 14643 Dallas Parkway, Suite 1000, Dallas, TX 75240) for construction of an asphalt shingle manufacturing facility in North Londonderry Township and Palmyra Borough in **Lebanon County** and Derry Township, **Dauphin County**. This source is subject to 40 CFR 60, Subpart UU and Subpart Kb, Standards of Performance for New Stationary Sources.

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

**19-310-002C: Hanson Aggregates Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for installation of an air cleaning device (a fabric collector) on a stone crusher at the Bloomsburg Quarry in Hemlock Township, **Columbia County**. The crusher is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**18-310-002D: Hanson Aggregates Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for installation of an air cleaning device (a fabric collector retrofit) on stone crushing and screening equipment at the Salona Quarry in Lamar Township, **Clinton County**. Some of the equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**41-310-001F: Hanson Aggregates Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for installation of an air cleaning device (a fabric collector retrofit) on stone crushing and screening equipment at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

**18-322-001B: Jersey Shore Steel Co.** (P. O. Box 5055, Jersey Shore, PA 17740) for construction of a landfill gas/natural gas/no. 2 fuel oil-fired steel railroad rail rehear furnace in Pine Creek Township, **Clinton County**.

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

**PA-11-251A: Cambria County Commissioners** (429 Manor Drive, Box 360 Loretto Road, Ebensburg, PA 15931) for installation of an oil-fired boiler at Laurel Crest Manor in Ebensburg Borough in **Cambria County**.

**PA-63-028C: Cerdec Corp.** (P. O. Box 519, Washington, PA 15301) for installation of a shuttle kiln at Drakenfeld Products in Canton Township, **Washington County**.

**PA-65-788H: Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666) for installation of FD Frit Seal Oven at Pittsburgh Mfg. Center in Mt. Pleasant Township, **Westmoreland County**.

**PA-04-306A: BASF Corporation** (370 Frankfort Road, Monaca, PA 15061) for installation of latex products manufacturing at Monaca Site in Potter Township, **Beaver County**.

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

**PA-33-002A: Owens-Brockway Glass Container, Inc.** (Route 219, North Brockway, PA 15824) for removal of NOx continuous emission monitor (CEM) requirements and institution of annual stack testing on furnace C at the Route 219 North Brockway facility, Plant No. 19, in Snyder, **Jefferson County**.

**PA-10-047C: Mine Safety Appliances (MSA) Co.** (1420 Mars-Evans City Road, Evans City, PA 16033) for installation of a catalytic oxidizer to reduce emissions from bonding room operations in Evans City, **Butler County**.

#### **REASONABLY AVAILABLE CONTROL TECHNOLOGY**

**(RACT)**

**Public Hearing**

**Clark Filter**

**Lancaster County**

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and proposes to revise the State Implementation Plan (SIP) for Clark Filter located at 3649 Hempland Road in West Hempfield Township, Lancaster County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 36-2040 for the existing facility to comply with current regulations. The preliminary VOC RACT determination for the paper coating facility is the use of compliant coatings and/or catalytic incineration in the reduction of volatile organic compound (VOC) emissions.

The preliminary RACT determination, when finally approved, will be incorporated into an operating permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary Disanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on April 28, 1999, at the Lancaster District Office, 1661 Philadelphia Pike, Lancaster, PA 17602 from 1 p.m. until all scheduled comments on the proposal are received.

Those wishing to comment are requested to contact Karen Sitler at (717) 705-4904 at least 1 week in advance of the hearing to schedule their testimony. Those wishing

to provide testimony are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Rick Millard, Air Pollution Control Engineer, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 on or before April 28, 1999.

Persons with a disability who wish to attend the hearing scheduled for April 28, 1999, at the Lancaster District Office and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Karen Sitler directly at (717) 705-4904 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## **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*

**56823097.** Permit Renewal for Reclamation, only, **Heritage Mining Company** (P. O. Box 126, Cresson, PA 16630), for continued restoration of a bituminous strip mine in Paint Township, **Somerset County**, affecting 72.0 acres, receiving streams to Weaver Run. Application received March 2, 1999.

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

**65810113R. M. B. Energy Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal application received for continued reclamation of a bituminous surface mine located in Cook and Donegal Townships, **Westmoreland County**, affecting 103.8 acres. Receiving streams: unnamed tributary to Four Mile Run to Loyalhanna Creek. Renewal application received: March 3, 1999.

**26990101. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541). Application received for commencement, operation and reclamation of a bituminous surface mine, located in Springfield Township, **Fayette County**, proposed to affect 185.4 acres. Receiving streams: unnamed tributary to Rasler Run, unnamed tributary to Poplar Run, Stony Run. Application received: March 1, 1999.

**03793072C. Kent Coal Mining Company** (P. O. Box 219, Shelocta, PA 15774). Renewal application received for continued reclamation of a bituminous surface mine located in Kiskiminetas Township, **Armstrong County** affecting 302 acres. Receiving streams: unnamed tributary to Long Run and Big Run. Renewal application received: March 5, 1999.

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

**57830101. Bernice Mining & Contracting, Inc.** (P. O. Box 208, Mildred, PA 18632), renewal of an existing bituminous surface mine permit in Cherry Township, **Sullivan County** affecting 880.1 acres. Receiving streams: Birch Creek and two unnamed tributaries of Loyalsock Creek, both of Loyalsock Creek and Loyalsock

Creek to West Branch Susquehanna River to Susquehanna River. Application received February 12, 1999.

**17820129. Kasubick Bros. Coal Co.** (501 David Street, Houtzdale, PA 16651), renewal of an existing bituminous surface mine-auger-refuse disposal permit in Woodward Township, **Clearfield County** affecting 161.8 acres. Receiving streams: unnamed tributary to Upper Morgan Run and North Branch to Morgan Run to Clearfield Creek to West Branch Susquehanna River. Application received February 26, 1999.

**17930127. Jerry C. Bowman Coal Company** (611 Spring Street, Houtzdale, PA 16651), renewal of an existing bituminous surface mine permit in Woodward Township, **Clearfield County** affecting 186.2 acres. Receiving streams: unnamed tributary to Moshannon Creek, unnamed tributary to Whiteside Run, Moshannon Creek to the West Branch Susquehanna River. Application received February 19, 1999.

**17753050. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), renewal of an existing bituminous surface mine permit Karthaus Township, **Clearfield County** affecting 642.8 acres. Receiving streams: unnamed tributaries to Saltlick Run, to Saltlick Run, unnamed tributaries to Mosquito Creek, unnamed tributaries to West Branch Susquehanna River, Saltlick, Mosquito Creek all to West Branch Susquehanna River. Application received February 25, 1999.

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

**32911601. Sprankle Mills Tipple** (P. O. Box 343, Punxsutawney, PA 1576-0343), to renew the permit for the Valier Coal Yard in N. Mahoning Township, **Indiana County**, no additional discharges. Application received February 8, 1999.

**63841306. Mon View Mining Corp.** (P. O. Box 1203, Uniontown, PA 15401), to renew the permit for the Mathies Mine in Nottingham Township, **Washington County**, revision for postmining land use change, no additional discharges. Application received February 11, 1999.

**03841302. Canterbury Coal Company** (R. D. 1, Box 119, Avonmore, PA 15618), to revise the permit for the DiAnne Mine in Kiskiminetas Township, **Armstrong County** to add a surface site for a new portal, Roaring Run. Application received February 16, 1999.

**14831301. Pennsylvania Mines Corp.** (P. O. Box 367, Ebensburg, PA 15931), to revise the permit for the Rushton Mine in Rush Township, **Centre County**, revision to add three sludge boreholes, no additional discharges. Application received February 19, 1999.

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

### **ENCROACHMENTS**

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317,

as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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**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.**

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

**E15-610.** Encroachment. **PA DOT**, 200 Radnor Chester Road, St. Davids, PA 19087. To perform the following activities associated with roadway improvements near the interchange of Downingtown Pike (SR 3072) and Route 322 Bypass: 1. To extend and maintain the downstream side of an existing reinforced concrete T-beam bridge that spans Taylor Run (TSF-MF). This bridge has a single clear span of approximately 24 feet and minimum underclearance of approximately 6.1 feet. The existing structure measures approximately 52.5 feet in width and the extension will expand the width an additional 39.4 feet. The modified structure will have equivalent hydraulic dimensions as the existing structure. 2. To extend and maintain the downstream end of an 8-foot by 5.74-foot pipe arch culvert along an unnamed tributary to Taylor Run (TSF-MF). The existing structure consists of an original concrete arch culvert and pipe arch segment from a previous extension. The total length of the existing structure is approximately 73.8 feet. The proposed structure will consist of an additional 42.9 feet of equivalently sized pipe. The total length of the proposed structure will be approximately 116.7 feet. The project's total wetland impact will be 0.22 acre (PEM). The site is located in the vicinity of the aforementioned intersection (Unionville USGS Quadrangle N: 16.6 inches; W: 1.1 inches) in East Bradford Township, **Chester County**.

**E15-611.** Encroachment. **Warwick Township**, 2500 Ridge Road, Elverson, PA 19520 and **East Nantmeal Township**, 3383 Conestoga Rd., Glenmoore, PA 19343. To remove an existing bridge, and to construct and maintain a bridge with a clear span of 25 feet and an underclearance of 3 feet 10 inches across the South Branch of French Creek (EV, TSF). This project is located along James Mill Road at a point approximately 3,100 feet north of its intersection with Nantmeal Road (Elverson, PA Quadrangle N: 4.25 inches; W: 0.45 inch) in East Nantmeal and Warwick Townships, **Chester County**.

**E23-378.** Encroachment. **Joyfor Joint Venture**, 1604 Walnut Street, Philadelphia, PA 19103. To place fill in a

watercourse and adjacent wetland (PEM/PSS) to facilitate the construction of a hotel and associated parking facilities. The project also includes a request for an environmental assessment approval to construct a nonjurisdictional earth dam across an unnamed tributary to Reese's Run (CWF) and adjacent wetland (PEM). The project proposes to impact approximately 2.40 acres of wetland and greater than 700 linear feet of watercourse. The activities are proposed at the commercial development, Marville at Newtown Square, Parcel "B," located approximately 700 feet north of the intersection of West Chester Pike (S. R. 0003) and Alice Grim Boulevard (Media, PA Quadrangle N: 8.0 inches; W: 19.5 inches) in Newtown Township, **Delaware County**.

**E46-834.** Encroachment. **PA DOT**, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To remove an existing bridge carrying S. R. 4015 Section 42M (Second Avenue) over Mingo Creek (WWF). To construct and maintain a bridge replacement at a location approximately 46 feet downstream of the existing bridge centerline. The proposed bridge replacement will be a dual cell, precast concrete box stream enclosure with an overall length of 107 feet. Each cell of the stream enclosure will have a clear span of 20 feet and a rise of 8 feet. The bottom slab of the stream enclosure will be depressed 6 inches below the streambed to allow for low flow fish passage. Approximately 800 feet of the roadway approaches will be reconstructed to improve roadway alignment. The project site is located approximately 800 feet upstream of the confluence of Mingo Creek with the Schuylkill River and a 1/4 mile southeast of Royersford (Phoenixville, PA Quadrangle N: 8.2 inches; W: 3.7 inches) in Upper Providence Township, **Montgomery County**.

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-5485.*

**E64-194.** Encroachment. **Stephen J. Simpson**, Box 85, Lakewood, PA 18439. To maintain a nonjurisdictional dam and its associated reservoir, which was constructed by placing fill and/or excavating in 0.18 acre of PSS wetlands, within the drainage basin of Equinunk Creek (HQ-CWF). The project is located approximately 4,500 feet southeast of the intersection of S. R. 0247 and T-684 (Lake Como, PA-NY Quadrangle N: 9.3 inches; W: 10.3 inches), in Preston Township, **Wayne County** (Philadelphia District, U. S. Army Corps of Engineers).

**E45-369.** Encroachment. **Sheldon M. Copelson**, P. O. Box 741, East Stroudsburg, PA 18301. To construct and maintain an 18-inch and 24-inch C.M.P. outfall structure in Little Pocono Creek (HQ-CWF) to discharge stormwater from the proposed Mill Brooke Farms Residential Subdivision. The project is located 0.5 mile south of S. R. 0080 Interchange 46 on the north side of S. R. 2007 (Tanite Road) (Stroudsburg, PA Quadrangle N: 18.7 inches; W: 13.2 inches), Stroud Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

**E54-265.** Encroachment. **Greater Pottsville Area Sewer Authority**, P. O. Box 1163, Pottsville, PA 17901. To construct and maintain a 21-inch PVC gravity sanitary sewer line along and across the Schuylkill River (WWF) including four channel crossings. The project extends from a point near Anderson Street, approximately 0.5 mile northeast of the intersection of S. R. 0061 and S. R.

0209 (Pottsville, PA Quadrangle N: 11.0 inches; W: 8.2 inches), continuing northeasterly along the river for approximately 1 mile, in Mechanicsville Borough, Palo Alto Borough and Port Carbon Borough, **Schuylkill County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E06-522.** Encroachment. **Exeter Township**, 4975 DeMoss Road, Reading, PA 19606. To construct and maintain a pedestrian bridge having a span of 16 feet and an underclearance of 4 feet across a tributary to the Schuylkill River at a point immediately upstream of the Schuylkill River (Birdsboro, PA Quadrangle N: 7.2 inches; W: 16.4 inches) and to construct and maintain a pedestrian bridge having a span of 56 feet and an underclearance of 6 feet across the channel of Antietam Creek at a point immediately upstream of the Schuylkill River (Birdsboro, PA Quadrangle N: 6.0 inches; W: 13.7 inches) for the purpose of constructing the Schuylkill River Train in Exeter Township, **Berks County**.

**E28-267.** Encroachment. **Franklin County Commissioners**, John Hart, 157 Lincoln Way East, Chambersburg, PA 17201. To construct and maintain a new County Bridge No. 22 consisting of three spans of 48 feet with a precast I-beam and concrete decking with a minimum underclearance of 11.46 feet over the Conococheague Creek on T-481 (Boyer Mill Road) located just upstream of the existing Bridge No. 22 (Chambersburg, PA Quadrangle N: 6.9 inches; W: 8.25 inches) in Guilford and Hamilton Townships, **Franklin County**.

**E36-672.** Encroachment. **East Lampeter Township**, Ralph Hutchison, 2205 Old Philadelphia Pike, Lancaster, PA 17602. To construct and maintain an additional 20-foot extension, to widen the existing Greenfield Road (T-549) bridge having a clear span of 25-feet with an average channel underclearance of 6-feet over Stauffer Run and to widen the roadway from two lanes to three lanes to create a center turning lane for improved highway safety (Lancaster, PA Quadrangle N: 10.0 inches; W: 0.1 inch) in East Lampeter Township, **Lancaster County**.

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

**E53-324.** Encroachment. **Adelphia Cable Communications**, Main at Water St., Coudersport, PA 16915. To construct and maintain a single span arch bridge with a clear span of 80 feet and an underclearance of 20 feet over the Allegheny River located 1 block west on Water St. from the intersection with (Rt. 6) Main St. (Coudersport, PA Quadrangle N: 4 inches; W: 3 inches) in Coudersport Borough, **Potter County**. This project proposes to temporarily impact 100 feet of the Allegheny River which is designated as cold water fishery and will not impact any wetlands in the area of the proposed project.

**E59-382.** Encroachment. **Delmar Township Supervisors**, R. R. 5, P. O. Box 70-A, Wellsboro, PA 16901. To construct and maintain ten sewer line stream crossings of

East Branch Stony Fork and unnamed tributaries of this stream and to construct and maintain a 45,000 gpd wastewater treatment plant in the floodplain of East Branch Stony Fork. This project is located along Stony Fork Road approximately 6.5 miles south of Route 6 (Antrim, PA Quadrangle N: 6.8 inches; W: 15.5 inches) in Delmar Township, **Tioga County**. Estimated total stream disturbance is 260 feet; stream classification CWF.

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

**E63-465.** Encroachment. **Borough of Burgettstown**, 113 Main Street No. 306, Burgettstown, PA 15021. To remove the existing bridge and to construct and maintain a new bridge having a span of 20.0 m with an underclearance of 3.0 m across Burgetts Fork of Raccoon Creek (WWF). The bridge is located on Main Street, approximately 28.8 m south from the intersection of Main Street, Dinsmore Avenue and Maple Avenue (Burgettstown, PA Quadrangle N: 1.2 inches; W: 2.6 inches) in the Borough of Burgettstown, **Washington County**.

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

**E20-468.** Encroachment. **East Fairfield Township**, Charles R. Morrell, 22282 Freyermuth Road, Meadville, PA 16335. To remove the damaged portion of the existing concrete arch bridge on Powell Road across a tributary to French Creek (WWF) and to place and maintain a metal arch with a span of 11 feet, 7 inches and a rise of 7 feet, 6 inches within the existing concrete arch bridge waterway opening with grout being placed between the new arch and the existing structure. The project is located on Powell Road across a tributary to French Creek approximately 1,800 feet either intersection of Powell Road and SR 0322 (Cochranon, PA Quadrangle N: 6.9 inches; W: 11.3 inches) located in East Fairfield Township, **Crawford County**.

**E25-580.** Encroachment. **Waterford Township**, 12451 Circuit Road, Waterford, PA 16441. To remove the existing single span bridge and to construct and maintain a corrugated steel plate arch pipe culvert having a span of 10 feet, 9 inches and a rise of 6 feet, 11 inches on Sedgewick Road (T-455) across a tributary to Lake LeBoeuf (CWF, Drainage area 1,090 acres). The project is located on Sedgewick Road (T-455) across a tributary to Lake LeBoeuf approximately 1,400 feet west of the intersection of Sedgewick Road (T-455) and the western boundary line of the Borough of Waterford (Waterford, PA Quadrangle N: 11.8 inches; W: 15.0 inches) located in Waterford Township, **Erie County**.

**E62-342.** Encroachment. **Lightning Oil Company Ltd.**, 225 A Swede Road, Tidioute, PA 16351. To place and maintain a 4-inch-diameter steel natural gas pipeline within a 6-inch-diameter conduit pipe attached to the existing bridge on Forest Service Road 119 across East Hickory Creek (HQ-SWF, trout stocked and wild trout). The project is located on Forest Service Road 119 across East Hickory Creek approximately 9,000 feet southwest of the intersection of T-317 and Forest Service Road 119 (Cobham, PA Quadrangle N: 3.0 inches; W: 12.0 inches) located in Limestone Township, **Warren County**.

### DAM SAFETY

**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 Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**D60-056. Dam. Union County Industrial Development Corporation** (219 D Hafer Road, Lewisburg, PA 17837). To construct, operate and maintain the Great Stream Commons Upper Dam across a tributary to West Branch Susquehanna River (WWF), 330 feet of stream for the purpose of stormwater detention for the Residential Park of Great Stream Commons business and residential park (Allenwood, PA Quadrangle N: 21.5 inches; W: 3.4 inches) in Gregg Township, **Union County**.

**D60-057. Dam. Union County Industrial Development Corporation** (219 D Hafer Road, Lewisburg, PA 17837). To construct, operate and maintain the Great Stream Commons Lower Dam across a tributary to West Branch Susquehanna River (WWF), 370 feet of stream for the purpose of stormwater detention for the Residential Park of Great Stream Commons business and residential park (Allenwood, PA Quadrangle N: 21.5 inches; W: 3.2 inches) in Gregg Township, **Union 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.*

**D06-041EA. Environmental Assessment. Charming Forge, LTD** 345 North Prince Street, P. O. Box 957, Lancaster, PA 17608-0957. To breach and remove the Charming Forge Dam across Tulpehocken Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located immediately upstream from the Charming Forge Road Bridge (S. R. 3037) (Strausstown, PA Quadrangle N: 2.1 inches; W: 6.5 inches) in Marion and Heidelberg Townships, **Berks County**.

### WATER ALLOCATIONS

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

*Northwest Regional Office: Regional Program Manager, Water Supply Management, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6899.*

**A. WA 20-1000. Water Allocation. Cambridge Township Municipal Authority**, 22530 Electric Drive, Cambridge Springs, PA 16403, requests the right to purchase 42,100 gpd from Cambridge Springs Borough. This allocation will be a transfer of water across municipal bound-

aries between Cambridge Springs Borough and Cambridge Township to supply present use in Pleasant Hills Subdivision and to allow development of proposed industrial/business park. Activities are located in Cambridge Township, **Crawford County, PA**.

### 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, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

**NPDES Permit No. PA0102822. Sewage. Rolling Valley Estates**, 369 Eagle Mill Road, Butler, PA 16001 is authorized to discharge from a facility located in Connoquenessing Township, **Butler County** to an unnamed tributary to Little Connoquenessing Creek.

**NPDES Permit No. PA0220779. Sewage. Springfield Village Mobile Home Park**, P. O. Box 76, Lake City, PA 16423 is authorized to discharge from a facility located in Springfield Township, **Erie County** to an unnamed tributary to Raccoon Creek.

## INDIVIDUAL PERMITS

## (PAS)

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream</i>
PAS0-G331	Ethel J. Coates P. O. Box 510 Oxford, PA 19363-0510	East Nottingham Township Chester County	West Branch Big Elk Creek
PAS10-G348	Messieurs G. William and James R. Freese 503 Elkridge Road Oxford, PA 19463	East Nottingham Township Chester County	Big Elk Creek
PAS10-G350	Bruce Vanderhoef 341 Freemont Road Nottingham, PA 19362	Lower Oxford Township Chester County	East Branch Big Elk Creek
PAS10-G322	Siousca, Inc. 132 Hibernia Road Coatesville, PA 19320	West Brandywine and Valley Townships Chester County	Brandywine Basin West Branch

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10U105	Kharecha Enterprises, L. P. P. O. Box 3189 Easton, PA 18043-3189	Northampton County Bethlehem Township	Monocacy Creek

## INDIVIDUAL PERMITS

## (PAR)

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**Approvals to Use NPDES and/or Other General Permits**


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

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

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

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

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge By Land Application



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

PAG-8 General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site

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

*General Permit Type—PAG-2*

*Facility Location*

*County and  
Municipality*

*Permit No.*

*Applicant Name  
and Address*

*Receiving Stream  
or Body of Water*

*Contact Office and  
Telephone No.*

Bethel Township Delaware County	PAR10-J132	Signature Development 1525 Windingbrook Run Boothwyn, PA	Spring Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Concord Township Delaware County	PAR10-J144	Garnet Valley School District 550 Smithbridge Road Glen Mills, PA	West Branch Chester Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Ridley Township Delaware County	PAR10-J135	MR Properties P. O. Box 38 Essington, PA 19029	Darby Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Providence Township Montgomery County	PAR10-T471	Philomeno and Salamone 450 South Gravers Road Plymouth Meeting, PA 19462	School House Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Pottstown Borough Montgomery County	PAR10-T496	Pottstown School District Franklin and East Streets Pottstown, PA	Schuylkill River	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Perkiomen Township Montgomery County	PAR10-T428	Anthony M. Dilucia, Inc. 100 Jacob's Hill Lane Lansdale, PA	Lodal Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Worcester Township Montgomery County	PAR10-T498	Victory Builders, LLP 500 Skippack Pike Broad Axe, PA	Unnamed Tributary to Stoney Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Plymouth Township Montgomery County	PAR10-T504	Plymouth Meeting General Partnership 1621 Wood Street Philadelphia, PA	Tributary No. 2 Plymouth Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Bristol Township Bucks County	PAR10-D438	Frank Green/Bristol Properties 33 Cotters Lane East Brunswick, NJ 08816	Black Ditch Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Warwick Township Bucks County	PAR10-D400	C & M Developers, Inc. 2421 Bristol Rd. Warrington, PA	Little Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<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>
Bensalem Township Bucks County	PAR10-D397	Louis DiEgidio 800 Haunted Lane Bensalem, PA	Unnamed Tributary Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Bedminster Township Bucks County	PAR10-D378	Kathleen James 121 Kellers Church Road P. O. Box 162 Bedminster, PA	Deer Run Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lehigh County Upper Saucon Township	PAR10Q118	Countryside Development Group Chuck M. Spector P. O. Box 446 Swedesboro, NJ 08085	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q121	Lutron Electronics Co., Inc. Andrew Hines 7200 Suter Rd. Coopersburg, PA 18036-1299	Saucon Creek	Lehigh CD (610) 391-9583
Luzerne County Wilkes-Barre Township	PAR10R170	Earth Conservancy 101 S. Main St. Ashley, PA 18706	Mill Creek	Luzerne CD (570) 674-7991
Centre County Ferguson Township	PAR10F084	Mark A. Kunkle Ferguson Township 3147 Research Dr. State College, PA 16801	Slab Cabin Run	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lackawanna County Archbald Borough	PAR10N063-1	PEI Power Corp. Vincent Bonaddio One PEI Center Wilkes-Barre, PA 18711-0601	Laurel Run Creek	Lackawanna CD (570) 281-9495
<i>General Permit Type—PAG-3</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Carbon County Nesquehoning Borough	PAR802211	Kovatch Corporation One Industrial Complex Nesquehoning, PA 18240	Nesquehoning Creek	Northeast Regional Office Water Management (570) 826-2511
City of Scranton Lackawanna County	PAR202203	Allied Fence Manufacturing Company 1275 North Keyser Avenue Scranton, PA 18504	Lackawanna River	Northeast Regional Office Water Management (570) 826-2511
Bethlehem Township Northampton County	PAR602203	Midway Auto Wrecking 1400 Hope Road Easton, PA 18045	Lehigh River	Northeast Regional Office Water Management (570) 826-2511
Wayne Township Schuylkill County	PAR222204	Reynold's Sawmill 203 Summer Hill Road Schuylkill Haven, PA 17972	Unnamed tributary to Lower Little Swatara Creek	Northeast Regional Office Water Management (570) 826-2511
East Brunswick Township Schuylkill County	PAR602206	J. W. Zaprazny, Inc. R. R. 3, Box 340 New Ringgold, PA 17960	Koenigs Creek	Northeast Regional Office Water Management (570) 826-2511

## NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County East Huntingdon Township	PAR406105	Republic Services Group of Pennsylvania, IV, LLC Box 716 East Huntingdon Landfill Road Scottdale, PA 15683	UNT to Stauffer Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-5</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Cambria County Cresson Borough	PAG056127	Martin L. Sheehan 926 Second Street Cresson, PA 16630	Little Conemaugh River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Indiana County Indiana Borough	PAG056128	Sun Company, Inc. (R&M) 5733 Butler Street Pittsburgh, PA 15201	Stoney Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Fayette County City of Connellsville	PAG056129	Chico Enterprises 331 Beechurst Avenue Morgantown, WV 26505	Opossum Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County City of Johnstown	PAG056130	Modern Art & Plate Glass Company 180 Asphalt Road Johnstown, PA 15905	Conemaugh River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Schuylkill County Rush Township	PAG-052206	PA Department of Environmental Protection 2 Public Square Wilkes-Barre, PA 18711	Little Schuylkill River	Northeast Regional Office Water Management Program 2 Public Square Wilkes-Barre, PA 18711 (717) 826-2553

*General Permit Type—PAG-6**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>
Beaver County Freedom Borough	PAG066131	Freedom Borough 901 Third Avenue Freedom, PA 15042	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8**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>
Fayette County Wharton Township	PAG086103	New Meadow Run Bruderhof P. O. Box 240 Route 40 Farmington, PA 15437		Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Hempfield Township	PAG096102	A-Septic Tank Service 1046 Rolling Acres Road Latrobe, PA 15650		Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

*Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-0530.*

*Location:* Borough of Ulysses, Potter County. *Project Description:* This sewage facilities plan update proposes the replacement of the existing lagoon sewage treatment plant with a new 150,000 gpd extended aeration sewage treatment plant. The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

### SAFE DRINKING WATER

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

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

**0698502.** Public water supply, **Maxatawny Township Municipal Authority**, Maxatawny Township, **Berks County**. *Responsible Official:* Donald Miller. *Type of Facility:* Public Water Supply, 250,000 gallon storage tank, pump station and new treatment building with new disinfection equipment. *Consulting Engineer:* Weiser En-

gineering Consultants, Christopher Falencki, P.E. *Permit to Operate Issued:* March 2, 1999.

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

**Permit No. 1489508.** The Department issued a construction and operation permit to **Martha Furnace MHP**, 107 Peppermint Lane, Julian, PA 16844, Huston Township, **Centre County**. The permit was issued for construction and operation of the lower well, one Brunner green sand filter, the transmission line and the distribution system.

**Permit No. 5798501.** The Department issued a construction permit to **Red Rock Job Corps Center**, P. O. Box 218, Lopez, PA 18628-0218, Colley Township, **Sullivan County**. The permit was issued for construction of Well No. 4 and two green sand filters.

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

**Permit No. 6198503.** Public water supply. **Sugarcreek Station**, R. D. 3, Box 29, Franklin, PA 16323, has been issued a permit for the addition of Orthal/polyphosphate blend (specifically Aquadene SK-7861) in Sugarcreek Borough, **Venango County**.

*Type of Facility:* Community Water Supply.

*Consulting Engineer:* Olgierd K. Wodzianski, P.E., Wodzianski & Smith, Inc., 1322 Elk Street, Franklin, PA 16323.

*Permit to Construct Issued:* March 2, 1999.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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

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

The Department has received the following final reports:

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

**Blue Ribbon Enterprises, Inc.**, City of Philadelphia, **Philadelphia County**. Keith Tockman, Whitestone Associates, Inc., 776 Mountain Blvd., Watchung, NJ 07060, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Brandywine Realty II, Inc.**, Concord Township, **Delaware County**. Carl Bones, Pennoni Associates, Inc., One Drexel Plaza, 3001 Market Street, Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet background standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

**18th & Callowhill Streets**, City of Philadelphia, **Philadelphia County**. James Cinelli, P. E., RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil contaminated with PCBs and lead. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on February 24, 1999.

**Stonegate**, West Bradford Township, **Chester County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on March 3, 1999.

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

**Frenz Petroleum Corporation**, State Route 422 and Copper Rd., New Castle, PA 16103, **Lawrence County**,

Slippery Rock Township, has submitted a final report concerning the remediation of soil and groundwater. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on March 2, 1999.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

#### 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.*

**Cheetah Bulk Services, Inc.**, 1060 Francis Scott Key Highway, Keymar, MD 21757; License No. **PA-AH 0609**; license issued December 24, 1998.

**DTC Environmental Services, Inc.**, 2450 Congo Road, Newell, WV 26050; License No. **PA-AH 0612**; license issued January 29, 1998.

**G&O Transportation, Inc.**, 5225 East El Campo Grande, Las Vegas, NV 89115; License No. **PA-AH 0608**; license issued December 22, 1998.

**Photo Chemical Systems, Inc.**, 105 Forest Drive, Knightdale, NC 27545; License No. **PA-AH S214**; license issued January 27, 1999.

**Secure Environmental Transporters, Inc.**, 2307 Russenberger Road, Little Rock, AR 72206; License No. **PA-AH 0607**; license issued December 15, 1998.

**Stranco, Inc.**, 70459 Highway 59, Abita Springs, LA 70420; License No. **PA-AH 0611**; license issued January 27, 1999.

**USA Waste of Connecticut, Inc.**, P. O. Box 144, Portland, CT 06480; License No. **PA-AH 0610**; license issued January 22, 1999.

**Youghiogeny Environmental Services, LTD.**, 1308 Morrell Avenue, Connellsville, PA 15425; License No. **PA-AH 0613**; license issued February 22, 1999.

#### 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.*

**Allstate O.R.C., Inc.**, 473 Hamburg Turnpike, West Milford, NJ 07480-3746; License No. **PA-AH 0564**; renewal license issued February 2, 1999.

**Aqua-Tex Transport, Inc.**, 219 North White Horse Pike, Hammonton, NJ 08037; License No. **PA-AH S179**; renewal license issued December 10, 1998.

**Asbestos Transportation Company, Inc.**, P. O. Box 59, Yaphank, NY 11980; License No. **PA-AH S243**; renewal license issued February 2, 1999.

**Ashland Chemical Company**, P. O. Box 2219, Columbus, OH 43216; License No. **PA-AH 2219**; renewal license issued December 7, 1998.

**Autumn Industries, Inc.**, 518 Perkins-Jones Road, Warren, OH 44483; License No. **PA-AH 0267**; renewal license issued February 1, 1999.

**Buffalo Fuel Corp.**, 344 Vulcan Street, Buffalo, NY 14207-1327; License No. **PA-AH 0147**; renewal license issued February 9, 1999.

**Clean Harbors Environmental Services, Inc.**, 1501 Washington Street, Braintree, MA 02184; License No. **PA-AH 0312**; renewal license issued January 20, 1999.

**Dart Trucking Company, Inc.**, 61 Railroad Street, Canfield, OH 44406; License No. **PA-AH 0219**; renewal license issued December 9, 1998.

**Ecoflo, Inc.**, 2750 Patterson Street, Greensboro, NC 27407; License No. **PA-AH 0225**; renewal license issued February 2, 1999.

**Elliott Truck Line, Inc.**, 532 South Wilson Street, Vinita, OK 74301; License No. **PA-AH 0355**; renewal license issued February 22, 1999.

**Environmental Transport Group, Inc.**, P. O. Box 296, Flanders, NJ 07836-0296; License No. **PA-AH 0104**; renewal license issued December 9, 1998.

**Gary W. Gray Trucking, Inc.**, P. O. Box 48, Delaware, NJ 07833; License No. **PA-AH 0474**; renewal license issued December 30, 1998.

**Gulf South Systems, L.L.C.**, 500 Dakin Street, Jefferson, LA 70121; License No. **PA-AH 0482**; renewal license issued February 3, 1999.

**H.M.H.T.T.C. Response Team, Inc.**, P. O. Box 5215, Parsippany, NJ 07054; License No. **PA-AH 0554**; renewal license issued December 4, 1998.

**Hazmat Environmental Group, Inc.**, 60 Commerce Drive, Buffalo, NY 14218-1040; License No. **PA-AH 0315**; renewal license issued February 26, 1999.

**Hittman Transport Services, Inc.**, 1560 Bear Creek Road, Oak Ridge, TN 37830; License No. **PA-AH S239**; renewal license issued February 17, 1999.

**J. T. Sands Corp.**, 3445 Adamsville Road, Zanesville, OH 43701; License No. **PA-AH 0483**; renewal license issued January 28, 1999.

**Kephart Trucking Co.**, P. O. Box 386, Bigler, PA 16825; License No. **PA-AH 0352**; renewal license issued February 2, 1999.

**Lincoln Environmental, Inc.**, 333 Washington, RI 02917; License No. **PA-AH S204**; renewal license issued December 4, 1998.

**Matlack, Inc.**, P. O. Box 8789, Wilmington, DE 19899; License No. **PA-AH 0143**; renewal license issued February 24, 1999.

**MCF Systems Atlanta, Inc.**, 5353 Snapfinger Woods Drive, Decatur, GA 30035; License No. **PA-AH S240**; renewal license issued December 30, 1998.

**Newark Carting, Inc.**, P. O. Box 5670, Newark, NJ 07105; License No. **PA-AH 0551**; renewal license issued December 4, 1998.

**Novick Chemical Co., Inc.**, 705 Davis Street, Scranton, PA 18505; License No. **PA-AH 0138**; renewal license issued February 23, 1999.

**Peoria Disposal Company**, 1113 North Swords Avenue, Peoria, IL 61604-4898; License No. **PA-AH 0556**; renewal license issued January 27, 1999.

**Philip Reclamation Services Houston, Inc., DBA Eltex Chemical**, 4050 Homestead Road, Houston, TX 77028; License No. **PA-AH 0546**; renewal license issued February 19, 1999.

**Pros Services, Inc.**, P. O. Box 610548, Port Huron, MI 48061-0548; License No. **PA-AH 0481**; renewal license issued January 12, 1999.

**Robert C. Cummings Enterprises, Inc.**, P. O. Box 1286, Voorhees, NJ 08043; License No. **PA-AH 0383**; renewal license issued December 21, 1998.

**Ross Transportation Services, Inc.**, 36790 Giles Road, Grafton, OH 44044; License No. **PA-AH 0133**; renewal license issued December 31, 1998.

**Sturgron and Son, Inc.**, P. O. Box 2840, Bakersfield, CA 93303-2840; License No. **PA-AH 0563**; renewal license issued February 22, 1999.

**Textile Chemical Company, Inc.**, P. O. Box 13788, Reading, PA 19612; License No. **PA-AH 0082**; renewal license issued December 30, 1998.

**Trans-Enviro, Inc.**, 4500 Lee Road, Suite 138, Cleveland, OH 44128; License No. **PA-AH 0480**; renewal license issued January 12, 1999.

**Tri-County Industries, Inc.**, 5005 Powder Mill Road, Beltsville, MD 20704-1467; License No. **PA-AH 0430**; renewal license issued February 19, 1999.

**Trimac Transportation Services, Inc.**, P. O. Box 3500, Calgary, AB T2P 2P9, License No. **PA-AH 0555**; renewal license issued January 20, 1999.

**Triumvirate Environmental, Inc.**, P. O. Box 136, Boston, MA 02143; License No. **PA-AH 0477**; renewal license issued February 19, 1999.

**Wayne W. Sell Corporation**, 236 Winfield Road, Sarver, PA 16055; License No. **PA-AH 0123**; renewal license issued January 12, 1999.

**Licenses 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.*

**Clean America, Inc.**, 3300 Childs Street, Baltimore, MD 21226; License No. **PA-AH 0375**; license expired on June 30, 1998.

**Fenn-Vac, Inc.**, P. O. Box 62679, N. Charleston, SC 29419; License No. **PA-AH 0542**; license expired on November 30, 1998.

**Pat Perretti Freight Service, Inc.**, 73 Greenpond Road, Rocakaway, NJ 07866; License No. **PA-AH 0465**; license expired on November 30, 1998.

**Philip Reclamation Services Houston, Inc., DBA Eltex Chemical**, 4050 Homestead Road, Houston, TX 77028; License No. **PA-AH 0546**; license expired on January 31, 1999.

**Refiners Transport & Terminal Corporation**, 1300 East 9th Street, Suite 100, Cleveland, OH 44114; License No. **PA-AH 0343**; license expired on November 30, 1998.

**S. D. Myers, Inc.**, 180 South Avenue, Tallmadge, OH 44278; License No. **PA-AH 0468**; license expired on November 30, 1998.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Issued Determination of Applicability 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: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6848.*

**General Permit No. WMGR038-NW002. Mace Recycling**, 47 Tuna Cross Roads, Bradford, PA 16701, located in Foster Township, **McKean County**, Permit No. WMGR038. Permit originated by the Department for the beneficial 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. Permit was issued in the Regional Office on February 26, 1999.

#### **PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE**

##### **INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

**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.*

**Pet Memorial Services Corporation**, 319 Westown Road, Suite Q, West Chester, PA 19382; License No. **PA-HC 0195**; renewal license issued December 7, 1998.

**Stericycle, Inc.**, 369 Park East Drive, Woonsocket, RI 02895; License No. **PA-HC 0196**; renewal license issued January 26, 1999.

## **AIR QUALITY**

### **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.**

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

**GP3-06-5073A: Dyer Quarry, Inc.** (P. O. Box 188, Birdsboro, PA 19508) authorized use of the general permit for a portable nonmetallic mineral crushing plant at the John T. Dyer Traprock Quarry in Robeson Township, **Berks County**.

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

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

**OP-15-0019: PECO Energy Co.** (Township Line and Cromby Road, Phoenixville, PA 19460) issued March 4, 1999, for Facility VOCs/NOx RACT in East Pikeland Township, **Chester County**.

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

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

**46-399-113: Ford Electronics & Refrigeration Corp.** (2750 Morris Road, Lansdale, PA 19446) issued March 5, 1999, for two selective soldering machines in Worcester Township, **Montgomery County**.

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

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

**09-313-092: Armoloy Co. of Philadelphia** (1105 Miller Avenue, Croydon, PA 19020) issued for operation of two hard chrome elect-plating baths in Bristol Township, **Bucks County**.

**46-307-008A: Freedom Alloys, Inc.** (155 Railroad Plaza, Royersford, PA 19468) issued for operation of an electric inductotherm furnace in Royersford Borough, **Montgomery County**.

**OP-09-0050: Better Materials Corp.** (Swamp Road and 2nd Street Pike, Penns Park, PA 18943) issued for operation of a stone crushing plant in Wrightstown Township, **Bucks County**.

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

**17-302-018: Pennsylvania Department of Corrections** (P. O. Box 598, Camp Hill, PA 17001-0598) on February 8, 1999, for operation of two micronized bituminous coal-fired boilers and associated air cleaning devices (two fabric collectors and two dry hydrated lime flue gas injection systems) as well as for the operation of one no. 2 fuel oil-fired boiler at SCI—Houtzdale in Woodward Township, **Clearfield County**. These boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

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

**56-307-001F: FirstMiss Steel, Inc.** (230 Box 509, Hollsopple, PA 15935) issued March 9, 1999, for operation of oxygen converter at Stony Creek Plant in Quemahoning Borough, **Somerset County**.

**PLAN APPROVALS**

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

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

**PA-15-0014B: Norwood Industries, Inc.** (57 Morehall Road, Frazer, PA 19355) issued March 5, 1999, for operation of a dust collector (baghouse) in East Whiteland Township, **Chester County**.

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

**21-310-019B: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) issued March 2, 1999, for modification of the sand processing plant controlled by a wet suppression system at the Mount Holly Springs Quarry in Dickinson Township, **Cumberland County**. These sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**21-313-004A: The Little Tikes Co.** (560 Walnut Bottom Road, Shippensburg, PA 17257) issued March 5, 1999, for modification of the toy manufacturing facility in Southampton Township, **Cumberland County**.

**36-05004A: M & M/Mars, Inc.** (295 Brown Street, Elizabethtown, PA 17022) issued March 1, 1999, for modification to the existing chocolate and cocoa products manufacturing operation in Elizabethtown Borough, **Lancaster County**.

**36-05094: Keystone Wood Specialties, Inc.** (P. O. Box 10127, Lancaster, PA 17605) issued March 1, 1999, for installation of the three-spray booths controlled by three overspray collectors in East Lampeter Township, **Lancaster County**.

**67-399-022: York International Corp.** (P. O. Box 1592, York, PA 17405) issued March 2, 1999, for installation of three dry plasma cutting tables each controlled by their respective cartridge collector at the Grantley Plant in Spring Garden Township, **York County**.

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

**41-310-011: Milestone Materials, Inc.** (P. O. Box 231, Easton, PA 18044-0231) on February 3, 1999, for construction of a sand and gravel processing plant and associated air cleaning device (a water spray dust suppression system) in Montoursville Borough, **Lycoming County**. Most of the equipment incorporated in this plant will be subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources.

**41-318-044: Ralph S. Alberts Co., Inc.** (60 Choate Circle, Montoursville, PA 17754) on February 10, 1999, for construction of a molded plastic parts surface coating operation in Montoursville Borough, **Lycoming County**.

**49-313-035M: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821) on February 12, 1999, for modification of a pharmaceutical process facility at the Cherokee plant in Riverside Borough, **Northumberland County**.

**49-319-001: Arcos Alloys** (1 Arcos Drive, Mount Carmel, PA 17851) on February 12, 1999, for construction of four coal continuous web wire degreasers in Mount Carmel Township, **Northumberland County**. These



degreasers are subject to Subpart T of the National Emission Standards for Hazardous Air Pollutants.

**12-399-014A: GKN Sinter Metals** (R. R. 2, Box 47, Emporium, PA 15834) on February 16, 1999, for construction of two sintered metal parts induction hardening operations and associated air cleaning device (an electrostatic precipitator) at the Airport Road Plant in Emporium Borough, **Cameron County**.

**OP-59-0008A: Westfield Tanning Co.** (360 Church Street, Westfield, PA 16950) on February 16, 1999, for construction of a leather finishing operation in Westfield Borough, **Tioga County**.

**14-310-022: Glenn O. Hawbaker, Inc.** (450 East College Avenue, Bellefonte, PA 16823) on February 18, 1999, for construction of a fine aggregate washing plant and associated air cleaning device (a water spray dust suppression system) in Spring Township, **Centre County**.

**TVOP-49-00011A: Butter Krust Baking Co., Inc.** (249 North 11th Street, Sunbury, PA 17801) on February 26, 1999, for installation of an air cleaning device (a catalytic oxidizer) on a bread baking oven and a roll baking oven in the City of Sunbury, **Northumberland County**.

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

**30-399-005A: Texas Eastern Transmission Corp.** (P. O. Box 1642, Houston, TX 77251) issued March 9, 1999, for installation of gas fired turbine at Waynesburg Compressor Station in Franklin Township, **Greene County**.

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

**PA-20-284A: Multi Tool Inc.** (Route 198, South Street, Saegertown, PA 16433) issued February 3, 1999, for installation of mist eliminator on chrome plating tanks in Saegertown, **Crawford County**.

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

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

**PA-23-0003: Bayway Refinery Co.** (Post Road and Smith Street, Trainer, PA 19061) issued March 2, 1999, for operation of a Facility RACT for NOx and VOC in Marcus Hook Borough, **Delaware County**.

**46-313-006F: Cabot Corp.** (County Line Road, Douglass, PA 19504) issued March 2, 1999, for operation of a scrubber in Douglass Township, **Montgomery County**.

**PA-15-0027B: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087) issued March 2, 1999, for operation of a drum dryer in Tredyffrin Township, **Chester County**.

**15-309-016A: Johnson Matthey, Inc.** (456 Devon Park Drive, Wayne, PA 19087) issued March 2, 1999, for operation of a SCR System No. 1 in Tredyffrin Township, **Chester County**.

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

**34-03001: West Allegheny Biomass Energy Corp.** (327 Winding Way, King of Prussia, PA 19406) issued March 1, 1999, to authorize temporary operation for a one turbine-generator, wood fired, covered by this Plan Approval until February 29, 2000, in Fermanagh Township, **Juniata County**.

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

**PA-65-137A: Allegheny Ludlum Corp.** (100 River Road, Brackenridge, PA 15014) issued March 3, 1999, for installation of sendzimer cold rolling mill at Ludlum Corporation in Vandergrift Borough, **Westmoreland County**.

**PA-65-800A: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue S. E., Charleston, WV 25325) issued March 9, 1999, for operation of reciprocating engines at Delmont Compressor Station in Salem Township, **Westmoreland 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).

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

#### Coal Permits Issued

**61980103. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous strip operation in Irwin Township, **Venango County** affecting 104.0 acres. Receiving streams: Five unnamed tributaries to Scrubgrass Creek. Application received: September 2, 1998. Permit Issued: February 19, 1999.

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

**63901701. Consolidation Coal Company** (200 Hidden Valley Rd., McMurray, PA 15317), to renew the permit for the Hahn AMD Plant in Cecil Township, **Washington County**, no additional discharges. Permit issued February 17, 1999.

**32851302. Helvetia Coal Company** (P. O. Box 729, Indiana, PA 15701), to renew the permit for the Lucerne No. 6E Mine in Blacklick and Center Townships, **Indiana County**, no additional discharges. Permit issued March 1, 1999.

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

**40850202R2. Northeast Energy Company** (254 Johnson Street, Wilkes-Barre, PA 18702), renewal of an existing coal refuse reprocessing/disposal operation in

Wilkes-Barre Township, **Luzerne County** affecting 29.2 acres, receiving stream—none. Renewal issued March 2, 1999.

**54813009R3. Joe Kuperavage Coal Company** (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in East Norwegian Township, **Schuylkill County** affecting 57.7 acres, receiving stream—none. Renewal issued March 5, 1999.

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

*Noncoal Permits Issued*

**7775SM8T. Dyer Quarry, Inc.** (150 Monument Drive, Suite 603, Bala Cynwyd, PA 19004), transfer of an existing quarry operation in Robeson Township, **Berks County** affecting 310.0 acres, receiving stream—Indian Corn and Siedel Creeks. Transfer issued March 4, 1999.

**06970301T. Dyer Quarry, Inc.** (150 Monument Drive, Suite 603, Bala Cynwyd, PA 19004), transfer of an existing quarry operation in Robeson Township, **Berks County** affecting 58.5 acres, receiving stream—none. Transfer issued March 4, 1999.

**06970302. Haines & Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), commencement, operation and restoration of a quarry operation in Robeson and Union Townships, **Berks County** affecting 289.6 acres, receiving stream—Hay Creek. Permit issued March 4, 1999.

**01930302C2. ISP Minerals, Inc.** (1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214), renewal of NPDES Permit No. PA0223239 in Hamiltonban Township, **Adams County**, receiving stream—unnamed tributary to Tom's Creek. Renewal issued March 5, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232. Small Noncoal (Industrial Minerals) Permits Issued*

**62990801. Raymond C. Shield** (Box 2045A, Russell, PA 16345). Commencement, operation and restoration of a small noncoal sand and gravel operation in Pine Grove Township, **Warren County** affecting 4.0 acres. Receiving streams: None. Application received: January 4, 1999. Permit Issued: February 23, 1999.

## 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.

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**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.)

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

**E15-504.** Encroachment Permit. **Pennsylvania Department of Transportation**, 200 Radnor Chester Road, St. Davids, PA 19087-5178. To remove an existing 39.5 foot single span deteriorated bridge which carried Media Road (SR 3010) over Little Elk Creek and to construct and maintain a prestressed concrete bridge having a clear span of 50.5-foot and average under clearance of 6 feet at the same location and the same alignment. In addition to the bridge replacement, to improve roadway approaches for a distance of 350-feet east and 250-feet west of the bridge. This work is located (Bayview MD-PA Quadrangle N: 22.3 inches; W: 7.7 inches) in Elk Township, **Chester County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E15-604.** Encroachment Permit. **Bethlehem-Lukens Plate Division**, ARC Building, Coatesville, PA 19320-0911. To install and maintain a steel cantilevered access ramp and stairs on north bank of the West Branch of the Brandywine Creek, to provide safe access to the stream for crews to install and remove an oil boom as required. This project is located on Bethlehem Lukens Plate Division Property (Coatesville, PA Quadrangle N: 16.65 inches; W: 8.55 inches) in South Coatesville, **Chester County**. This permit was issued under section 105.13(e) "Small Projects."

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

**E40-481.** Encroachment. **Frank L. Miner**, R. R. 2, Box 164, Mehoopany, PA 18629-9514. To maintain a cantilevered dock, extending from a concrete pad, in Lake Silkworth, and to modify and maintain an existing stone wall along the shoreline, with work consisting of capping the wall with additional flagstone and concrete. The dock extends approximately 40 feet from the shoreline and is 5 to 8 feet wide. The project is located along the eastern shoreline of the lake, approximately 0.25 mile northeast of the intersection of S. R. 0029 and T-579 (Harveys Lake, PA Quadrangle N: 4.3 inches; W: 11.1 inches), in Lehman Township, **Luzerne County**.

**E40-508.** Encroachment. **Estes Express Lines**, 1100 Commerce Road, Richmond, VA 23224. To excavate and to place fill in a de minimis area of wetlands equal to 0.04 acre, within the drainage basin of Mill Creek, for the purpose of constructing a paved parking area for trailer storage associated with the expansion of a truck terminal.

The project is located at 29 Second Street (Pittston, PA Quadrangle N: 1.8 inches; W: 11.0 inches), in Plains Township, **Luzerne County**.

**E45-337.** Encroachment. **Charles and Nancy Casey**, 2255 Rolling Hills Drive, Morgan Hill, CA 95037. To place fill in approximately 0.08 acre of wetlands for the purpose of constructing a single family dwelling on Lot 20 of Lake Naomi Estates residential subdivision. The project is located between Tanglewood Drive and Upper Tunkhannock Creek, approximately 0.2 mile north of S. R. 0940 (Pocono Pines, PA Quadrangle N: 21.2 inches; W: 7.5 inches) in Tobyhanna Township, **Monroe County**. The permittee is required to provide for 0.08 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

**E54-258.** Encroachment. **Gerald A. Hoy**, 186 Chestnut Street, P. O. Box 9, Cressona, PA 17929. To place fill in an existing off-stream excavated pond, having an area of approximately 0.2 acre, for the purpose of eliminating the pond. The pond is located approximately 100 feet north of Beaver Creek, on the north side of S. R. 0183, approximately 0.5 mile west of the intersection of S. R. 0183 and S. R. 3004 (Pottsville, PA Quadrangle N: 0.5 inch; W: 10.9 inches), in Cressona Borough, **Schuylkill County**.

**E54-262.** Encroachment. **North End Fire Company**, P. O. Box 118, 118 North Tulpehocken Street, Pine Grove, PA 17963-0118. To construct and maintain a fire station in the floodway of Swatara Creek and Wideawake Creek. The structure will be located adjacent to the existing fire company structure, and will have overall dimensions of approximately 73 feet by 54 feet. The project is located at 118 North Tulpehocken Street (Pine Grove, PA Quadrangle N: 10.5 inches; W: 2.5 inches), in Pine Grove Borough, **Schuylkill County**.

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

**E01-197.** Encroachment. **Albert Townsend**, 530 Main Street, York Springs, PA 17372. To excavate 275 linear feet of Tributary No. 2 to Latimore Creek for the purpose of restoring the channel adjacent to a prior converted (PC) wetland and to realign approximately 40 feet of Tributary No. 1 to Latimore Creek just upstream of Latimore Street (Dillsburg, PA Quadrangle N: 3.0 inches; W: 16.75 inches) in York Springs Borough, **Adams County**. This permit also includes 401 Water Quality Certification.

**E05-271.** Encroachment. **West Providence Township**, Donald Wilt, 81 East Fifth Avenue, Everett, PA 15537. To remove the existing culvert and to construct and maintain a 6-foot by 4-foot box culvert with a length of 24 feet at the channel of Bloody Run on T-602 (Edward Street) located on the west side of PA 26 about 1,200 feet north of the PA 26 and US 30 overpass (Everett East, PA Quadrangle N: 5.58 inches; W: 17.18 inches) in West Providence Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E07-303.** Encroachment. **Tyrone Township**, John Burket, R. D. 1, Box 407, Tyrone, PA 16686. To permanently authorize the construction and maintenance of a corrugated metal arch culvert constructed under General Permit No. 8 (Minor Road Crossings) GP-08-07-98-102, having a rise of 9.0 feet and a span of about 14.0 feet and a length of about 38.0 feet in Sinking Run (CWF) for purposes of local highway maintenance located on Town-

ship Road T-526, 100 feet south of SR 1013, and about 2.2 miles west of the intersection of SR 1013 and SR 1008 (Spruce Creek, PA Quadrangle N: 17.75 inches; W: 14.75 inches) in Tyrone Township, **Blair County**. This permit also includes 401 Water Quality Certification.

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

**E67-644.** Encroachment. **Williams Communications, Inc.**, Loretta Earnest, 1 Williams Ctr., RC3-2, Tulsa, OK 74172. To construct and maintain a fiber optic cable across 13 streams including Muddy Creek and its tributaries, tributaries to Fishing Creek and tributaries to Anderson Run. Fourteen wetland areas will be crossed by the cable with a temporary impact of 0.001 acre. The cable project is for the Washington, DC to New York, NY communications system for voice and video data (Holtwood, PA Quadrangle N: 1.8 inches; W: 13.8 inches) in Lower Chanceford and Peach Bottom Townships, **York County**.

**E67-646.** Encroachment. **Lower Windsor Township**, Sandra Ruby, 111 Walnut Valley Ct., Wrightsville, PA 17368. To remove an existing structure and to construct and maintain a 22-foot wide by 6-foot high concrete box culvert on Bank Hill Road over Canadochly Creek (CH93-WWF) (Red Lion, PA Quadrangle N: 18.1 inches; W: 1.5 inches) in Lower Windsor 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.*

**E14-334.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 2-0, P. O. Box 234, Clearfield, PA 16830. To modify, operate and maintain an existing bridge across Slab Cabin Run; to construct, operate and maintain a bridge across Big Hollow Run; and to construct, operate and maintain a bridge across Spring Creek for the construction of a limited access public highway. The modification work shall consist of widening the existing dual three span bridge that carries S. R. 0322, Segment Offset 0530/0000 across Slab Cabin Run. The construction work shall consist of constructing a northbound and southbound two span bridge for a total span of 312-feet at a skew of 70-degrees that will carry S. R. 0026, Section SC02 across Big Hollow Run. Construction work shall also consist of constructing a northbound and southbound four span bridge for a total span of 775-feet, at a skew of 50-degrees that will carry S. R. 0026, Section C02 across Spring Creek. The project is located along the western right-of-way of S. R. 0026 approximately 1.5-miles west of the intersection of S. R. 0322 and S. R. 0026 (State College, PA Quadrangle N:

13.5 inches; W: 11.0 inches) in College Township and Benner Township, **Centre County**.

**E19-182.** Encroachment. **TCBA Farms**, R. R. 5, Box 290, Bloomsburg, PA 17815. To modify, operate and maintain an existing public road crossing to enclose an unnamed tributary to Montour Run for the development of a commercial facility. The modification work shall consist of extending an existing 8.0-foot × 5.8-foot × 70.0-foot concrete arch culvert to a length of 150-feet. The extension of the culvert shall be made with a 6.0-foot diameter corrugated metal culvert pipe that is located along the western right-of-way of S. R. 0011 approximately 250-feet west of the intersection of S. R. 4004 and T-416 (Danville, PA Quadrangle N: 18.6 inches; W: 0.95 inch) in Montour Township, **Columbia County**. The project will permanently impact 0.047-acre of wetland, for which, the applicant will make a contribution to the National Fish and Wildlife Foundation, Pennsylvania Wetland Replacement Fund, in lieu of onsite replacement wetlands.

**E41-439.** Encroachment. **Keith H. Chambers**, 1523 Bloomingrove Road, Williamsport, PA 17701. To maintain fill approximately 30 feet high by approximately 40 feet in a direction perpendicular to the stream and approximately 110 feet in length in the floodway of Grafius Run (Montoursville South, PA Quadrangle N: 2.1 inches; W: 2.3 inches) in Loyalsock Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1249.** Encroachment. **Findlay Township**, P. O. Box W, Clinton, PA 15026. To place and maintain fill in 0.11 acre of wetlands (PEM) on the right bank of Potato Garden Run for the purpose of constructing the Potato Garden Run Sewage Treatment Plant. The project is located just south from the intersection of Strass Road and S. R. 980 (Clinton, PA Quadrangle N: 18.6 inches; W: 9.7 inches) in Findlay Township, **Allegheny County**.

**E02-1252.** Encroachment. **County of Allegheny, Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. To remove the existing bridge (Jacks Run Bridge No. 3) and to construct and maintain a box culvert having a span of 10.0 feet with an underclearance of 9.0 feet in the channel of Jacks Run (WWF). The project is located on Brighton Road, just east from the intersection of Brighton Road and Farrgut Street (Pittsburgh West, PA Quadrangle N: 20.9 inches; W: 6.4 inches) in Ross Township and Bellevue Borough, **Allegheny County**. This permit also authorizes the construction and maintenance of the 18-inch diameter outfall structure. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E02-1255.** Encroachment. **Nancy Ann Kolosvary**, 195 Guffey Road, Elizabeth, PA 15037. To place and maintain fill in a de minimis area of wetlands (PEM), for the purpose of constructing a 91 lot single family residential development known as Golden Age Estates. The project is located along the north side of Torrence and Guffey Road approximately 0.1 mile west of their intersection with SR 0051 (Donora, PA Quadrangle N: 19.0 inches; W: 15.0 inches) in Forward Township, **Allegheny County**.

**E02-1260.** Encroachment. **West Penn Power d/b/a Allegheny Power**, 800 Cabin Hill Drive, Greensburg, PA 15601-1689. To operate and maintain two retaining walls,

one at Allegheny Ludlum No. 1 substation, 63' long and 19' high with rip rap along the toe, the second at Allegheny Ludlum No. 3 substation, 55.3' long and 9' high. The walls are located along the right bank of the Allegheny River (WWF) near River Mile 23.2 (New Kensington East, PA Quadrangle N: 19.5 inches; W: 14.2 inches) in Harrison Township, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E04-247.** Encroachment. **Beaver County Commissioners**, Third Street, Beaver, PA 15009. To remove the 10th Street Bridge, to operate and maintain six piers that are to remain in place, and to construct and maintain a temporary 693 foot long causeway in the Beaver River. The project is located approximately 1,800 feet upstream of the SR 18 over crossing of the Beaver River (Beaver, PA Quadrangle N: 21.8 inches; W: 9.1 inches) in the City of Beaver Falls and Borough of New Brighton, **Beaver County**.

**E56-287.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a two-span bridge having normal clear spans of 55.3 feet each and an underclearance of 12.9 feet across Coxes Creek (WWF) located on SR 0653, Section 003, at a point approximately 500 feet upstream of the existing structure and just east of SR 3015. Also, to permanently place and maintain fill in 0.066 acre of PEM/PSS wetlands and to temporarily place and maintain fill in .093 acre of PEM/PSS wetlands for the purpose of improving the highway alignment including replacement of the CSX railroad bridge. To compensate for wetland and stream impacts, the permittee will install stone/tip deflectors in said stream to improve fish habitat. The project includes construction and maintenance of three temporary causeways, with four 24-inch C. M. pipes for removal of the existing bridge and construction of the proposed bridge (Rockwood, PA Quadrangle N: 8.3 inches; W: 3.4 inches) in Rockwood Borough, Milford and Black Townships, **Somerset County**.

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

**E24-206.** Encroachment. **David Q. and Lorraine H. Steele**, R. R. 1, Box 96B, Wilcox, PA 15870. To construct and maintain a 3-inch diameter PVC outfall pipe from a small flow sewage treatment facility and rock riprap outlet protection along the left (south) bank of the East Branch Clarion River approximately 100 feet upstream of S. R. 1001 (Glen Hazel Road) (Glen Hazel, PA Quadrangle N: 7.5 inches; W: 15.7 inches) located in Jones Township, **Elk County**.

**E37-124.** Encroachment. **Lawrence County Commissioners**, Lawrence County Government Center, 430 Court Street, New Castle, PA 16101. To rehabilitate and maintain the Banks Covered Bridge having a span of 122 feet and an underclearance of 16 feet across Neshannock Creek on T-476 (Covered Bridge Road) approximately 1,100 feet north of S. R. 956 (New Castle North, PA Quadrangle N: 16.6 inches; W: 5.2 inches) located in Wilmington Township, **Lawrence County**.

**E42-260.** Encroachment. **Foster Township**, 1185 East Main Street, Bradford, PA 16701. To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a normal span of

11 meters and a minimum underclearance of 2.85 meters on a 48 degree skew across Kendall Creek on T-361 (Totten Hollow Road) approximately 200 meters northeast of S. R. 46 near Sawyer City (Derrick City, PA Quadrangle N: 12.3 inches; W: 12.8 inches) located in Foster Township, **McKean County**. Project includes construction and maintenance of a temporary roadway across Kendall Creek and a de minimis wetland area (0.01 hectare) consisting of six 25 meter long, 1.5 meter diameter culvert pipes and clean rock fill upstream of the existing bridge.

#### ENVIRONMENTAL ASSESSMENT

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

**EA09-004SE and EA46-001SE.** Environmental Assessment. **Pennsylvania Department of Transportation, District 6-0**, 200 Radnor-Chester Road, St. Davids, PA 19087. The Department is granting conditional approval of the Environmental Assessment for a proposal to construct and maintain a limited access expressway, beginning at a point just south of S. R. Route 63 (Ambler, PA USGS Quadrangle N: 16.5 inches; W: 17.2 inches) and ending at an interchange with S. R. Route 611 (Doylestown, PA USGS Quadrangle N: 7.9 inches; W: 1.9 inches). This expressway will run essentially parallel to a section (Section 700) of the existing U. S. Route 202, and will impact a reported 6,500 linear feet of watercourse and 16 acres of wetland. The impacted water resources are located within the West Branch Neshaminy Creek (WWF, MF), Mill Creek (TSF, MF), Little Neshaminy Creek (WWF, MF) and Neshaminy Creek (TSF, MF) watersheds. The expressway will be located through portions of the Townships of Lower Gwynedd, Upper Gwynedd and Montgomery within Montgomery County, and the Townships of Doylestown and Warrington within **Bucks County**. PennDOT will be developing a mitigation plan to compensate for the proposed impacts to wetlands and watercourses.

[Pa.B. Doc. No. 99-461. Filed for public inspection March 19, 1999, 9:00 a.m.]

#### Availability Of Guidance

Guidance Documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

#### Ordering Paper Copies Of DEP Guidance

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

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the

appropriate bureau for more information about the availability of a particular document as a publication.

#### Changes To Guidance Documents

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

#### Draft Guidance

DEP ID: 015-0900-001 Title: Use of DEP Personal Computers by Local Procurement Units Description: DEP has specific responsibilities to promote and support environmental education throughout the Commonwealth, including computer-based training. This policy provides guidance to DEP organizational units wishing to provide personal computers to be used for environmental education in selected activities. The policy also describes procurement requirements and a user agreement for personal computers. Comment Period Closes: April 20, 1999 Anticipated Effective Date: May 20, 1999 Contact: Ken Giffhorn at (717) 787-7193, or questions and comments can be E-mailed to [Giffhorn.Kenwood@dep.state.pa.us](mailto:Giffhorn.Kenwood@dep.state.pa.us)

#### Final Guidance—Minor Revision

DEP ID: 362-2200-001 Title: Guidelines for the Development and Implementation of Environmental Emergency Response Plans Description: This document is a compilation of instructions from various programs on writing emergency response plans, including minor revisions to the August, 1997 publication. Effective Date: March 20, 1999 Contact: R. B. Patel at (717) 787-8184.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-462. Filed for public inspection March 19, 1999, 9:00 a.m.]

#### Pennsylvania Bituminous Mine Safety Advisory Committee; Meeting Change

The April 14 meeting of the Pennsylvania Bituminous Mine Safety Advisory Committee has been deferred until July 14 at 10 a.m. The meeting will be held in the Fayette County Health Center in Uniontown.

Questions concerning this meeting can be directed to Allison Trader at (724) 439-7289 or e-mail to [Trader.Allison@al.dep.state.pa.us](mailto:Trader.Allison@al.dep.state.pa.us). The agenda and meeting materials will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Allison Trader directly at (724) 439-7289 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-463. Filed for public inspection March 19, 1999, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Construction Manager; Request for Proposal

The Department of General Services plans to retain six Construction Managers for Public Works construction regions (two each for the Western Region, Central Region and Eastern Region). Selected project tasks will be assigned to the retained Construction Managers by Public Works. The Construction Manager may be assigned responsibility in matters relating to costs, schedules, value engineering, constructibility reviews and construction administration. It is advised that there is no guarantee the Construction Manager services will be used. No minimum compensation is guaranteed or implied by virtue of this contract.

The Department of General Services is seeking interested firms to submit sealed proposals for consideration for the following project:

**DGS 1999-1 RCM**—Regional Construction Manager, Department of General Services Construction Regions

*RFP Price*—\$25 (Includes PA Sales Tax) per RFP. Checks must be made payable to the Commonwealth of PA. This price is nonrefundable. Requests for the RFP should be mailed to The Department of General Services, Bureau of Professional Selections and Administrative Services, Room 107, Headquarters Building, 18th & Herr Streets, Harrisburg, PA 17125. Contact Bidders Services at (717) 787-3923 or <http://www.dgs.state.pa.us> for the names of those who have secured the RFP.

*Pre-Proposal Questions*—All questions pertaining to this RFP must be received by fax by 5 p.m., April 6, 1999. Inquiries received after this time and date will not be considered. Address questions to Thomas Rados, fax (717) 772-2036.

All proposals are due Tuesday, April 20, 1999 no later than 2 p.m., in Room 107, Headquarters Building, 18th & Herr Streets, Harrisburg, PA 17125. Responses received after this due date and time will be returned unopened.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 99-464. Filed for public inspection March 19, 1999, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Availability of the Workforce Investment Act Title I Plan for Review and Comment by the Public

On behalf of the Governor, the Department of Labor and Industry is publishing a notification of availability of the Workforce Investment Act Title I Plan for review and comment by the public. The Title I plan covers the period of July 1, 1999, through June 30, 2005. The Title I Plan is an attachment to the Pennsylvania Workforce Development Unified Plan which must be submitted on or before April 1, 1999, to implement the Workforce Investment Act on July 1, 1999.

The Title I Plan describes how funds allocated to the Commonwealth from the Federal government under the Workforce Investment Act will be used to serve adults, youth and dislocated workers. It provides the Commonwealth with the opportunity to link employment and training activities and economic development activities to build a strong workforce development system. The Plan describes the Team Pennsylvania Career Link's role as the service delivery system for all funds allocated to the local areas through the Workforce Investment Act.

Parties interested in reviewing the Workforce Investment Act Title I plan should contact Timothy Bittle, Executive Assistant to the Deputy Secretary of Workforce Development and Safety, Department of Labor and Industry, 17th Floor Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120 at (717) 705-2630. Comments on the Title I Workforce Investment Act Plan should be forwarded to Timothy Bittle by March 26, 1999.

JOHNNY BUTLER,  
*Secretary*

[Pa.B. Doc. No. 99-465. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Current Prevailing Wage Act Debarments

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

JOHNNY J. BUTLER,  
*Secretary*

	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
1.	Edward Schench, Jr., t/a Déjà Vu Mechanicals	600A Creamery Road Nazareth, PA 18064 -and/or- Route 2, Box 147 Easton, PA 18042	03/29/96

## NOTICES

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	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
2.	John C. Fekos, d/b/a John C. Fekos, Painting (Fed. ER Tax ID No. 25-1344589)	3057 Texas Avenue Pittsburgh, PA 15216	05/02/96
3.	Yialouris Painting Co. Inc., and Paul Yialouris	P. O. Box 11556 Pittsburgh, PA 15238 -and/or- 7001 Craig Drive Murrysville, PA 15668-9409 -and/or- 461 Dover Drive Pittsburgh, PA 15278 -and/or- 740 Providence Road Pittsburgh, PA 15239	05/31/96
4.	Spadafora Corporation and Paul Spadafora (Fed. ER Tax ID Nos. 25-1644399 -and- 25-1231136)	4073 Route 8 Allison Park, PA 15101	06/05/96
5.	M.D.A. Mechanical Contractors, Inc. and August McRandal (Fed. ER Tax ID No. 25-1429715)	305 Freeport Road Pittsburgh, PA 15215	06/28/96
6.	Neutron Electric, Inc. (Fed. ER Tax ID No. 23-2063311)	3611 Edgemont Street Philadelphia, PA 19134	06/28/96
7.	Gary Roccograndi, d/b/a Roccograndi Power Kleen Co. (Fed. ER Tax ID No. 23-2407840)	P. O. Box 1823 Kingston, PA 18704	09/30/96
8.	Richard L. Knupp, d/b/a Richard L. Knupp & Associates, a/k/a Rick Knupp Associates	R. D. 1 Stahlstown, PA 15867 -and/or- 200 West Second Street Derry, PA 15627	10/02/96
9.	Larry E. Patterson, d/b/a L. E. Patterson Construction Co. (Fed. ER Tax ID No. 23-2329358)	2034 North Fifth Street Harrisburg, PA 17102-1511 -and/or- P. O. Box 5269 Harrisburg, PA 17110-0269	11/26/96
10.	Jay Reed, d/b/a Jay Reed Concrete Finishing Company (Fed. ER Tax ID No. 25-1247205)	R. D. 1, Box 358A Hopewell, PA 16650	01/08/97
11.	Michael R. Olson, t/a Olson Contracting & Construction Company	18 Conewago Avenue Warren, PA 16365	03/26/97
12.	Blue Eagle Construction (Fed. ER Tax ID No. 25-1725623)	4830 Hatfield Street Pittsburgh, PA 15201 -and/or- 44 McKnight Street Pittsburgh, PA 15201	06/13/97
13.	Rindfuss Electric, Inc., and Rick L. Rindfuss (Fed. ER Tax ID No. 25-1590897)	12180 Angling Road Edinboro, PA 16413	08/18/97

	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
14.	Boss Insulation & Roofing, Inc., and W. Max Bossert, Jr. (Fed. ER Tax ID Nos. 23-2410800, 23-2079872)	R. D. #3, Box 174B Lewisburg, PA 17837	10/20/97
15.	Larry Hager, Peggy Hager, d/b/a P. H. Trucking	7241 West Brady Lane Homasasso, FL 34446	11/20/97
16.	Walter Gay, d/b/a Wayne Painting	411 Caldwell Avenue Wilmerding, PA 15148	12/09/97
17.	Eltech, Inc. d/b/a Eagle Interiors (Fed. ER Tax ID Nos. 25-1611906, 25-1620224) -and- Eldin W. Fox, Jr. (Fed. ER Tax ID No. 25-1331625) and Brenda K. Fox	P. O. Box 546 Bashford Acres, R. D. 12	01/07/98
18.	Plumb-Town, Inc. and Lawrence DiCicco (Fed. ER Tax ID 23-2494553)	237—421 Tasker St. P. O. Box 18095 Philadelphia, PA 19147 -and/or- 95 Greensward Cherry Hill, PA 08022	02/04/98
19.	Ellen F. Lynch and Allyn L. Lynch	Professional Complex Suite 100 15 Forbes Road Trafford, PA 15085	02/20/98
20.	Insulated Systems, Inc. (Fed. ER Tax ID 25-1650693)	4734 Pittsburgh Avenue Erie, PA 16509	03/26/98
21.	Pedos Painting Company, Inc. (Fed. ER Tax ID No. 25-1412723)	229 Wainwright Drive McKeesport, PA 15132	04/16/98
22.	Willie Walker, t/a Walker Construction Co.	1550 Fireside Road York, PA 17404	04/17/98
23.	Kazdal Construction Co. Inc., and Louis Kazdal	191 La Costa Drive P. O. Box 1482 Blackwood, NJ 08012	05/15/98
24.	Gregg Uliano	3465 Central Avenue Huntingdon Valley, PA 19006-4128	06/03/98
25.	J. Demby, Sr., Enterprises and Joseph E. Demby, Sr. (Fed. ER Tax ID No. 22-3214361)	848 Rancocas Road Mount Holly, NJ 08060	06/12/98
26.	Irwin Pearlman, a/k/a Irv Pearlman, individually, and d/b/a Pearlman Demolition (Fed. ER Tax ID No. 25-1593522)	5841 Morrowfield Avenue Pittsburgh, PA 15217	08/17/98
27.	Spadafora Corporation and Paul Spadafora (Fed. ER Tax ID Nos. 25-16444399 -and- 25-1231136)	4073 Route 8 Allison Park, PA 15101	08/17/98



	<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
28.	Marker & Son, Ltd., Thomas Marker (Fed. ER Tax ID No. 23-2706523)	3273 Gun Club Road Nazareth, PA 18064 -and/or- 251 Lynwood Road Wind Gap, PA 18091	08/26/98
29.	David Butters, d/b/a DMB Architectural Hardwre (Fed. ER Tax ID No. 23-2404815)	513 Cemetery Street Williamsport, PA 17701 -and/or- 123 Aberdeen Road Williamsport, PA 17701	08/27/98
30.	Klondike Insulation, Inc., (Fed ER Tax ID ID No. 25-1703833) -and- Paul Guzan (Fed ER Tax ID No. 25-1727730)	3025 Washington Road McMurray, PA 15317 -and- 509 Clubview Drive McMurray, PA 15317	10/28/98
31.	Construction Design Technology, Inc. (Fed. ER Tax ID No. 23-2676903)	34 Hanover Court Langhorne, PA 19047	12/08/98

[Pa.B. Doc. No. 99-466. Filed for public inspection March 19, 1999, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania 9's In A Line Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 9's In A Line.

2. *Price:* The price of a Pennsylvania 9's In A Line instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania 9's In A Line instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$19<sup>00</sup> (NINTN), \$29\$ (TWY NIN), \$99\$ (NTY NIN) and \$9,000 (NIN THO). The prize play symbols and their captions located in the "Fast \$9" area are: \$9 (NINE) and NO BONUS (NO BONUS).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$9, \$19, \$29, \$99 and \$9,000.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,760,000 tickets will be printed for the Pennsylvania 9's In A Line instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a

prize play symbol of \$9,000 (NIN THO) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$9,000.

(b) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$99\$ (NTY NIN) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$99.

(c) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$29\$ (TWY NIN) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$29.

(d) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$19<sup>00</sup> (NINTN) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$19.

(e) Holders of tickets with a prize play symbol of \$9 (NINE) in the "Fast \$9" area, on a single ticket, shall be entitled to a prize of \$9.

(f) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$5<sup>00</sup> (FIV DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$3<sup>00</sup> (THR DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$3.

(h) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets with three matching play symbols of 9 (NINE) in the same row, column or diagonal, and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$1.

(j) A prize will be paid only for the highest Pennsylvania 9's In A Line instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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 Fast \$9 or Three 9's In Any Row, Column or Diagonal With Prize(s) of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
\$1	\$1	1:8.82	652,800
\$2	\$2	1:15	384,000
\$3	\$3	1:75	76,800
\$5	\$5	1:150	38,400
Fast \$9	\$9	1:60	96,000
\$19	\$19	1:300	19,200
\$29	\$29	1:600	9,600
\$99	\$99	1:8,000	720
\$9,000	\$9,000	1:960,000	6

Fast \$9 = Win \$9 Automatically

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 9's In A Line 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 9's In A Line, prize money from winning Pennsylvania 9's In A Line 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 9's In A Line instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 9's In A Line or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-467. Filed for public inspection March 19, 1999, 9:00 a.m.]

### **Pennsylvania \$25,000 Diamonds Instant Lottery Game**

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$25,000 Diamonds.

2. *Price:* The price of a Pennsylvania \$25,000 Diamonds instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania \$25,000 Diamonds instant lottery game ticket will contain one play area.

The play symbols and their captions located in the play area are: Diamond Symbol (DIAMND), Club Symbol (CLUB), Spade Symbol (SPADE) and Heart Symbol (HEART).

4. *Prizes:* The prizes that can be won in this game are \$2, \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$500 and \$25,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 5,040,000 tickets will be printed for the Pennsylvania \$25,000 Diamonds instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with ten Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with nine Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with eight Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with seven Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$75.

(e) Holders of tickets with six Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with five Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$25.

(g) Holders of tickets with four Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets with three Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with two Diamond Symbol (DIAMND) play symbols in the play area, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with one Diamond Symbol (DIAMND) play symbol in the play area, on a single ticket, shall be entitled to a prize of \$2.

(k) A prize will be paid only for the highest Pennsylvania \$25,000 Diamonds instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,040,000 Tickets</i>
1 Diamond	\$2	1:6.25	806,400
2 Diamonds	\$5	1:15	336,000
3 Diamonds	\$10	1:150	33,600
4 Diamonds	\$15	1:150	33,600
5 Diamonds	\$25	1:75	67,200
6 Diamonds	\$50	1:1,200	4,200
7 Diamonds	\$75	1:6,000	840
8 Diamonds	\$100	1:30,000	168
9 Diamonds	\$500	1:120,000	42
10 Diamonds	\$25,000	1:1,008,000	5

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$25,000 Diamonds instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$25,000 Diamonds, prize money from winning Pennsylvania \$25,000 Diamonds 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 \$25,000 Diamonds instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$25,000 Diamonds or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 99-468. Filed for public inspection March 19, 1999, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

#### *Addendum*

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 28 Pa.B. 6355 on December 26, 1998, a notice of approved speed-

timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

#### *Cancellation*

As an addendum to the listing of approved Official Speedometer Testing Stations, the Department hereby gives notice of the cancellation of the following station:

Billy, The Speedometer Man, 4800 North Marvine Street, Philadelphia, Philadelphia County, Pa. 19141 (Ap-  
pointed: 06/20/73, Station S52).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 28 Pa.B. 6355 (December 26, 1998) and 29 Pa.B. 379 (January 16, 1999).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-469. Filed for public inspection March 19, 1999, 9:00 a.m.]

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

#### District 4-0

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by GH Property Development Assoc., L.P. of 20 Erford Road, Lemoyne, PA seeking to lease highway right-of-way located at 7th Ave. between Linden & Mulberry Sts., City of Scranton, Lackawanna County 3.119 acres ±, adjacent to SR 3027 Section(s) 270R/W, for purposes of retail development with parking, etc.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Charles M. Mattei, P.E., District Engineer, Engineering District 4-0.

Questions regarding this application or the proposed use may be directed to: Rollin R. Keisling, Dist. Right-of-Way Admin., P. O. Box 111, Scranton, PA 18501, (570) 963-4038.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-470. Filed for public inspection March 19, 1999, 9:00 a.m.]

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### Finding

#### Centre County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing narrow and deteriorated concrete culvert that carries SR 550 over Halfmoon Creek in Halfmoon Township, Centre County. This project will require the acquisition of 0.21 hectares (0.51 acres) of right of way from the Hall Farm property, which has been determined eligible for listing on the National Register of Historic Places. The effect of this project on the Hall Farm property will be mitigated by the mitigation measures outlined in the Categorical Exclusion Evaluation/Section 2002 Evaluation.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no prudent and feasible alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-471. Filed for public inspection March 19, 1999, 9:00 a.m.]

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### Finding

#### Lehigh County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to construct 1.3 miles of new roadway on new alignment connecting the eastern terminus of the existing relocated Center Valley Parkway with S. R. 0378 in Upper Saucon Township, Lehigh County. The project will require the acquisition of right-of-way from the Ueberroth Zinc Mine Historic District. The effect of this project on the Ueberroth Zinc Mine Historic District will be mitigated by recordation as outlined in the Memorandum of Agreement between the Philadelphia District, U. S. Army Corps of Engineers and the Pennsylvania State Historic Preservation Officer, and accepted by the Advisory Council on Historic Preservation on January 11, 1999.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have con-

cluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the construction of this highway.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-472. Filed for public inspection March 19, 1999, 9:00 a.m.]

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### Retention of Engineering Firms

#### Bucks, Chester, Delaware, Montgomery and Philadelphia Counties Project Reference No. 08430AG2306

The Department of Transportation will retain an engineering firm for four (4) separate Open-End Contracts for various engineering services for various projects located in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties in Engineering District 6-0. The Contracts will be for a sixty (60) month period with projects assigned on an as needed basis. The required services may encompass a wide range of design efforts with the possibility of several different types of projects having short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R Type), Capital Improvement Projects (bridges or roadways), and minor alignment studies. The maximum amount of each Open-End Contract will be \$750 thousand.

The firm may be required to perform any or all of the following engineering services: attend field views and prepare minutes; prepare submissions for field views and safety review meeting; field surveys; plot topography and cross sections; prepare submissions and materials necessary for the Department to prepare the application to Public Utility Commission (PUC) for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during project design; develop erosion control details and narrative; design right-of-way plans; prepare Type, Size, and Location reports; prepare hydraulic report for waterway approval; prepare bridge drawings; traffic control plans and narrative; procure core borings, provide the soil and foundation engineering report; investigate utility and property involvement; prepare and disseminate right of entry letters; prepare prints and information required for a value engineering review; make the necessary investigations and adjustments to the design as a result of the value engineering review comments; make all necessary contact with railroad officials for any railroad-related costs estimates, permits, insurance, approvals, and other required information; collect traffic signal timing and accident data; performed traffic counts and speed delay studies; prepare plans for signal design and implementation of signal interconnections; evaluate alternatives using benefit/cost analysis; document study activities and findings; and prepare construction plans, specifications and estimates.

The format and content of all documents, plans and specifications will consist with applicable State and Federal regulations and guidelines.

The Department will establish an order of ranking of a minimum of seven (7) firms for the purpose of negotiating

four (4) Open-End Contracts based on the Departments evaluation of the acceptable letters of interest 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. Specialized experience and technical competence of firm.
- b. Available staffing for this assignment.
- c. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.
- d. Relative size of firm to size of projects that may be completed under these Contracts.

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

This project is a non-complex project.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organization chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

The letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

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

**Bucks, Chester, Delaware, Montgomery and  
Philadelphia Counties  
Project Reference No. 08430AG2307**

The Department of Transportation will retain an engineering firm for two (2) separate Open-End Contracts for various environmental studies for various projects located in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties in Engineering District 6-0. The Contracts will be for a sixty (60) month period with projects assigned on an as needed basis. The required services may encompass a wide range of design efforts with the possibility of several types of projects having short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R Type), Capital Improvement Projects (bridges or roadways), and minor alignment studies. The maximum amount of each Open-End Contract will be \$1.0 million.

The selected firm will be required to provide environmental services to identify and assess the following: historic and archaeological resources, regional and community growth; land use and development patterns;

wildlife habitat; wetlands; floodplains; surface water and groundwater; vegetation; farmlands; geological resources; noise and air quality; parks and recreational; noise and air quality; parks and recreational facilities; emergency service, health, and educational facilities; utility locations; residential and commercial property values; hazardous waste; aquatic resources; national natural landmarks; vibration; aesthetics and visual qualities; and construction impacts.

The environmental studies will be conducted to prepare an environmental document in accordance with accepted analysis techniques and methodologies.

The selected firm will be required to perform the following to insure that a complete environmental investigation has been performed: provide all necessary environmental services; material and equipment necessary to collect, analyze and organize data; assess impacts; conduct agency and public involvement activities; and prepare reports and mitigation plans. The reports and other written graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; project need; preliminary alternatives analysis; meeting minutes, newsletters; mailing lists; public meetings and hearings; handouts and displays; NEPA environmental documents;

Section 106 documents; Section 4(f) evaluation; mitigation plans and reports; hazardous waste mitigation plans; PADEP permits, Corps of Engineers 404 permits; formulating and participating in public involvement program; and coordinating the development of the study with various agencies and special interest groups.

The format and content of all documents, plans and specifications will consist with applicable State and Federal regulations and guidelines.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating two (2) Open-End Contracts based on the Departments evaluation of the acceptable letters of interest 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. Specialized experience and technical competence of firm.
- b. Available staffing for this assignment.
- c. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.
- d. Relative size of firm to size of projects that may be completed under these Contracts.

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

This project is a non-complex project.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organization chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

The letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

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

**Chester County  
Project Reference No. 08430AG2308**

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 Chester County in Engineering District 6-0. The Contract will include roadway and bridge construction projects. The Contract will be for a period of sixty (60) months, with a maximum cost of \$1.0 million.

It is anticipated that a maximum supplementary construction inspection staff of fifteen (15) inspectors will be required for this assignment.

This is a non-complex project.

Letters of interest will be limited to three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart and any additional resumes.

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

b. Any specialized experience in asphalt paving, structures, concrete, drainage, paint inspection and Maintenance and Protection of Traffic.

c. Number of NICET and NECEPT certified inspectors in each payroll classification.

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

e. Ability to provide CPM scheduling, (TCM-1 Classification).

f. Ability to provide a "CDS" operator or someone capable of inputting data into a personal computer, (TCIS Classification).

g. Past Performance

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

A minimum of four (4) individuals submitted as part of your inspection staff must have a NECEPT Bituminous Field Technician Certification.

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (4)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (1)
NACE Intermediate Coating Inspector	1 (0) **
NACE Basic Coating Inspector	1 (0) **

\*\* These two specialized classifications will be used for bridge painting inspection. Under these classifications, the selected firm must provide lead abatement training for these employees prior to any job assignment. In addition, the firm must establish, implement and maintain an effective employee medical surveillance in accordance with 29 CFR 1926 throughout the duration of this inspection.

These two specialized classifications will have the following requirements:

1. NACE Intermediate Coating Inspector Training/or equivalent.

The inspector for the above NACE Intermediate Coating Inspector Training category shall have completed at least 80% of the required credits for this NACE category or equivalent training; also, shall have a minimum of five (5) years coating inspection experience on heavy industrial or highway projects; also, shall have a minimum of one (1) year experience of coatings inspection on a lead removal project where air monitoring, blood monitoring, containment and disposal of lead debris were performed; also, shall be knowledgeable in OSHA 1926.62 (lead) regulations, applicable OSHA regulations governing proper respirator usage (29 CFR 1910.134) and lead exposure (29 CFR 1910.1025) shall also be capable of "climbing" on high bridge members to perform coatings inspection; shall be capable of supervising/training lower level coatings inspectors (both consultant and state) if necessary. He shall also complete EPA accredited training for lead removal (Title X, Sections 402 and 404).

2. NACE Basic Coating Inspector Training/or equivalent.

The inspector for the NACE Basic Coating Inspector shall have completed at least 80% of the required credits for this category or equivalent training also, shall have a minimum of three (3) years coating inspection experience on heavy industrial or highway project; also, shall have a minimum of six (6) months experience on lead removal project; also shall be knowledgeable in OSHA 1926.62

(lead regulations) applicable OSHA regulations governing proper respirator usage (29 CFR 1910.134) and lead exposure (29 CFR 1910.1025); shall also be capable of "climbing" on high bridge members to perform coatings inspection; shall also be capable of working with state inspectors; shall also complete EPA accredited training for lead removal (Title X, Sections 402 and 404).

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 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39
NACE Intermediate Coating Inspector	\$59.90
NACE Basic Coating Inspector	\$52.08

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:

- a. Paint Test Kits per project as may be required.

- b. Two-way Radios per project as may be required.
- c. Cellular Phone per project as may be required.
- d. 35 MM camera per project.
- e. Safety vests—high visibility for inspectors.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	4
TCI	7
NACE Intermediate	2
NACE Basic	2

No resumes are required for the TA Classification.

This project is a non-complex project.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for the receipt of the letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to: Mr. Russell Swallow, District 6-0, at (610) 964-6686.

**Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder and Union Counties**

**Project Reference No. 08430AG2309**

The Department of Transportation will retain two (2) engineering firms for two (2) separate Open-End Contracts to perform various engineering and/or environmental services on various projects located in Engineering District 3-0, that is Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder & Union Counties. Each Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of each Open-End Contract will be \$500 thousand.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating two (2) Open-End Contracts based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firm shall be considered.
- b. Available staffing for anticipated assignments.

- c. Specialized experience and technical competence of firm.
- d. Location of consultant in relation to the District.
- e. Resumes of key personnel.
- f. Relative size of firm to size of projects that may be completed under these Contracts.
- g. Capability for fast response time.

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

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

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

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

This project is a non-complex project.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within six (6) 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 on the sixth day.

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

Any technical questions concerning the requirements for this project should be directed to: Mr. Gary Williams, P.E., District 3-0, at (717) 368-4391.

**Bradford, Tioga, Lycoming, Sullivan, Columbia,  
Montour, Northumberland, Snyder and Union  
Counties**

**Project Reference No. 08430AG2310**

The Department of Transportation will retain an engineering firm for one (1) Open-End Contracts to perform various environmental and/or engineering services on various projects located in Engineering District 3-0, that is Bradford, Tioga, Lycoming, Sullivan, Columbia, Montour, Northumberland, Snyder & Union Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of this 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 one (1) 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. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firm shall be considered.
- b. Available staffing for anticipated assignments.
- c. Specialized experience and technical competence of firm.
- d. Location of consultant in relation to the District.
- e. Resumes of key personnel.
- f. Relative size of firm to size of projects that may be completed under these Contracts.
- g. Capability for fast response time.

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; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under this 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.

This project is a non-complex project.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within six (6) 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 on the sixth day.

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

Any technical questions concerning the requirements for this project should be directed to: Mr. Christopher D. King, District 3-0, at (570) 368-4255.

**Allegheny County  
Project Reference No. 08430AG2311**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately seven (7) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S. R. 0088, Sections 40M and 042, Allegheny County Local Name: Library Road and Bridge This project involves bridge replacement and roadway reconstruction including drainage, walls, signalization, channelization and guiderail.

2. S. R. 2057, Section A02, Allegheny County Local Name: Mossie Blvd. At Old William Penn This project involves widening and reconstruction for additional turning lanes, concrete curb/gutter, superelevation correction, shoulders, drainage improvements, driveway adjustments, signalization and pavement markings. Also included is the relocation of School Drive and Haymaker Road.

These projects have been determined to be non-complex. The letter of interest shall be limited to three (3) pages, 8 1/2 x 11, one sided; plus an organizational chart; and resumes indicated below.

The letter of interest must be received by the District Office by 4:30 p.m. prevailing time on the sixth (6th) calendar day after this announcement.

The Deadline for receipt of a letter of interest at the above address is 4:30 p.m. prevailing time on the sixth day.

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. 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.

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

c. Past Performance.

d. Number of NICET certified inspectors in each payroll classification.

e. Number of available inspectors in each payroll classification.

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

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

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

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

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification. The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

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; one (1) inspector certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 1 Nuclear Densometer Gauge/License \*
- 1 Paint Test Kit
- 1 Vehicle for the Transportation of Nuclear Gauge \*
- 5 Two-Way Radios

\* at point of need when needed

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

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

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

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

No resumes are required for the TA Classification.

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Raymond S. Hack, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

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

**Beaver County  
Project Reference No. 08430AG2312**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately ten (10) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S. R. 0030, Section B05, Beaver County Local Name: Lincoln Highway Bridge over Little Traverse Creek This project involves the replacement of existing structure, widening and resurfacing of existing roadway, drainage, guiderail, and temporary traffic signals to maintain traffic during construction.
2. S. R. 0018, Section B19, Beaver County Local Name: S. R. 0018 Monaca Resurface This project involves reconstruction of concrete pavement in Monaca Borough Resurfacing concrete pavement patching, guiderail/traffic signal upgrades.
3. S. R. 0068, Section B03, Beaver County Local Name: T. R. 68/Wolf Barclay This project involves widening and resurfacing, realignment and reconstruction, concrete arch extension, bridge replacement with 10' x 22' R. C. Box Culvert, temporary signals, drainage, guiderail, resurfacing with gyratory volumetric paving.

These projects have been determined to be non-complex. The letter of interest shall be limited to three (3) pages, 8 1/2 x 11, one sided; plus an organizational chart; and resumes indicated below.

The letter of interest and required information for this project must be received within six (6) calendar days of this Notice.

The letter of interest must be received by the District Office by 4:30 p.m. prevailing time on the sixth (6th) calendar day after this announcement.

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. 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.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	5 (4)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

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; three (3) inspectors certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 2 Nuclear Densometer Gauges/License \*
- 2 Vehicles for the Transportation of Nuclear Gauges \*
- 10 Two-Way Radios

\* at point of need when needed

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

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	4
TCI	6

No resumes are required for the TA Classification.

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Raymond S. Hack, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

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

**General Requirements and Information**

Firms interested in providing the above work and services are invited to submit a Letter of Interest with

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

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that requests engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

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 a Letter of Interest 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 Transportation Equity Act for the 21st century (TEA-21) 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 TEA-21 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 are defined prior to the act, WBEs or combinations thereof).

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

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

The 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. 99-473. Filed for public inspection March 19, 1999, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Consideration of Changes to Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the new guidelines, a notice concerning the proposed designation or redesignation of a stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on May 2 and 3, 1999, the Commission will consider designating the following stream section and lake as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2000:

#### *58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only Areas*

The Commission will consider designating the following water as regulated and managed under the Delayed Harvest Artificial Lures Only Program:

County	Water on which located	Description
Bradford	Schrader Creek	1.2 mile section from 100 yards downstream of the confluence of Bull Run upstream to the boundary of State Game Land #36

#### *58 Pa. Code § 65.9. Big Bass Special Regulations*

The Commission will consider designating the following lake as regulated and managed under the Big Bass Special Regulations and adding it to the list of waters subject to these regulations (58 Pa. Code § 65.9):

County	Water
Greene	Duke Lake (formerly known as Ryerson Station Lake)
Westmoreland	Mammoth Lake

At this time, the Commission is soliciting public input concerning these designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to Executive Director, Pennsylvania Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 by no later than April 19, 1999.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 99-474. Filed for public inspection March 19, 1999, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (i) of the Regulatory Review Act (75 P. S. § 745.5a(h) and (i)).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
59-06	Office of Attorney General Dog Purchaser Protection	3/4/99	11/23/00

(Notice of proposed rulemaking published at 28 Pa.B. 5343 (October 24, 1998))

*Office of Attorney General Regulation No. 59-6  
Dog Purchaser Protection  
March 4, 1999*

We have reviewed this proposed regulation from the Office of Attorney General (OAG) and submit for your consideration the following objections and recommendations. Section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to reasonableness, consistency with statutes, and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

*1. Section 309.1. Definitions.—Consistency with Statute and Clarity.*

The proposed language in the definition of “kennel” will limit application of the regulation to breeding kennels. This is inconsistent with both the Dog Law and Act 27 of 1997 (Act 27). The word “breeding” should be deleted from the section’s definition of “kennel.”

The regulation does not define “veterinarian.” Section 9.3(i) of the Unfair Trade Practices and Consumer Protection Law (Law) as amended by Act 27 (73 P. S. § 201-9.3(i)) defines the term as “an individual licensed under the laws of this Commonwealth or any other state to practice veterinary medicine and surgery.” A reference to the statutory definition should be in the regulation. For dog owners living near or along Pennsylvania’s borders, the closest veterinarian may be licensed in another state. This will alert these purchasers that their out-of-state veterinarians can perform the diagnosis and certification necessary for recovery under Act 27.

*2. Section 309.2. Notice to be posted.—Posting requirements: Consistency with Statute, Reasonableness and Clarity.*

Senator Stewart J. Greenleaf, prime sponsor of Act 27, and the Federated Humane Societies of Pennsylvania, Pennsylvania Federation of Dog Clubs, Inc. (PFDC) and Pennsylvania Legislative Animal Network (PLAN) offered three suggestions to improve the notice requirements. These suggestions are consistent with section 9.3(g)(1) of the Law as amended by Act 27 (73 P. S. § 201-9.3(g)(1)). The Law requires that the notice be “conspicuously posted in the place of business of persons subject to this section.”

First, commentators suggest the regulation include a “minimum size” for the required notice. They recommend a minimum size of 8 1/2 by 14 inches. This is consistent with the sample submitted by the OAG. We recommend that minimum dimensions be set forth in the regulation.

Second, the notice should be posted in a visible location in the store near where the dogs are visible to customers. One pet store reportedly posted the notice near its fish tanks away from where customers viewed and paid for dogs. In addition to requiring that the notice be “easily visible,” the regulation should provide specific directions for the location of the notice. For example, the notice should be readily visible in areas where dogs are displayed for sale, or where payments are made for dog purchases, such as at the cash register.

Third, notices must be legible. Other agencies set specific minimum standards in regulations for public notices including typeset size. This proposed regulation should include specific minimum standards for typeset size and format.

*3. Section 309.2. Notice to be posted.—Format and Structure: Reasonableness and Clarity.*

The Pet Industry Joint Advisory Council (PIJAC), PLAN and PFDC express concerns with the clarity of this section. The length and structure of this section cause part of this problem. There are two ways to improve its clarity.

First, this section should be split into two sections: One section for the specific requirements for posting the notice including minimum standards for its size; and the second section for the prescribed contents of the notice.

Another area that could be improved is the format of the notice’s contents. The contents include eight paragraphs. The second through seventh paragraphs are

marked by bullets “•.” The paragraphs would be easier to read and examine if they were numbered.

*4. Section 309.2. Notice to be posted.—Contents of Notice: Consistency with Statute, Reasonableness and Clarity.*

Several commentators expressed concern that portions of the notice’s contents are not entirely consistent with the provisions of Act 27.

*Notice—Summary of Act 27*

Park City Pet Center contends that the notice should indicate that it is a “summary” of Act 27 and not a complete rendition. If not, customers may be misled. Section 9.3(g)(1) of the Law states that the posted notice is a “summary of the provisions of” Act 27. In addition, section 9.3(g)(2) requires a seller to provide the purchaser with a written notice summarizing Act 27. It also requires this “hand-out” notice to include the following statement:

THIS DISCLOSURE OF RIGHTS IS A SUMMARY OF PENNSYLVANIA LAW. THE ACTUAL PROVISIONS OF THE LAW ARE IN SECTION 9.3 OF THE UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW.

Including a similar statement in the posted notice should reduce confusion.

*First and second bulleted paragraphs: Inconsistency with statute and OAG forms*

Both PIJAC and Park City Pet Center expressed concerns with the first two bulleted paragraphs of the notice. These concerns involve substantive differences between Act 27 and the prescribed contents of the notice. The contents of the notice are inconsistent with both a “Guarantee of Good Health” form provided by the OAG and Act 27.

The problems with the notice’s first two bulleted paragraphs involve specific requirements in Act 27 for the health record, health certificate and guarantee of good health. The specific requirements for these documents are set forth in sections 9.3(a)(1)(i)—(vii), (2)(i) and (ii) of the Law, respectively.

These two paragraphs are not entirely consistent with the specific requirements of Act 27. However, rather than repeating the statute, the notice should refer to forms developed by the OAG. The first bulleted paragraph in the notice could be reduced to two short and simple sentences. The first sentence would remain the same as the proposed regulation. The second sentence would state that the health record must contain the information required by Act 27 in a form developed by the OAG.

The same solution could be used in the second bulleted paragraph. There is no need to provide a detailed description of these documents in the notice if the specific requirements of Act 27 are included in forms provided by the OAG.

*Third bulleted paragraph: Veterinarian examination required within 10 days*

PIJAC expresses concern with the structure of the third bulleted paragraph. Under Act 27, a veterinarian must examine the dog within 10 days of purchase for the purchaser to get a refund if the dog is ill or dies. The third paragraph does not clearly state this fact. The notice should state that a purchaser must have a licensed veterinarian examine the dog within 10 days of purchase to preserve the right of recovery.

*Third bulleted paragraph: Injury or illness after purchase not covered*

The third paragraph does not include an important sentence from the final paragraph of section 9.3(b) of the Law. This sentence reads: “A dog shall not be unfit for purchase on account of injury sustained or illness most likely contracted subsequent to the date of sale” [emphasis added]. In addition, the definition of “unfit for purchase” in section 9.3(i) of the Law uses the phrase “likely to have been contracted on or before the sale and delivery of the animal to the consumer” [emphasis added]. For greater consistency, we suggest that the third bulleted paragraph begin with the following:

To preserve your rights under the Law, you must take your newly purchased dog to a licensed veterinarian for examination within 10 days of purchase. If a veterinarian determines, within 10 days of purchase, that your dog is clinically ill or has died from an injury sustained or illness likely to have been contracted on or before the date of sale and delivery, you have the following options: . . . .

*Third and fourth bulleted paragraphs: Complete or partial refund*

Both paragraphs indicate that one remedy available to the purchaser of an unhealthy dog is to “return the dog for a complete refund.” However, section 9.3(b)(1) of the Law states that the purchaser may receive “a complete refund of the purchase price, not including the sales tax” [emphasis added]. The typical practice for refunds is to include the sales tax because the sale becomes null and void. In fact, the regulations of the Department of Revenue (Department) at 61 Pa. Code § 33.3 allow both vendors and purchasers to file a claim for credit or refund when a sale is cancelled, property is returned or an allowance is made for defective merchandise. By excluding the sales tax from the refund, Act 27 will create unnecessary confusion if both vendors and purchasers file claims for sales tax refunds with the Department. The OAG, Department and General Assembly should examine section 9.3(b)(1) of the Law for consistency with other statutes and regulations relating to sales tax refunds.

*Fourth bulleted paragraph: Adversely affects the animal’s health*

The fourth bulleted paragraph pertains to congenital or hereditary defects. The Park City Pet Center notes that the paragraph does not include another important phrase from the final paragraph of section 9.3(b) of the Law. It states that the dog must have a congenital or hereditary defect “which adversely affects or affected the health of the animal.” In other words, the purchaser is entitled to a refund for a defect only if it adversely affects the dog’s health. The notice’s summary of the rights of purchasers should include this phrase. The fourth bulleted paragraph could begin with the following phrase:

If, within 30 days of purchase, a licensed veterinarian determines that your dog has a congenital or hereditary defect which adversely affects the animal’s health or that your dog died from a congenital or hereditary defect, you have the following options: . . . .

*Fifth bulleted paragraph: Notifying seller within 2 business days*

The first phrase in this paragraph reads: “Failure to notify the seller within 2 business days of veterinarian’s certification of illness will result in forfeiture of rights.” Although the 2-business-day rule is consistent with Act

27, there is one problem with the phrase. It limits this rule to certification of illness with no mention of death or defect.

According to Section 9.3(c) of the Law, the purchaser must notify the seller of the examining veterinarian's name, address and telephone number, within 2 business days of certification of "illness, defect or death." The fifth bulleted paragraph should emphasize the 2-business-day rule and include illness, defect or death. For example, it could read:

Within 2 business days of a veterinarian's certification of your dog's illness, defect or death, you must notify the seller of the name, address and telephone number of the examining veterinarian. Failure to notify the seller within 2 business days will result in forfeiture of rights.

*Fifth bulleted paragraph: Implementing 2-business-days notice requirement*

There are two problems with the 2-business-days notice requirement. First, 2 days is a short period of time. This is especially true if the purchaser traveled a long distance to buy the dog. In addition, some sellers may take steps to avoid or frustrate delivery of the notice. The OAG and General Assembly should closely monitor consumers' experience with Act 27 to see if there is a need to address potential problems with the "2 business days" rule.

Second, the regulation provides no guidance for delivery of the notice. Is personal delivery required? If not, can the notice be sent electronically by telephone, e-mail or facsimile, or must it be sent by first class mail or certified mail? If the notice is mailed, will a postmark within 2 business days be sufficient to meet the statutory deadline? How does the purchaser verify the seller's receipt of the notice?

*Fifth bulleted paragraph: Misplaced disclosure provision*

PIJAC, PLAN and PFDC note what appears to be a misplaced clause in the fifth bulleted paragraph. The final phrase reads: "... unless a health certificate issued by a veterinarian was provided by the seller and it disclosed that health problem." This disclosure protection for the seller should be included in the third and fourth bulleted paragraphs, not in the fifth paragraph.

*5. Establishing OAG-approved forms—Statutory Authority, Reasonableness and Clarity.*

Act 27 contains provisions for at least six different types of certifications and other documents. The OAG has already developed forms for three of these documents. We suggest that the OAG develop standard forms for all of these documents. The OAG could then initiate a separate rulemaking to require the use of OAG-approved forms in conjunction with the required notice.

The need for OAG-prescribed forms is demonstrated by a letter from Senator Greenleaf dated February 18, 1999. The letter advised the OAG's Bureau of Consumer Protection of a pet store giving customers its own warranty and veterinarian examination form. The concern is that important provisions in the store's warranty do not match Act 27's minimum requirements.

The OAG has the authority in section 3.1 of the Law to promulgate additional regulations to implement the Law. This section states that the OAG "may adopt, after public hearing, such rules and regulations as may be necessary for the enforcement and administration of the Law." Requiring the use of standard OAG forms or prescribed language for forms produced by a seller will assist pet

stores and other sellers in complying with Act 27, ease enforcement and reduce consumer confusion.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-475. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following 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.

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
57-163	Pennsylvania Public Utility Commission Obsolete Regulations	3/10/99

#### *Final-Omit*

16A-614	Department of State, Bureau of Professional and Occupational Affairs, State Board of Landscape Architects Examination Fees	3/10/99
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JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-476. Filed for public inspection March 19, 1999, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws

*Thomas C. Dallmer; Doc. No. SC99-03-006*

Notice is given of the Order to Show Cause issued on March 5, 1999, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Sections 2(b), 6(a)(13) and 6(b) of the act of December 20, 1983, P. L. 260, as amended (63 P. S. §§ 1602(b), 1606(a)(4), 1606(a)(13) and 1606(b)).

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 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 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. 99-477. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Application for Acquisition of a Domestic Stock Casualty Insurance Corporation

Applications have been filed by Paul C. Read, Richard J. Collins and Richard J. Taylor to acquire a controlling interest of Allegheny Surety Company. The filing was made under the requirements set forth under the Insurance Holding Company Act (40 P. S. § 991.1402 et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-478. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Application for Approval to Acquire Control of HIP of Pennsylvania, Inc.

Health Insurance Plan of Greater New York has filed an application to acquire control of HIP of Pennsylvania, Inc., a Pennsylvania domiciled nonprofit health maintenance organization. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. § 991.1401, et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-479. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Charles Preen; Hearing

*Appeal of Charles Preen under The Motor Vehicle Financial Responsibility Law Catastrophic Loss Benefits Continuation Fund; Doc. No. CF99-03-001*

A hearing shall occur on April 20, 1999, at 1 p.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. On or before March 30, 1999, each party shall file with the Administrative Hearings Office a comprehensive statement of undisputed facts to be stipulated between the parties, a statement of additional contended facts, names and addresses of witnesses along with the specialties of experts to be called, a list of documents to be used at the hearing, special evidentiary or other legal issues, and the estimated time for that party's case.

Both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

A written request for continuance of the scheduled hearing, for good cause, will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

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. 99-480. Filed for public inspection March 19, 1999, 9:00 a.m.]

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

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Joseph Engel; file no. 99-181-00833; Allstate Insurance Company; doc. no. P99-03-003; April 7, 1999, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party



intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, 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 hearings, 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. 99-481. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

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

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

Appeal of Terry Geltmacher and John Scarlato; file no. 99-121-00635; Lititz Mutual Insurance Company; doc. no. P99-03-004; April 7, 1999, at 1 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues 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. 99-482. Filed for public inspection March 19, 1999, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

#### *Department of Community and Economic Development*

Home Rule Charter Amendment (November 3, 1998) for Horsham Township, Montgomery County.

Home Rule Charter Amendment (November 3, 1998) for Bethel Park, Allegheny County.

Home Rule Charter Amendment (November 3, 1998) for Whitehall Township, Lehigh County.

Home Rule Charter Amendment (November 3, 1998) for Borough of West Chester, Chester County.

Home Rule Charter approved (May 19, 1998) for Allegheny County.

Home Rule Charter Amendment (November 3, 1998) for Wilkes-Barre Township, Luzerne County.

#### *Executive Board*

Resolution #CB-99-025, Dated, (February 10, 1999). An Action of this Board, #CB-96-309, dated November 18, 1996, approved the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Pennsylvania State Education Association, National Education Association, Local Associations at Thaddeus Stevens College of Technology. As a result of the labor management discussion between the Commonwealth and the associations, a letter of agreement has been signed to increase the payments for five extracurricular activity classifications for the 1998—1999 school year.

#### *Governor's Office*

Manual M505.3—State Employee Assistance Program—Amended October 29, 1998.

Management Directive No. 205.10—Financial Disclosures Required by the Public Official and Employee Ethics Act, Act 93 of 1998, 65 Pa.C.S. §§ 1101—1113 Amended—February 16, 1999.

Management Directive No. 205.12—Financial Disclosures Required of Former Employees by the Public Official and Employee Ethics Act, Act 93 of 1998, 65 Pa.C.S. §§ 1101—1113—Amended February 16, 1999.

Management Directive No. 245.13—Strategic Direction for Information Technology Investments—Amended February 2, 1999.

Management Directive No. 305.12—Accounting, Reporting, and Cash Management of Federal Grants and Contracts—Amended January 25, 1999.

Management Directive No. 315.20—Taxability of the Use of State-Provided Vehicles—Revision No. 2, Dated February 8, 1999.

Administrative Circular No.99-5\*—Distribution of Field Procurement Handbook—Dated February 1, 1999. \*Administrative Circular 99-4 was issued as a special distribution.

Administrative Circular No. 99-6—Correction of the 1998 Commonwealth Pennsylvania Telephone Directory (Department of Public Welfare, Office of Legislative Affairs, fax number should be 783-0562)—Dated February 5, 1999.

Administrative Circular No. 99-7—Calendar Bases, Calendar Refills, Diaries, and Date Books for 2000—Dated February 10, 1999.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 99-483. Filed for public inspection March 19, 1999, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Philadelphia County, Wine & Spirits Shoppe #5132, 4729 N Broad Street, Philadelphia, PA 19141-2105.

*Lease Expiration Date:* July 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space in Philadelphia, on Broad Street, .5 mile north of Hunting Park Avenue to .5 mile south of Hunting Park Avenue.

*Proposals due:* April 9, 1999, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794  
**Contact:** Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4602, Ardmore Plaza Shopping Center, 56 Greenfield Avenue, Ardmore, PA 19003-1204.

*Lease Expiration Date:* June 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 13,000 net useable square feet of new or existing retail commercial space in Ardmore Borough.

*Proposals due:* April 9, 1999, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794  
**Contact:** Robert Jolly, (215) 560-5310

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 99-484. Filed for public inspection March 19, 1999, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Joint Petition for Relief Establishing Uniformity for 9-1-1 Provisioning; M-00991217

*Commissioners Present:* John M. Quain, Chairperson;  
Robert K. Bloom, Vice Chairperson; David W. Rolka;  
Nora Mead Brownell; Aaron Wilson, Jr.

Public Meeting held  
October 16, 1998

#### Tentative Order

*Before the Commission:*

#### *History of the Proceedings*

By Order entered February 17, 1999, we adopted the Recommended Decision Upon Remand of Administrative Law Judge Marlane Chestnut dated September 24, 1998. See Docket No. P-00971203, Petition of Bell Atlantic-Pennsylvania, Inc. for a Declaratory Order Relating to Provision of Master Street Address Guides to Local Exchange Carriers. This matter was before the Commission upon remand from the Commonwealth Court as directed in *City of Philadelphia v. Pa. P.U.C.*, 702 A.2d 1139 (1997). Upon remand, the parties to the proceeding submitted a Settlement Agreement to terminate the litigation in the above-referenced Commission docket.

The February 17, 1999 Order further granted a Joint Petition of Bell Atlantic-Pennsylvania, Inc. (Bell), the City of Philadelphia (City), the Commission's Law Bureau Prosecutory Staff (Prosecutory Staff), the Pennsylvania Telephone Association (PTA), and Sprint Communications Company, L.P. (Sprint), (Joint Petitioners hereafter), which, inter alia, called for the initiation of a rulemaking or the entry of a Tentative Order establishing uniform standards and protocols for Master Street Address Guide (MSAG) access and tariffs. MSAGs are used in the provision of Enhanced 9-1-1 service (E-9-1-1) and include the listing of all street names, house/building numbers, and address ranges in the 9-1-1 service area as well as routing information to the Public Safety Answering Point (PSAP) locations, and the appropriate emergency service providers. MSAGs are typically compiled and maintained by the participating municipality and are used for the Automatic Location Identification (ALI) function, which is a component of the E-9-1-1 service purchased by the municipality from the local exchange company (LEC). See Petition for Declaratory Order, slip op. at 2.

*Discussion*

The Commission has jurisdiction and authority to issue this Tentative Form Opinion and Order based on the following:

a. the provision of and access to 9-1-1 service is regulated and tarified as a telecommunications service within the definition of "service" at Section 102 of the Public Utility Code, 66 Pa.C.S. § 102. As a regulated service, the Commission possesses the ability to determine the terms and conditions for service to be provided or met by both service providers (here Local Exchange Companies or LECs and Competitive Local Exchange Companies or CLECs) and customers (here counties and/or municipalities subscribing to 9-1-1 services);<sup>1</sup>

b. the power to review and approve contracts between public utilities and municipalities (including Counties), 66 Pa.C.S. § 507;<sup>2</sup>

c. the power to regulate the terms and conditions of the provision of public utility service to the extent required to safeguard public welfare with regard to telecommunications services. 66 Pa.C.S. § 3009(b)(4); and Section 253(b) of the Telecommunications Act of 1996 (Act), 47 U.S.C. § 253(b);

d. the power to promote competition under Chapter 30, 66 Pa.C.S. §§ 3001—3009, and the Act.

Further, under Section 313(a) of the Public Utility Code, 66 Pa.C.S. § 313(a), the Commission has the power to issue joint and concurrent orders with agencies such as the Pennsylvania Emergency Management Agency (PEMA). Also, the General Assembly has declared it to be in the public interest to provide a toll-free number 9-1-1 for any individual within this Commonwealth to gain rapid, direct access to emergency aid. See Preamble to Act 78, Act of July 9, 1990, P.L. 340, No. 78, 35 P.S. §§ 7011—7921 (Public Safety Emergency Telephone Act).

Under the statutory authority possessed by this Commission, and under the request of the Joint Petitioners, we hereby propose the following tariff guidelines addressing municipal 9-1-1 systems:

a. Each service provider's 9-1-1 tariff provisions<sup>3</sup> should state that the service provider will comply with the municipality's 9-1-1 Protocols as set forth in, and in the form of, Exhibits "A" (Service Provider 9-1-1 Protocols), "B" (Service Provider 9-1-1 Questionnaire), and "C" (Testing Procedures). Future revisions or additions to the form and content of the Protocols by the municipality should be provided to the Pennsylvania Emergency Management Agency (PEMA) as part of the 9-1-1 Plan which is submitted to PEMA for approval, and should be served by facsimile and by overnight mail or hand-delivery on each service provider prior to implementation. Within 10 business days of confirmed receipt, each service provider should respond with comments on the proposed revisions or additions. If any service provider does not respond to the proposed revisions or additions within the 10 business days, that service provider should be deemed to have agreed to the proposed revisions or additions. If a service

<sup>1</sup> Service provider shall mean LECs, competitive local exchange companies (CLECs), and any other certificated telecommunications public utility which has or requires connection to the municipality's 9-1-1 system or connection to the serving selective router.

<sup>2</sup> The Public Utility Code's definition of municipalities includes counties. 66 Pa.C.S. § 102. Thus, municipality shall include counties in this Tentative Order.

<sup>3</sup> 9-1-1 service, for purposes of this Tentative Order, means the components of telecommunications service by service providers which may include, but is not limited to, voice contact only, automatic number identification, trunks, tandems, records, selective routing, daily service order address reconciliation, automatic location identification, interactive search, or other similar or combined services. References to 9-1-1 service also includes Enhanced 9-1-1 service.

provider submits comments stating it does not agree with the proposed revisions or additions, it should set forth its reasons in its comments and the municipality will not implement the revision or addition against the objecting party until the matter is resolved. The parties should work together to resolve the issue in a mutually agreeable manner. Each service provider should update Exhibit "B" (Service Provider Questionnaire) triennially to include any changes to its previously submitted Exhibit "B," or to confirm the absence of any changes in conjunction with review of each municipality's 9-1-1 Plan by the PEMA under Act 78 or its successor. The municipality will notify the service providers when the update is required for the triennial review. Additionally, each service provider should agree to provide the municipality with an updated Exhibit "B" questionnaire upon:

- i. a change of ownership of the service provider;
- ii. a significant change in the service provider's network;
- iii. a change of the service provider's 9-1-1 manager/supervisor or primary contact; or
- iv. a change in the service provider's administrative charge for the billing system.

b. When a service provider has a change in items 6D, 7A3, 10B or 21C of Exhibit "B," the service provider should provide such updated information to the municipality no less than quarterly.

c. Each service provider's tariff should fully state its liability and indemnification provisions relative to 9-1-1 service. To the extent that the service provider is relying on the general tariff indemnification and liability provisions as covering 9-1-1 service, the 9-1-1 section of the tariff should cross-reference the applicable general tariff indemnification or liability sections.

d. Each service provider's tariff should fully state its insurance provisions, or those which obviate the need for insurance in whole or in part, relative to 9-1-1 service. To the extent that the service provider is relying on the general tariff provisions as covering insurance or obviating the need in whole or in part for insurance for 9-1-1 service, the 9-1-1-section of the tariff should cross-reference the applicable general tariff sections.

e. Each service provider's 9-1-1 tariff provisions should state:

- i. how the service provider will handle 9-1-1 service interruptions;
- ii. that the service provider agrees not to use the municipality's MSAG for any purpose that is not directly related to and required for the provision of 9-1-1 service to its customers;

- iii. that the service provider shall not modify or create any derivative of the municipality's MSAG, except that one (1) copy may be made for archival purposes only;

- iv. that the service provider will install the municipality's MSAG in 'read only' format on one computer network and its back-up unless the service provider obtains permission from the municipality to modify the format to make the MSAG compatible with the service provider's software system;

- v. that the service provider agrees not to modify the content of the municipality's MSAG; and

- vi. that the service provider will not sell, lease, license, rent, loan or provide, or transfer any municipality's MSAG to any other person(s) or entity(ies) without the

express written authorization of a municipality's 9-1-1 Coordinator or his/her designee.

f. The municipality should respond to a request from a service provider for permission to modify the MSAG as per this Tentative Order within ten (10) business days. The municipality's 9-1-1 Coordinator should notify the provider that actually renders service (for example, Bell Atlantic-Pennsylvania, Inc. in Philadelphia) in writing (by facsimile followed by the mailed original) within 48 hours of a service provider's compliance with, and satisfaction of, the standard Protocols and certification process and upon such notification the provider of 9-1-1 service may release the MSAG to the compliant and certified service provider.

g. 9-1-1 service should be provided in accordance with the service provider's applicable tariff.

The foregoing terms and conditions should apply only if the municipality reciprocates by amending the 9-1-1 plan with PEMA, by agreement with each involved service provider, by PEMA order/directive, or by other legally binding means, to implement the following:

a. The municipality shall respond to such requests for permission referenced above within ten (10) working days. Each municipality shall include the standard Protocols, Questionnaire and Test Procedure Template (as modified for the specific configuration for the particular municipality's 9-1-1 system) in its 9-1-1 Plans to be reviewed and approved by PEMA. The standard Protocols and questionnaires shall be the same for each municipality, but tests may be different due to system configuration in each municipality.

b. A uniform statewide service provider certification process is adopted by all municipalities which shall be defined as compliance by a service provider with the Protocols in Exhibits "A"—"C." The envisioned certification process will allow the municipality to address its public safety concerns and will provide that the municipality will authorize release of its MSAG, as amended from time to time, if the service provider complies with the municipality's certification process. Certification will be evidenced by formal written documentation from the municipal 9-1-1 Coordinator to the service provider of compliance with the Protocols. The certification process will require that the municipality re-certify the service providers on a triennial basis and will provide that the municipality's authorization for use of the MSAG will be rescinded if it fails to become re-certified until such time as the municipality determines that the service provider has complied with the re-certification requirements. Re-certification shall mean updating the Exhibit "B" questionnaire and re-testing shall not be necessary unless there is a significant change in the network, such as the addition of a switch or going from MF to SS7 signaling. The municipality will be responsible for providing to service providers all forms for certification and any updates.

c. Upon existing service providers' amending or filing tariffs to include the indemnification, insurance and MSAG provisions referenced above, the counties/municipalities will withdraw any past or present contrary or additional 9-1-1 System connection requirements. Upon the entry of a Final Order by this Commission in the above-captioned proceeding, the counties/municipalities will rescind all contrary or additional regulations, ordinances, resolutions or other requirements for Commission-regulated telephone service provider access to the municipality's 9-1-1 System and agree not to

re-adopt such so long as the Commission's Final Order remains of legal effect. The parties to this proceeding do not waive and hereby preserve all legal arguments and positions in any forum regarding the legality of the municipality's regulation of 9-1-1 system access in whole or in part.

d. Trunking charges are to be governed by service provider tariffs.

We shall cause the instant Tentative Order with Appendices A, B, and C, to be published in the *Pennsylvania Bulletin*, with service upon all certificated telecommunications public utilities, PEMA, and interested parties. Comments to the Tentative Order shall be due within 20 days of the date of publication. Reply comments shall be due 10 days after the date for the receipt of initial Comments.

#### Conclusion

Based on the foregoing, we shall issue the instant Order in Tentative Form; *Therefore*,

#### *It Is Ordered That:*

1. The Joint Petition For Relief Establishing Uniformity for 9-1-1 Provisioning is granted and the instant Tentative Order is issued for Comments and Reply Comments.

2. The Secretary shall cause this Tentative Order and Appendices to be published in the *Pennsylvania Bulletin*.

3. Comments to the Tentative Order shall be due 20 days after publication in the *Pennsylvania Bulletin*. Reply Comments shall be due within 10 days after the date on which initial Comments are due.

4. The Commission's Office of Special Assistants shall review the Comments and Reply Comments and prepare a Final Order for consideration at a subsequent Public Meeting.

5. A copy of this Tentative Order shall be served upon all certificated telecommunications public utilities, the Pennsylvania Emergency Management Agency, the Law Bureau Prosecutory Staff, the Office of Small Business Advocate, the Office of Consumer Advocate, Sprint Communications Company, L.P., and the Pennsylvania Telephone Association.

JAMES J. MCNULTY,  
*Secretary*

#### Appendix A

#### **SERVICE PROVIDER E-9-1-1 PROTOCOLS REQUIRED PROCESS FOR ENTITIES SEEKING TO ACCESS COUNTY E-9-1-1 SYSTEMS**

The following list of Protocols is set forth in the interest of public safety. All service providers, including LECs (Local Exchange Carriers), CLECs (Competitive Local Exchange Carriers) (facilities based and resellers), and any other certified telecommunications public utility which has or requires connection to the county/municipal 9-1-1 system or connection to the serving selective router, must comply with the following procedures in order to gain access to the county's/municipality's E-9-1-1 system.

(1) At least 30 days prior to any service provider testing for compatibility with the county's/municipality's E-9-1-1 system, all service providers must provide written notice to:

9-1-1 Coordinator  
County of \_\_\_\_\_ /City of  
\_\_\_\_\_, PA

(2) Once written notice is received, the 9-1-1 Coordinator will send a standard E-9-1-1 Questionnaire, a standard test format, and a list of surcharge guidelines for Act 78 (The Public Safety Emergency Telephone Act, 35 P.S. § 7011 et seq.; 16 Pa. Code § 36a.101 et seq., collectively, "Act 78"). The cover letter from the Communications Director/9-1-1 Coordinator which accompanies this material may also contain a request for current financial statements of the CLEC/PCS provider.

(3) Testing of the service provider's connection into the county's/municipality's E-9-1-1 system will be arranged upon receipt by the 9-1-1 Coordinator of satisfactory written responses to the E-9-1-1 Questionnaire.

(4) Once satisfactory answers to the E-9-1-1 Questionnaire have been completed, a PSAP (Public Safety Answering Point) representative will contact the service provider within 10 business days. All testing is done according to PSAP conditions. These conditions change from day to day and hour to hour, therefore all testing is subject to cancellation without prior notice to the service provider. Any testing canceled by the county/municipality will be rescheduled at the earliest available date. Service provider must provide at least seven (7) business days prior notice to the PSAP representative upon any cancellation of testing by a service provider, or upon any request for additional testing.

(5) The following shall govern release of the MSAG and certification for connection to the county's/municipality's 911 system:

#### Conditions

a. Each PUC-regulated service provider's 9-1-1<sup>1</sup> tariff provisions shall state that the service provider will comply with the county/municipal<sup>2</sup> 9-1-1 Protocols.<sup>3</sup> Future revisions or additions to the form and content of the Protocols by a county/municipality will be provided to PEMA as part of the county's/municipality's 9-1-1 Plan which is submitted to the Pennsylvania Emergency Management Agency ("PEMA") for approval, and will be served by facsimile, by overnight mail or hand-delivery, and by a confirmation copy via US Mail, on each service provider prior to implementation. Within ten (10) business days of confirmed receipt, each service provider will respond with comments on the proposed revisions or additions. If any service provider does not respond to the proposed revisions or additions within the ten (10) business days, that service provider will be deemed to have agreed to the proposed revisions or additions. If a service provider submits comments stating it does not agree with the proposed revisions or additions, it must set forth its reasons in its comments and the county/municipality will not implement the revisions or additions against the objecting party until the matter is resolved. The county/municipality and the service provider will work together to resolve the issues in a mutually agreeable manner.

b. Each service provider shall update the service provider questionnaire triennially to include any changes to its previously submitted questionnaire or to confirm the absence of any changes in conjunction with review of the county's/municipality's 9-1-1 Plan by PEMA under Act 78 or its successor. The county/municipality will notify the service provider when this update is required for the

triennial review. Additionally, each service provider agrees to provide the county/municipality with an updated questionnaire upon:

- 1) a change of ownership of the service provider;
- 2) a significant change in the service provider's network;<sup>4</sup>
- 3) a change of the service provider's 9-1-1 manager/supervisor or primary contact; or,
- 4) a change in the service provider's administrative charge for the billing system.

When a service provider has changes in items 6D, 7A3, 10B or 21C of the Questionnaire, the service provider shall provide such updated information to the county/municipality no less than quarterly.

c. Each service provider's tariff shall fully state its liability and indemnification provisions relative to 9-1-1 service. To the extent that the service provider is relying on the general tariff indemnification and liability provisions as covering 9-1-1 service, the 9-1-1 section of the tariff shall cross-reference the applicable general tariff indemnification or liability sections.

d. Each service provider's tariff shall fully state its insurance provisions, or those which obviate the need for insurance in whole or in part, relative to 9-1-1 service. To the extent that the service provider is relying on the general tariff provisions as covering insurance or obviating the need in whole or in part for insurance for 9-1-1 service, the 9-1-1 section of the tariff shall cross-reference the applicable general tariff sections.

e. Each service provider's 9-1-1 tariff provisions will state:

1) how the service provider will handle 9-1-1 service interruptions;

2) that the service provider agrees not to use the county's/municipality's MSAG for any purpose that is not directly related to and required for the provision of 9-1-1 service to its customers.

3) that the service provider will install the county's/municipality's MSAG in 'read only' format on one computer network and its back-up unless the service provider obtains permission from the county/municipality to modify the format to make the MSAG compatible with the service provider's software system.<sup>5</sup>

4) that the service provider agrees not to modify the content of the county's/municipality's MSAG.

5) that the service provider will not sell, lease, license, rent, loan or provide, or transfer the county's/municipality's MSAG to any other person(s) or entity(ies) without the express written authorization of the county's/municipality's 9-1-1 Coordinator or his/her designee; and,

6) that the service provider shall not modify or create any derivative of the county's/municipality's MSAG, or copy the county's/municipality's MSAG, except that one (1) copy may be made for archival purposes only.

#### Procedure for MSAG Release

f. The county's/municipality's 9-1-1 Coordinator shall notify the provider that actually renders 9-1-1 service (e.g. BA-PA in Philadelphia) in writing (by facsimile followed by the mailed original) within 48 hours of a service provider's compliance with, and satisfaction of, the

<sup>1</sup> References to 9-1-1 in this Settlement Agreement shall include all 9-1-1 services provided by telecommunications providers including E-9-1-1 services.

<sup>2</sup> References to county/municipality means the entity that is responsible for the 9-1-1 plan under Act 78. Thus, notices or updates need only be provided to such entity as opposed to all municipalities that may be covered by a county-wide 9-1-1 plan.

<sup>3</sup> The service provider E-9-1-1 Protocols, questionnaire, and testing procedures are hereinafter collectively referred to as the "Protocols."

<sup>4</sup> For example: converting from MF to SS7 signaling or the addition of a switching station.

<sup>5</sup> The county/municipality shall respond to such a request from a service provider for permission to modify the MSAG within ten (10) business days.

standard Protocols and certification process and upon such notification the provider of 9-1-1 service may release the MSAG to the compliant and certified service provider.

**Miscellaneous**

g. In order to promote uniformity and certainty, the standard protocols and questionnaires shall be the same for each county/municipality, but tests may be different due to system configuration in each county/municipality.

h. The certification process envisioned by the Protocols will allow each county/municipality to address its public safety concerns and will provide that the City and each county/municipality will authorize release of the MSAG, as amended from time to time, if the service provider complies with the county's/municipality's certification process. Certification will be evidenced by formal written documentation from the county/municipal 9-1-1 Coordinator to the service provider in compliance with the Protocols. The certification process will require that the county/municipality re-certify the service providers on a triennial basis and will provide that the county's/municipality's authorization for use of the MSAG will be rescinded if it fails to become re-certified until such time as the county/municipality determines that the service provider has complied with the re-certification requirements. Re-certification shall mean updating the questionnaire and re-testing shall not be necessary unless there is a signifi-

cant change in the network, such as the addition of a switch or going from MF to SS7 signaling. The county/municipality will be responsible for providing to service providers all forms for certification and any updates.

i. 9-1-1 service shall be provided in accordance with the service provider's applicable tariff.<sup>6</sup> Trunking charges are to be governed by service provider tariffs.

j. The county's/municipality's 9-1-1 Plan shall amend its 9-1-1 plan with PEMA to conform to these Protocols and shall rescind any contrary or additional regulations, ordinances, resolutions or other requirements for Pa. PUC-regulated telephone service provider access to the county's/municipality's 9-1-1 System so long as any Pa.PUC or PEMA order or determination approving the Protocols is of legal effect.

k. All consents, approvals, and responses referenced under these Protocols shall not be unreasonably delayed or withheld.

l. All notifications under these Protocols shall be in writing and transmitted by facsimile (on the day the notice is issued) and by overnight mail or hand delivery.

<sup>6</sup> "The General Assembly declares it to be in the public interest to provide a toll-free number 911 for any individual within this Commonwealth to gain rapid, direct access to emergency aid." The Preamble to Act 78 (Public Safety Emergency Telephone Act), Act of July 9, 1990, P. L. 340, 35 P. S. §§ 7011-7921.

**Appendix B**

**SERVICE PROVIDER E-9-1-1 QUESTIONNAIRE**

Each service provider shall update the service provider questionnaire triennially to include any changes to its previously submitted questionnaire, or to confirm the absence of any changes in conjunction with review of the county's municipality's 9-1-1 Plan by the Pennsylvania Emergency Management Agency under Act 78 or its successor. The county/municipality will notify the service provider when this update is required for the triennial review. Additionally, each service provider agrees to provide the county/municipality<sup>1</sup> with an updated questionnaire upon a) a change of ownership of the service provider; b) a significant change in the service provider's network; c) a change of the service provider's 9-1-1 manager/supervisor or primary contact; or, d) a change in the service provider's administrative charge for the billing system.

When a service provider has changes in items 6D, 7A3, 10B or 21C of the questionnaire, the service provider shall provide such updated information to the county/municipality no less than quarterly.

1. What is the design of the company's network? \_\_\_\_\_
  - A. Provide a network schematic including the connection to the 911 network. Include Circuit IDs. \_\_\_\_\_
2. How will the company's network be interfaced to 911? \_\_\_\_\_
  - A. How many end trunks will be used? \_\_\_\_\_
    1. The company will be expected to comply with trunking as per Act 78. \_\_\_\_\_
    2. The company will be expected to maintain at least a P.01 grade of service. \_\_\_\_\_
  - B. Will these trunks be diversely routed? \_\_\_\_\_
  - C. When will the trunks be installed? \_\_\_\_\_
3. Outline the network test plan that will be used by your company to test the 911 interface. \_\_\_\_\_
  - A. When is testing scheduled to begin? \_\_\_\_\_

<sup>1</sup> County/municipality as used herein is intended to designate the entity that files a 9-1-1 plan with PEMA. Thus, a service provider's obligation to update information is limited to such entity as opposed to the multitude of municipalities that may be covered by a county-wide 9-1-1 plan.

- B. Who will be in charge of testing? Name/address/phone number \_\_\_\_\_  
\_\_\_\_\_
- C. It will be required for the county/municipality to be contacted prior to the state of testing. \_\_\_\_\_
4. Who is expected to pay for 911 connection (end office trunks)? \_\_\_\_\_
- A. Identify all costs to the county/municipality. \_\_\_\_\_
5. How often will the company provide traffic studies (CCS counts) on the end office trunks?  
\_\_\_\_\_
- A. Can your company continuously monitor CCS counts on the end office trunks? \_\_\_\_\_  
\_\_\_\_\_
- B. Does the company plan to do this? \_\_\_\_\_
1. Will it make the necessary adjustments in trunking automatically so as to conform to Act 78 trunking standards? \_\_\_\_\_
6. Is the company's network continuously monitored? \_\_\_\_\_
- A. Provide a 24x7 number for the monitoring center. \_\_\_\_\_
- B. Where is the center located? \_\_\_\_\_
- C. What monitoring capabilities does this center have? \_\_\_\_\_
1. Will the end office trunks be monitored/alarmed? \_\_\_\_\_
- D. Who is the center's manager? \_\_\_\_\_
1. Provide name/address/phone number for the manager. \_\_\_\_\_
2. Provide name/address/phone number for the manager's supervisor. \_\_\_\_\_  
\_\_\_\_\_
7. Provide a trouble reporting procedure. \_\_\_\_\_
- A. Is there a dedicated trouble reporting center? \_\_\_\_\_
1. What is the location of this center? \_\_\_\_\_
2. Provide a 24x7 number for trouble reporting. \_\_\_\_\_
3. Who is the center's manager? \_\_\_\_\_
- a. Name/address/phone number of manager? \_\_\_\_\_  
\_\_\_\_\_
- b. Can the manager be reached 24x7? How? \_\_\_\_\_
8. Provide a trouble escalation procedure. \_\_\_\_\_
9. Since it will often be impossible for the county/municipality to determine the origin of the trouble, will the company accept trouble reports from the host phone company? \_\_\_\_\_
10. Will the company manage it's own ALI data? \_\_\_\_\_
- A. How will the transfer of data from the service provider to the host telco be accomplished? \_\_\_\_\_
- B. Who is the county's/municipality's contact, from the company, for database additions/deletions/correction? \_\_\_\_\_
1. Provide contacts name/address/phone number. \_\_\_\_\_  
\_\_\_\_\_
2. Is there a 24x7 number for database work? \_\_\_\_\_

3. Provide the name/address/phone number of the contact's supervisor. \_\_\_\_\_  
\_\_\_\_\_
- C. How will the company ensure the accuracy of the ALI data? \_\_\_\_\_
- D. Who will deliver ALI record to PSAP? \_\_\_\_\_
- E. Does the company's ALI data meet NENA standards as far as format? \_\_\_\_\_
11. Will database additions/deletions/corrections be accepted from the county/municipality on the current database correction form? \_\_\_\_\_
- A. How are database correction forms to be sent to the company's database contact? \_\_\_\_\_  
\_\_\_\_\_
1. Mail? \_\_\_\_\_
2. Fax? \_\_\_\_\_
- B. Does the company have a 9-1-1 Data Control center? \_\_\_\_\_
12. How long will database correction take? \_\_\_\_\_
- A. Will there be a verification process in place to ensure the accuracy of corrections? \_\_\_\_\_
13. Provide a database escalation procedure. \_\_\_\_\_
14. When does the company believe it will begin offering service to customers in the county/municipality? \_\_\_\_\_
- A. Business? \_\_\_\_\_
- B. Residential? \_\_\_\_\_
15. Are there particular areas of the county/municipality in which the company is targeting service? \_\_\_\_\_
- A. Provide a list of these areas. \_\_\_\_\_
- B. Indicate when the company anticipates providing service in each area. \_\_\_\_\_  
\_\_\_\_\_
16. Will the company be utilizing unique NXXs? \_\_\_\_\_
- A. What are the NXXs? \_\_\_\_\_
- B. What wire center is each NXX assigned to? \_\_\_\_\_
- C. The company will be expected to continually update the City whenever new NXXs are assigned. \_\_\_\_\_
17. Will the company be offering number portability? \_\_\_\_\_
- A. Will there be portability between local exchange carriers? \_\_\_\_\_
- B. Will there be portability between wire center? \_\_\_\_\_
18. How will the company provide operator services? \_\_\_\_\_
19. How will operator services be interfaced to 911? \_\_\_\_\_
- A. How will ALI identify operator assisted calls? \_\_\_\_\_
20. How will operator services identify which PSAP an emergency call should go to? \_\_\_\_\_
- A. Mailing address vs. Municipality vs. Exchange? \_\_\_\_\_
- B. What database information will operator services have available to them? \_\_\_\_\_
- C. What other tools will operator services have to help them? \_\_\_\_\_



- D. Can a call be transferred to another 911 center and a seven digit number? \_\_\_\_\_
21. Provide a 24x7 phone number for ALI lookup (i.e. local law enforcement needs, search warrants, trace & traps, etc.). \_\_\_\_\_
- A. Where is the department located? \_\_\_\_\_
- B. What information/databases does company security have access to? \_\_\_\_\_
- C. Provide the name/address/phone number for the manager. \_\_\_\_\_
22. Provide a 24x7 phone number to be used for purposes of abandoned or 911 hangups. Failure to do so delays the ability of the PSAP to deliver public safety services. \_\_\_\_\_
23. Will there be a charge for establishing the 911 billing system? \_\_\_\_\_
24. The County's line contribution rate of \_\_\_\_\_/line/month is to be collected by your company and remitted to the county/municipality on a monthly basis. The remittance check should be made payable to: \_\_\_\_\_  
The attached remittance form shall accompany the check.
25. What is the company's administrative charge for the billing system? \_\_\_\_\_
26. What is the company's position with respect to:
- A. Uncollectables? \_\_\_\_\_
- B. Refusals to pay? \_\_\_\_\_
27. When the Line Contribution Rate revenue is remanded to the county/municipality, how will charges, uncollectables be detailed? \_\_\_\_\_
- A. Will the company provide this information in the same format from which it is received from the host telco today? \_\_\_\_\_
28. Who will handle the billing for the company? \_\_\_\_\_
- A. Provide the name/address/phone number of the billing contact. \_\_\_\_\_
- B. Provide the name/address/phone number of the billing contact's supervisor. \_\_\_\_\_
29. Will the company have a group or individual dedicated to 911 service? \_\_\_\_\_
- A. Provide the name/address/phone number for the 911 service manager. \_\_\_\_\_
- B. Provide the name/address/phone number for the 911 service manager's supervisor. \_\_\_\_\_
30. Who is the company's single point of contact for the County's 911 coordinator? \_\_\_\_\_
- A. Provide name/address/phone number. \_\_\_\_\_
- B. Can contact be reached at all times (24x7)? \_\_\_\_\_
- C. Provide name/address/phone number for this contact's supervisor. \_\_\_\_\_
31. Will the company be providing any of the following services?
- A. Coin phones or COCOTS? \_\_\_\_\_
- B. Foreign Exchange (FX) lines? \_\_\_\_\_
- C. Long Distance? \_\_\_\_\_
- D. Cellular or PCS? \_\_\_\_\_
1. Will the company conform to project 31 standards? \_\_\_\_\_

- E. Paging? \_\_\_\_\_
32. How will the company handle all trunks busy? \_\_\_\_\_
- A. Provide the text (bilingual) of the company's standard announcement when all lines are busy. Unless the company only uses a busy signal, the county/municipality must approve the text. \_\_\_\_\_
- B. Will the message have a background busy signal? \_\_\_\_\_
- C. Will the message be TDD/TTY complaint? \_\_\_\_\_

By signing below, I represent and warrant that the foregoing information is true and correct to the best of my knowledge, information and belief.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Service Provider: \_\_\_\_\_

Date: \_\_\_\_\_

### Appendix C

SAMPLE—will be modified to reflect configuration of other county 9-1-1 systems

*City of Philadelphia*

#### TEST PROCEDURES PHILA E-911

ALL CALLTAKERS DURING EACH TEST CALL MUST STATE THE FOLLOWING TO THE PHILA E-911 CALLTAKERS.

THIS IS A TEST CALL FROM  
DIAL TONE PROVIDER  
(COMPANY NAME)

#### TEST PLAN

CHECK TRANSMIT AND RECEIVE LEVELS DURING ALL CALLS.

##### TEST 1

IN SWITCH UNDER TEST, MAKE BUSY TRUNK #2 (LOCUST) OF THE DEFAULT TRUNK GROUP. PLACE A 9-1-1 CALL FROM YOUR SEVEN DIGIT NUMBER. TEST EACH TRUNK IN GROUP 1.

##### EXPECTED RESULT

CALLS SHOULD COMPLETE TO THE PSAP, OPERATOR RECEIVES PROPER ANI AND ALI DATA VIA MARKET TANDEM.

##### TEST 2

DURING CALL IN PROGRESS, REQUEST PSAP OPERATOR TO EFFECT CALL-TRANSFER TO THE PSAP SUPERVISOR.

##### EXPECTED RESULT

VERIFY PSAP SUPERVISOR RECEIVES CALL WITH PROPER ANI AND ALI.

##### TEST 3

IN THE SWITCH UNDER TEST, (LOCUST) RESTORE TO SERVICE TRUNK #2 AND MAKE BUSY TRUNK #1 (MARKET) OF THE DEFAULT TRUNK GROUP. PLACE A CALL FROM YOUR SEVEN DIGIT NUMBER. TO EACH TRUNK.

##### EXPECTED RESULT

CALL COMPLETES TO PSAP, OPERATOR RECEIVES PROPER ANI AND ALI DATA VIA LOCUST TANDEM.

##### TEST 4

DURING CALL IN PROGRESS, REQUEST PSAP OPERATOR TO EFFECT CALL TRANSFER TO THE OPERATIONS DESK.

##### EXPECTED RESULT

CALL COMPLETES TO OPERATIONS DESK, NO ANI OR ALI IS EXPECTED.

*TEST 4A*

MAKE BUSY TRUNK GROUPS 1 AND 2 AND PLACE TEST CALL TO PSAP OPERATOR.

*EXPECTED RESULTS*

RECEIVES RECORDED MESSAGE ALL LINES BUSY FROM (COMPANY PROVIDING DIAL TONE)

*TEST 4B*

BELL ATLANTIC BUSY OUT MARKET PSAP TRUNKS. PLACE CALL FROM SWITCH UNDER TEST TO MARKET TANDEM.

*EXPECTED RESULTS*

TESTING OF INTER-TANDEM TRUNKING AND RECEIVING CALL. ANI/ALI INFORMATION.

*TEST 5*

IN SWITCH UNDER TEST, MAKE BUSY TRUNK 2 OF THE SOUTH DIVISION TRUNK GROUP. PLACE A CALL FROM YOUR SEVEN DIGIT NUMBER.

*EXPECTED RESULT*

CALL COMPLETES TO THE SOUTH DIVISION, OPERATOR RECEIVES PROPER ANI AND ALI DATA VIA MARKET TANDEM.

*TEST 6*

DURING CALL IN PROGRESS, REQUEST PSAP OPERATOR TO EFFECT CALL TRANSFER TO FIRE/EMS.

*EXPECTED RESULT*

CALL COMPLETES TO FIRE/EMS, NO ALI OR ANI IS EXPECTED.

*TEST 7*

IN THE SWITCH UNDER TEST, RESTORE TO SERVICE ALL 911 TRUNKS. PLACE A 911 CALL FROM YOUR SEVEN DIGIT NUMBER.

*EXPECTED RESULT*

CALL COMPLETES TO PSAP, OPERATOR RECEIVES ANI WITH NOT IN DATABASE INDICATION.

*TEST 8*

SIMULATE AN ANI FAILURE BY OUTPUTTING THE 911 DIGITS ON THE TEST TRUNK.

*TEST 9*

PLACE A 911 CALL USING THE TEST SET OVER TRUNK #1 OF DEFAULT TRUNK GROUP TO MARKET TANDEM.

*EXPECTED RESULT*

CALL COMPLETES TO PSAP WITH 911 DIGITS AND ESCO CODE.

*TEST 10*

PLACE AT LEAST 3 SIMULTANEOUS CALLS FROM THREE SEVEN DIGIT NUMBERS.

*EXPECTED RESULT*

ALL 3 CALLS SHOULD GO TO THE PSAP.

*TEST 11*

HAVE PSAP OPERATOR PERFORM A FORCED DISCONNECT ON ONE LINE. HAVE A SECOND CALL TRANSFERRED TO FIRE BOARD.

*EXPECTED RESULT*

1ST CALL IS DISCONNECTED FROM PSAP.

2ND CALL SHOULD TRANSFER TO FIRE BOARD WITH NO ANI/ALI EXPECTED.

*TEST 12*

HAVE A PSAP SUPERVISOR RE-DIAL ANY SEVEN DIGIT NUMBER THAT WAS PERFORMED IN TEST 12.

*EXPECTED RESULT*

PSAP SUPERVISOR REESTABLISHES CALL TO THE SAME NUMBER.

*TEST 13*

PLACE A TEST CALL TO PUBLIC OPERATOR FROM THE SWITCH UNDER TEST AND HAVE CALL RE-ROUTED TO PSAP OPERATOR.

*EXPECTED RESULT*

CALL RECEIVING WITH OPERATOR ON THE LINE AND ANI/ALI INFORMATION THAT DENOTES OPERATOR ASSISTED CALL.

**END OF PHILA E-9-1-1 TEST**

[Pa.B. Doc. No. 99-485. Filed for public inspection March 19, 1999, 9:00 a.m.]

**Railroad  
With Hearing**

**I-00990081. Consolidated Rail Corporation.** Investigation Upon the Commission's Own Motion to determine the condition, disposition and responsibility for maintenance of the existing crossing structure carrying Schuylkill Avenue (SR 0183) above the grade of the tracks of Consolidated Rail Corporation's Reading Line in the City of Reading, Berks County (AAR 592 016 E).

An initial hearing on this matter will be held Thursday, April 8, 1999 at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-486. Filed for public inspection March 19, 1999, 9:00 a.m.]

**Railroad  
With Hearing**

**I-00990082. National Railroad Passenger Corporation.** Investigation upon the Commission's own motion to determine the condition, disposition and responsibility for maintenance of the existing crossing structure carrying Randall Avenue above-the-grade of the tracks of National Railroad Passenger Corporation in Bristol Township, Bucks County (AAR 530 983 U).

An initial hearing on this matter will be held Wednesday, April 14, 1999, at 10 a.m. in an available hearing room, 1302 Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-487. Filed for public inspection March 19, 1999, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before April 12, 1999, as set forth at 52 Pa. Code

§ 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00102568, F. 3, Am-B. Harry Williams, t/d/b/a Eagle Taxi** (2040 Center Avenue, Pittsburgh, Allegheny County, PA 15219)—persons upon call or demand, in the 3rd, 4th and 5th Wards of the city of Pittsburgh, Allegheny County, and those areas of the city of Pittsburgh commonly known as Northview Heights, St. Clair Village, Glen Hazel Project, Westgate Village, and Broadhead Manor, and the Homewood-Brushton area bounded generally by Washington Boulevard and Penn Avenue, the Beltzhoover area bounded by Brownsville Road, Arlington Avenue, Warrington Avenue and Saw Mill Run Boulevard, and that portion of the Manchester area bounded by Beaver Avenue, Brighton Road, Western Avenue and Marshall Avenue: *so as to permit* the transportation of persons upon call or demand in the city of Pittsburgh, Allegheny County. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. TIV Enterprises, Inc.  
t/d/b/a Shanahan Freight Co.; Doc. No.  
A-00101690C9901 A-00101690*

**Complaint**

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

1. That TIV Enterprises, Inc., t/d/b/a Shanahan Freight Co., respondent, maintains its principal place of business at P. O. Box 400, Glassboro, New Jersey 08028.
2. That respondent was issued a certificate of public convenience by this Commission on January 29, 1980, at Application Docket No. A-00101690.
3. That on or before December 9, 1998, respondent abandoned or discontinued service without having submitted a letter to this Commission containing a statement that the service is no longer being rendered.
4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5).

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke TIV Enterprises, Inc., t/d/b/a Shanahan Freight Co.'s certificate of public convenience at A-00101690.

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

*Verification*

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

Date: \_\_\_\_\_  
George T. Mahan

*Notice*

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth in C, above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Blue Mack Transport, Inc.;*  
*Docket No. A-00108492C9901 A-00108492*

**Complaint**

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

1. That Blue Mack Transport, Inc., respondent, maintains its principal place of business at 401 West High Street, Pottstown, Montgomery County, Pennsylvania 19464.

2. That respondent was issued a certificate of public convenience by this Commission on November 20, 1989, at Application Docket No. A-00108492.

3. That on or before May 7, 1998, respondent abandoned or discontinued service without having submitted a letter to this Commission containing a statement that the service is no longer being rendered.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5).

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Blue Mack Transport, Inc.'s certificate of public convenience at A-00108492.

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

*Verification*

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

Date: \_\_\_\_\_  
George T. Mahan

*Notice*

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include the revocation of your certificate of public convenience or other remedy.

C. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-488. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Sewer Service Without Hearing

**A-230079; A-230074F2000. Start Properties II, L.L.C. and KEO Homes, Inc.** Joint Application of Start Properties II, L.L.C. and KEO Homes, Inc., for approval of (a) the right of Start Properties II, L.L.C., to provide sewer service to the public in a limited portion of Delaware Township, Northumberland County, PA, known as Spring Lake Crest; (b) the sale by KEO Homes, Inc., of its assets to Start Properties II, L.L.C., docketed at A-230079; and (c) the abandonment of the provision of sewer service by KEO Homes, Inc., to the public in a limited portion of Delaware Township, Northumberland County, PA, known as Spring Lake Crest, docketed at A-230074F2000.

This Joint Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 5, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* Start Properties II, L.L.C.

*Through and By Counsel:* Thomas Andrew Sabol, Esquire, 1800 John F. Kennedy Boulevard, 14th Floor, Philadelphia, PA 19103; and

*Applicant:* KEO Homes, Inc.

*Through and By Counsel:* Ronald D. Butler, Esquire, Butler Law Firm, 500 N. Third Street, 12th Floor, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-489. Filed for public inspection March 19, 1999, 9:00 a.m.]

### Water Service Without Hearing

**A-210083; A-210074F2000. Start Properties II, L.L.C. and KEO Homes, Inc.** Joint Application of Start Properties II, L.L.C. and KEO Homes, Inc., for approval of (a) the right of Start Properties II, L.L.C., to provide water service to the public in a limited portion of Delaware Township, Northumberland County, PA, known as Spring Lake Crest; (b) the sale by KEO Homes, Inc., of its assets to Start Properties II, L.L.C., docketed at A-210083; and (c) the abandonment of the provision of water service by KEO Homes, Inc., to the public in a limited portion of Delaware Township, Northumberland County, PA, known as Spring Lake Crest, docketed at A-210074F2000.

This Joint Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 5, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* Start Properties II, L.L.C.

*Through and By Counsel:* Thomas Andrew Sabol, Esquire, 1800 John F. Kennedy Boulevard, 14th Floor, Philadelphia, PA 19103; and

*Applicant:* KEO Homes, Inc.

*Through and By Counsel:* Ronald D. Butler, Esquire, Butler Law Firm, 500 N. Third Street, 12th Floor, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-490. Filed for public inspection March 19, 1999, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9904.6, Sprinkler System Investigation and Repairs at Packer Ave. Marine Terminal until 2 p.m. on Thursday, April 1, 1999. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available March 23, 1999. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations. Mandatory prebid job site meeting will

be held March 25, 1999, 10 a.m. at the Tioga Administration Building, 3460 N. Delaware Ave., Suite 203, Philadelphia, PA 19134.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 99-491. Filed for public inspection March 19, 1999, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

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

April 21, 1999	Robert Lowing (Payment of Death Benefit)	2 p.m.
April 28, 1999	David W. Hughes (Years of Service)	1 p.m.
	Paul N. Rehrig (Change of Retirement Date)	2:30 p.m.

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

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

General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

DALE EVERHART,  
*Secretary*

[Pa.B. Doc. No. 99-492. Filed for public inspection March 19, 1999, 9:00 a.m.]

## TURNPIKE COMMISSION

### 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. 98-010-RM36**—Bituminous Overlay between M. P. 334.05 and M. P. 350.86 on the Pennsylvania Turnpike System in Montgomery and Bucks Counties, PA

*Bid Opening Date*—April 22, 1999, 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 by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

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

Direct all questions on this project to Inessa Evenchik, (717) 939-9551, Ext. 5770.

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. 99-493. Filed for public inspection March 19, 1999, 9:00 a.m.]