

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearings

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, April 28, 1999. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1 p.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

An informal conference among the Commissioners and staff will be held at 9:30 a.m. at the same location and will include discussions of proposals for a flow needs study and a Commission-Corps of Engineers drought storage agreement; and status reports on the Flowing Toward the Future workshops and activities of the Toxics Advisory Committee.

In addition to the subjects summarized as follows which are scheduled for public hearing at the business meeting, the Commission will also address the following: Minutes of the March 9, 1999 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; status of compliance of Somerton Springs Golf Development; resolutions to contract for fish tissue analyses, continued development of the water quality model for the Delaware Estuary and participation in the EPA's Energy Star building program; consideration of a resolution to authorize funding of selected tasks of the flow needs study for the Delaware Estuary; and public dialogue.

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact:

1. *New York State Department of Environmental Conservation (NYSDEC) D-77-20 CP (Revision No. 4).* A project to modify the revised schedule of experimental augmented conservation releases for Pepacton and Cannonsville Reservoirs (each located in Delaware County, NY) and Neversink Reservoir (located in Sullivan County, NY). The NYSDEC requests the following modifications for a 2-year period: 1) storage of 50% of the annual excess release quantity to create a fisheries protection bank that would be available to augment releases during drought warnings; 2) a revision to the drought operating curves to temporarily replace the Drought Warning One and Drought Warning Two designations with Drought Watch and Drought Warning, respectively; and 3) raise the Drought Warning (formerly Drought Warning Two) threshold by four billion gallons. The existing experimental release program (D-77-20 CP Revision No. 3) will be extended until April 30, 2001 to coincide with Revision 4.

2. *SPI Polyols, Inc. D-88-74 RENEWAL.* An application for the renewal of a groundwater and surface water withdrawal project to supply up to 60.04 million gallons (mg)/30 days of groundwater and 470.58 mg/30 days of surface water to the applicant's industrial facility from Well Nos. 8 through 12 and Delaware River intake. Commission approval on January 25, 1989 was extended to 10 years. The applicant requests that the total withdrawal from all wells remain limited to 60.04 mg/30 days

and 470.58 mg/30 days from the river intake. The project is located in New Castle County, DE.

3. *Northampton Generating Company, L.P. D-98-40.* A project to increase the withdrawal of water from 67.5 mg/30 days to 75 mg/30 days from the Lehigh River to continue to serve the applicant's existing 96 megawatt cogeneration facility located on Route 329 in Allen Township and Northampton Borough, both in Northampton County, PA. The applicant also proposes to modify the passby flow condition relative to Lehigh River low-flow periods.

4. *Township of East Rockhill D-99-6 CP.* A project to construct a new 0.113 mgd sewage treatment plant (STP) in East Rockhill Township, Bucks County, PA. The proposed extended aeration secondary treatment STP will serve East Rockhill Township only and will discharge treated effluent to East Branch Perkiomen Creek approximately 500 feet upstream of Perkasio Borough, Bucks County, PA.

5. *Parkway Gravel, Inc. D-99-8.* An application for approval of a surface water withdrawal project to supply up to 97.2 mg/30 days of water to the applicant's sand and gravel washing facility from a proposed water supply pond, and to limit the withdrawal from all sources to 97.2 mg/30 days. The project is located in New Castle County, DE.

6. *Upper Dublin Township D-99-9 CP.* A project to upgrade and expand the applicant's existing 1.1 mgd capacity secondary treatment plant to provide an additional 0.25 mgd capacity. The plant will continue to serve a portion of Upper Dublin Township and discharge to Pine Run, a tributary of Wissahickon Creek in Montgomery County, PA.

7. *Lehigh County Authority D-99-11 CP.* A project to upgrade and expand the applicant's existing 35,000 gallons per day (gpd) sewage treatment facility by providing a new advanced secondary biological treatment system capable of providing 60,000 gpd of treatment. The project is located just south of Heidelberg Heights Road in Heidelberg Township, Lehigh County, PA. Treated effluent will continue to discharge to an unnamed tributary of Mill Creek, which is a tributary of Jordan Creek.

8. *Warrington Township and The Cutler Group D-99-12 CP.* An application to rerate the applicant's existing 0.26 mgd Tradesville STP to 0.33 mgd to serve existing and proposed residential development in the northwestern portion of Warrington Township, Bucks County, PA. The applicant proposes an additional ultraviolet disinfection system and changes to the sequencing batch reactor process to allow the STP to operate more efficiently. The STP is located along the west side of Mill Creek Road in Warrington Township and will continue to discharge to Mill Creek, a tributary of Neshaminy Creek.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500, Ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500, Ext. 203 prior to the hearing.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act and who would like to attend a hearing should contact the Secretary at (609) 883-9500, Ext. 203 or through the New Jersey Relay

Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

Other Scheduled Hearings

By earlier notice, the Commission announced its schedule of public hearings on a determination that the assimilative capacity of the tidal Delaware River is being exceeded for certain toxic pollutants. This determination will authorize the Executive Director to establish wasteload allocations for specific point source discharge of these pollutants.

The public hearings are scheduled as follows:

May 3, 1999 beginning at 1:30 p.m. and continuing until 5 p.m., as long as there are people present wishing to testify. The hearing will be held in the Second Floor Auditorium of the Carvel State Building, 820 North French Street, Wilmington, DE.

May 5, 1999 beginning at 1:30 p.m. and continuing until 5 p.m. as long as there are people present wishing to testify, and resuming at 6:30 p.m. and continuing until 9 p.m., as long as there are people present wishing to

testify. The hearing will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

May 11, 1999 beginning at 1:30 p.m. and continuing until 5 p.m., as long as there are people present wishing to testify. The hearing will be held in the Jefferson Room of the Holiday Inn at 400 Arch Street, Philadelphia, PA.

Copies of supporting documents may be obtained by contacting Christopher Roberts, Public Information Officer at (609) 883-9500, Ext. 205.

Persons wishing to testify are requested to notify the Secretary in advance. Written comments on the proposed determination should also be submitted to the Secretary at the Delaware River Basin Commission, P. O. Box 7360, West Trenton, NJ 08628-0360.

SUSAN M. WEISMAN,
Secretary

[Pa.B. Doc. No. 99-660. Filed for public inspection April 23, 1999, 9:00 a.m.]

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 April 13, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-9-99	Summit Bancorp, Princeton, New Jersey, and First Valley Corporation, Bethlehem, to acquire 100% of the voting shares of Prime Bancorp, Inc., Fort Washington	Princeton, NJ	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-9-99	Summit Bank, Bethlehem, and Prime Bank, Philadelphia Surviving Institution— Summit Bank, Bethlehem	Bethlehem	Filed
4-9-99	Harris Savings Bank Harrisburg Dauphin County Purchase of assets/assumption of liabilities of one branch office of Commonwealth Bank, Norristown, Located at: 2203 West Cumberland Street Lebanon Lebanon County	Harrisburg	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-29-99	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Ivy Ridge Shopping Center 7124 Ridge Pike Philadelphia Philadelphia County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-12-99	The Peoples State Bank East Berlin York County	Intersection of Greenbriar Road and Roosevelt Ave. York York County	Approved
4-12-99	Union Bank and Trust Company Pottsville Schuylkill County	Redner's Market Gold Star Highway Shenandoah Schuylkill County	Approved
4-12-99	Brentwood Savings Bank Pittsburgh Allegheny County	5259 Library Road Bethel Park Allegheny County	Approved
4-12-99	Merchants Bank of Pennsylvania Shenandoah Schuylkill County	Maplewood Plaza Humboldt Industrial Park Hazle Township Luzerne County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-9-99	Laurel Bank Johnstown Cambria County	<i>To:</i> Route 30 East Latrobe Westmoreland County <i>From:</i> 400 Latrobe Thirty Shopping Center Latrobe Westmoreland County	Filed
4-12-99	First Commonwealth Bank Indiana Indian County	<i>To:</i> 683 McMurray Road Bethel Park Allegheny County <i>From:</i> 3400 South Park Road Bethel Park Allegheny County	Approved

SAVINGS ASSOCIATION**Voluntary Liquidation**

<i>Date</i>	<i>Name of Institution</i>	<i>Action</i>
4-9-99	The Sterling Building and Loan Association Philadelphia	Certificate of Election for voluntary dissolution filed. Effective as of the close of business April 9, 1999.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-661. Filed for public inspection April 23, 1999, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 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 May, 1999, is 8 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption

was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in 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 United States Treasury. The latest yield rate on long-term government securities is 5.81 to which was added 2.50

percentage points for a total of 8.31 that by law is rounded off to the nearest quarter at 8 1/4%.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-662. Filed for public inspection April 23, 1999, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Retention of a Professional Design Firm or Firms; Project Reference No. FDC-500-520

The Department of Conservation and Natural Resources (Department) will retain a professional design firm or firms for open-end contracts for various building and engineering designs, geological services, environmental services and CADD services. The contract or contracts will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis.

Letters of Interest for this project will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of professional design. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering and or architecture. The professional design firm may be an engineering/architectural firm, an architectural/engineering firm, an engineering firm with an architectural subconsultant or an architectural firm with an engineering subconsultant.

This firm's area of responsibility for assigned work shall be throughout the entire Commonwealth. Bureau of Facility Design and Construction personnel will do project work in conjunction with this professional design firm on some of the projects.

The services may encompass a wide range of design and environmental efforts with the possibility of several different types of projects being designed under short completion schedules. The firm may be required to design multiple projects at the same time.

The open-ended design services work will consist of building architectural, mechanical, plumbing and electrical designs, tie-ins to site utilities, major maintenance repair, renovations to existing buildings and additions to existing buildings. Many of these projects may be for building less than 5,000 square feet in size and small in terms of project scope. Projects to rehabilitate sewage treatment plants, water treatment plants and associated permit applications may also be included.

The anticipated types of projects may also include, but are not limited to, bridge replacement (single and multi-span), bridge rehabilitation, bridge approach work, road design, bridge inspection, minor location studies and CADD services.

Areas of environmental study associated with these projects may include, but are not limited to, wetlands, soil, geology, DEP Chapter 105, and Corps of Engineers

404 permits. The environmental studies will be conducted in accordance with accepted analysis techniques and methodologies.

The selected firm or firms, may be required to perform any or all of the above to ensure a complete environmental investigation has been performed and may be required to provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, prepare reports and design mitigation plans. The reports and other graphic material to be prepared may include, but are not limited to, plans of study, meeting minutes, preparation of permit application documents, mitigation plans and reports and wetland and floodplain findings.

The professional design firm or firms, may be required to perform any or all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control details and narrative; prepare type, size and location report; prepare construction drawings, specifications and estimates; procure core borings; provide soil and foundation engineering report; investigate utility involvement; and evaluate alternative using benefit/cost analysis, develop details and narratives; prepare reports; investigate utility involvement; and also, the review of shop drawings, catalog cuts and occasional attendance at job conferences may be required.

The services shall also include, but not be limited to, a preliminary meeting in the Bureau of Facility Design and Construction, 8th floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, for each project. The contract shall be based on the hours of service and qualifying expenses not exceeding the contract amount. Work may be done on an hourly basis or a maximum cost work order for the individual design project. The design work will be reviewed by the architectural and engineering staff of the Bureau of Facility Design and Construction, and when acceptable, approved by the same staff.

The number of open-end contracts and the dollar amount of each contract shall be at the discretion of the Department for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the availability of additional funds and additional projects for those years, also at the discretion of the Department.

Commitment to Enhance Socially/Economically Restricted Businesses (SERB)

The Commonwealth of Pennsylvania strongly encourages the submission of proposals by Socially/Economically Restricted Business (SERB).

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

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

Proposers not considered to be socially/economically restricted businesses seeking to identify the businesses for joint venture and subcontracting opportunities are encouraged to contact: Department of General Services, Office of Minority and Women Business Enterprise, Room 502, North Office Building, Harrisburg, PA 17125, (717) 787-7380.

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

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

1. The business has gross revenues exceeding \$4,000,000 annually.

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

Proposers not considered being socially/economically-restricted businesses seeking to identify the businesses for joint venture and subcontracting opportunities are encouraged to contact the Department of General Services, Bureau of Contract Administration & Business Development, Room 502 North Office Building, Harrisburg, PA 17125, (717) 787-7380, fax: (717) 787-7052.

SERB Information

SERBs are encouraged to participate as prime proposers. SERBs qualifying as an MBE/WBE must provide their BCABD certification number. SERBs qualifying as a result of being located in a designated enterprise zone must provide proof of this status. Proposers not considered being SERBs must describe, in narrative form, their company's approach to enhance SERB utilization on a professional level in the implementation of this proposal. The following options will be considered as part of the final criteria for selection:

Priority Rank 1. Proposals submitted by SERBs.

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

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

Each proposal will be rated for its approach to enhancing the utilization of SERB. The optional approach used will be evaluated with option number 1 receiving the greatest value and the succeeding options receiving a value in accordance with the above-listed priority ranking. The percent designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal. Contractor proposals should also include the SERB value in the cost and price analysis section of the proposal. The applicable items shown in the cost and price analysis section should also be used to prepare and detail the proposed SERB commitment value including, if applicable, fiscal year breakdown. The selected contractor's SERB commitment amount will be included as a contractual obligation when a contract is entered into. One copy of the SERB information shall be

submitted in a separate sealed envelope, clearly marked. The information will be evaluated by the Department of General Services.

General Requirements and Information

Firms interested in performing the required services for the project are invited to submit Letters of Interest to Eugene J. Comoss, P.E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact James Eppley or David Kyper at (717) 787-7398 for general information concerning the design work.

Each Letter of Interest must include the firm's Federal identification number and the project reference number. The Letter of Interest shall also include a description of the firm's three most recently completed projects similar to the project proposed. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project. The Letter of Interest shall indicate the firm's capability of working on multiple small projects at the same time and understanding of the Department's needs. A standard new 1999 DGS Form 150-ASP must accompany the Letter of Interest and shall indicate the individual in charge. Additional information pertinent to the firm's qualifications to do the work of this contract may be included. Direct costs other than payroll, such as travel and subsistence, shall be based on the current State rates. The Department shall reimburse miscellaneous expenses such as copies, prints, sepias, postage and film at cost upon approval.

The following factors will be considered during the evaluation of the firm's Letter of Interest:

Criteria evaluated by the Technical review will include:

Professional's understanding of the problem as demonstrated in Letter of Interest, and as stated in their own interpretation of the tasks to be performed.

Qualifications of firm.

Professional personnel in firm.

Soundness of approach as demonstrated in Letter of Interest, including the firm's description of prompt responsiveness to design questions, shop drawings and construction questions.

Geographic proximity of the professional to the facility or study area.

Available manpower to perform the services required.

SERB participation. (Evaluated by DGS)

Equitable distribution of the contracts.

Each proposer shall relate their proposal to the above criteria.

Six copies of the Letter of Interest, six copies of the required forms and one copy of the SERB information must be received no later than 2 p.m. on May 19, 1999. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one of the firms responding to this notice. However, the Department reserves the right to reject all Letters of Interest

submitted, cancel the solicitation requested under this notice, and/or re-advertise solicitation for this service.

in formulating a recommendation for selections. Recommendations made by the Department shall be final.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 99-663. Filed for public inspection April 23, 1999, 9:00 a.m.]

The Department will offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

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

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

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

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

PA 0083623. Industrial waste, SIC: 3568, **T. B. Woods, Inc.**, 440 North Fifth Avenue, Chambersburg, PA 17201-1778.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary to Falling Spring Branch, in Chambersburg Borough, **Franklin County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.36 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Temperature (8-1 to 6-30)		100°F as daily maximum	
(7-1 to 7-30)		88°F as daily maximum	
pH		6.0—9.0	

The proposed effluent limits for Stormwater Outfalls 002, 003, 004 and 005 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		shall be monitored	
CBOD		shall be monitored	
COD		shall be monitored	
Oil and Grease		shall be monitored	
Total Suspended Solids		shall be monitored	
Total Phosphorus		shall be monitored	
Total Kjeldahl Nitrogen		shall be monitored	
Dissolved Iron		shall be monitored	
Total Lead		shall be monitored	
Total Chromium		shall be monitored	
Total Copper		shall be monitored	
Total Cadmium		shall be monitored	
Total Nickel		shall be monitored	
Total Zinc		shall be monitored	
Total Arsenic		shall be monitored	

An annual inspection of the facility may be conducted in lieu of monitoring. The inspection shall include an examination of sediment present in the outfall including identification of substances present in the sediment. Areas contributing to a stormwater discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0088013. Industrial waste, SIC: 54, 55 and 58, **Lee-Mar Incorporated, (Mount Hope Food Mart)**, 2957 Lebanon Road, Manheim, PA 17545.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to an unnamed tributary to Shearers Creek, in Rapho Township, **Lancaster County**.

The receiving stream is classified for HQ-CWF, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements, the existing downstream potable water supply intake considered during the evaluation was the Columbia Water Company on the Susquehanna River located in Columbia Borough. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.036 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001	0.002	0.0025
Toluene		monitor and report	
Ethylbenzene		monitor and report	
Xylene		monitor and report	
Total BTEX	0.1	0.2	0.25
Methyl Tertiary Butyl Ether	0.02	0.04	0.045
Napthalene	0.01	0.02	0.025
pH		from 7—9 inclusive	
Total Suspended Solids	30	60	75
Temperature		monitor and report	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0038920. Sewage, SIC: 4952, **Burnham Borough Authority**, 200 First Avenue, Burnham, PA 17009.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Kishacoquillas Creek, in Burnham Borough, **Mifflin County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.900 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	16	XXX	32
(11-1 to 4-30)	monitor and report	XXX	monitor and report
Total Residual Chlorine (Interim)		monitor and report	
(Final)	0.8	XXX	2.7
Total Copper		monitor and report	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		22,000/100 ml as a geometric average	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

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

PA 0098230. Sewage, **Fort Cherry Area School District**, 110 Fort Cherry Road, McDonald, PA 15057.

This application is for renewal of an NPDES permit to discharge treated sewage from the Jr./Sr. Elementary School STP in Mt. Pleasant Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cherry Run, 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 Midland Borough Water Authority.

Outfall 001: existing discharge, design flow of .02 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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)	.35			.82
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.

PA 0093891. Sewage, **Deer Creek Drainage Basin Authority**, P. O. Box 148, Little Deer Creek Road, Russelton, PA 15076.

This application is for renewal of an NPDES permit to discharge treated sewage from the Hampshire Estates STP in West Deer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Dawson 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 Fox Chapel Water Authority.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
(5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	5.0	7.5		10.0
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)		.11		.26
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 0032085 Sewage. Department of Conservation and Natural Resources, Prince Gallitzin State Park, 966 Marina Road, Patton, PA 16668-6317.

This application is for renewal of an NPDES permit to discharge treated sewage from the Prince Gallitzin State Park STP in White Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Beaverdam 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 PA-American Water Company on the West Branch Susquehanna River near Milton.

Outfall 001: existing discharge, design flow of 0.12 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	30,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)		1.0		3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0002551, Amendment No. 1. Industrial waste, SIC: 2911, **Pennzoil-Quaker State Company,** Rouseville Refinery, 2 Main Street, Rouseville, PA 16344.

This application is for an amendment to an NPDES permit, to discharge treated industrial waste, noncontact cooling water, and Group 1 and Group 2 stormwater to Oil Creek and its tributary Hamilton Run in Rouseville Borough, **Venango 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Allegheny River and the Emlenton Municipal Water Authority located 40 miles below point of discharge.

Outfall No. 006

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
This discharge shall be regulated through Suboutfalls 106 and 206.			

The proposed discharge limits, based on a design flow of 0.634 mgd, are:

Outfall No. 106

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
BOD ₅	40.2	80	100
Total Suspended Solids	35.5	56	90
COD	245	475	600
Oil and Grease	13.4	25.2	30
Phenols	0.2	0.6	0.6
Ammonia (as N)	5.4	11.8	13.4
Sulfide	0.2	0.5	0.6
Total Chromium	0.3	0.8	0.8
Hexavalent Chromium	0.1	0.02	0.05
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.042 mgd, are:

Outfall No. 013

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
BOD ₅			66
TSS			54
COD			450
Oil and Grease			15.7
Phenols			0.43
Chromium (Total)			1.1
(Hexavalent)			0.63
pH	6.0—9.0 at all times		

Outfalls:

- 010 Lat 41 27 44 Long 79 41 22
- 041 Lat 41 27 57 Long 79 40 40
- 042 Lat 41 27 58 Long 79 40 36
- 043 Lat 41 27 56 Long 79 40 30
- 060 Lat 41 27 16 Long 79 41 15
- 061 Lat 41 27 13 Long 79 41 14
- 062 Lat 41 27 10 Long 79 41 13
- 063 Lat 41 26 58 Long 79 41 14
- 064 Lat 41 26 53 Long 79 41 18
- 065 Lat 41 26 53 Long 79 41 21
- 140 Lat 41 27 56 Long 79 41 02
- 240 Lat 41 27 58 Long 79 40 54
- 340 Lat 41 27 55 Long 79 40 51
- 440 Lat 41 27 57 Long 79 40 48

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Organic Carbon		110	138
Oil and Grease		15	30

Outfalls:

- 030 Lat 41 28 16 Long 79 41 35
- 031 Lat 41 28 04 Long 79 41 31
- 051 Lat 41 26 53 Long 79 41 20
- 206 Lat 41 27 35 Long 80 41 21

These discharges shall contain uncontaminated stormwater runoff only.

The EPA waiver is not in effect.

PA 0101010. Sewage, **Extendicare Homes, Inc., d/b/a Abington Crest Nursing Center**, 1267 South Hill Road, Erie, PA 16509.

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

The receiving water is classified for cold water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, there is no existing/proposed downstream potable water supply to consider during the evaluation.

The proposed effluent limits for Outfall 001, based on average design flow of 0.0120 mgd, are:

Parameter	Effluent Concentration (mg/l)	
	Average Monthly	Instantaneous Maximum
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	7.5	15
(11-1 to 4-30)	22.5	45
Total Residual Chlorine	1.4	3.3
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

NPDES No.	Facility Name and Address	County and Municipality	Tributary Stream	New Permit Requirements
PA 0080926	Robert L. Schroeder 205 Sleepy Hollow Rd. Lititz, PA 17543	Lancaster Elizabeth Township	UNT to Hammer Creek	TRC
PA 0086118	Bumper Bob's Rest. Robert Conley 1875 Old Trail Rd. Etters, PA 17319-9546	York Newberry Township	UNT to Fishing Creek	TRC

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

**Applications under the Pennsylvania Clean
Streams Law**

(Part II Permits)

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 783-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received for industrial waste and sewerage under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

A. 2199403. Sewage, submitted by **Hampden Township Sewer Authority**, 230 Sporting Hill Road, Mechanicsburg, PA 17055, in Hampden Township, **Cumberland County** to construct the Fairwinds Pump Station was received in the Southcentral Region on April 1, 1999.

A. 0187402, amendment 99-1. Sewage, submitted by **Abbottstown/Paradise Joint Sewer Authority**, P. O. Box 401, Abbottstown, PA 17301, in Paradise Township, **Adams County** to construct repairs to existing pump station no. 1 (US Route 30 East) was received in the Southcentral Region on April 1, 1999.

A. 0699403. Sewage, submitted by **Borough of Wyomissing**, 22 Reading Boulevard, Wyomissing, PA 19610, in Wyomissing Borough, **Berks County** to construct alterations/repairs to the Wynnewood at Wyomissing Apartment Complex pump station was received in the Southcentral Region on April 5, 1999.

A. 6799401. Sewage, submitted by **Springettsbury Township Board of Supervisors**, 1501 Mount Zion Road, York, PA 17402, in Springettsbury Township, **York**

County to construct a diversion pumping station and parallel interceptor was received in the Southcentral Region on March 29, 1999.

A. 2199402. Sewage, submitted by **Mark W. and Tara L. Lehman**, 695 Center Road, Newville, PA 17241, in Lower Mifflin Township, **Cumberland County** to construct a small flower sewage treatment system to serve their home was received in the Southcentral Region on March 29, 1999.

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

A. 0272419-A3. Sewerage. **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237-5597. Application for the modification and operation of a sewage treatment plant to serve the Pine Creek STP located in Hampton Township, **Allegheny County**.

A. 461S37-A1. Sewerage. **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237-5597. Application for the modification and operation of a sewage treatment plant to serve A & B STP located in McCandless Township, **Allegheny County**.

A. 467S028-A2. Sewerage. **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237-5597. Application for the modification and operation of a sewage treatment plant to serve Longvue No. 1 located in McCandless Township, **Allegheny County**.

A. 6369406-A3. Sewerage. **Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317-3153. Application for the modification and operation of a sewage treatment plant to serve the Brush Run STP located in Peters Township, **Washington County**.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

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

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (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-G359. Stormwater. **Columbia Transmission Communications Corporation**, P. O. Box 10146, Fairfax, VA 22030-0146, has applied to discharge stormwater from a construction activity located in West Vincent, West Nottingham, East Fallowfield, East Vincent, Upper Uwchlan, Upper Oxford, Caln, Lower Oxford, West Brandford, East Nottingham, East Brandywine and East Coventry Townships in **Chester County**, Marlborough, Limerick and Upper Frederick Townships in **Montgomery County**, Milford and Springfield Townships in **Bucks County**, Williams and Lower Saucon Townships in **Northampton County**, Upper Saucon Township in **Lehigh County** and Fulton, and Little Britain Townships in **Lancaster County**, to tributaries, unnamed tributaries and intermittent tributaries of the following waterways: Octorara Creek, Reynolds Run, Tweed Creek, Leech Run, Muddy Run, Doe Run, Bucks Run, Brandywine Creek, West Branch Brandywine Creek, Broad Run, Beaver Creek, East Branch Brandywine Creek, Shamonah Creek, Marsh Creek Lane, Pine Creek, Birch Run, French Creek Stony Run, Pigeon Creek, Schuylkill River, Brook Evans Creek, Possum Hollow Creek, Hartenstine Creek, Swamp Creek, Scioto Creek, Goshenhoppen Creek, Deep Creek, Green Lane Reservoir, Macoby Creek, Hazelback Creek, Schmutz Creek, Molasses Creek, Licking Run, Unami Creek, Tohickon Creek, Cooks Creek, Polk Valley Run, Silver Creek, East Branch Saucon Creek, Frya Run, Delaware Canal and Delaware River.

NPDES Permit PAS10-G360. Stormwater. **K. Hovnanian Companies**, 1369 Troon Lane, West Chester, PA 19380, has applied to discharge stormwater from a construction activity located in East Goshen Township, **Chester County**, to Tributary of Ridley Creek.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 657-4707.

Franklin County Conservation District, District Manager, 550 Cleveland Avenue, Chambersburg, PA 17201, (717) 264-8074.

NPDES Permit PAS-10-M104. Stormwater. **Greencastle Market Place Associates, L. P.**, 1398 Logan Circle, Marietta, GA 30062, has applied to discharge stormwater from a construction activity located in Greencastle Borough, **Franklin County**, to Muddy Run.

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

Centre County Conservation District, 414 Holmes Ave., Suite 4, Bellefonte, PA 16823, (814) 355-6817.

NPDES Permit PAS10F075. Stormwater. **Bureau of Abandoned Mine Reclamation**, P. O. Box 8476, Harrisburg, PA 17105-8476, has applied to discharge stormwater from a construction activity located in Burnside Township, **Centre County** to Unnamed Tributary Sevenmile Run and Miles Run to Sterling Run.

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

NPDES Permit PAS10L020. Stormwater. **CNG Transmission Corporation**, 445 West Main Street, Clarksburg, WV 26302-2450, has applied to discharge from a construction activity located in Georges, Wharton, North Union and South Union Townships, **Fayette County** to Laurel Run.

SAFE DRINKING WATER

Applications received 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.

A. 3899502. Public water supply, **Elizabethtown Borough**, West Cornwall Township, **Lebanon County**. *Responsible Official:* Nick Viscome, Borough Manager, 600 S. Hanover Street, Elizabethtown, PA 17022. *Type of Facility:* Construction of a raw water pump station and transmission main. Water will be pumped from Cornwall Quarry to Conewago Creek. *Consulting Engineer:* Mikel Geissler, P. E., CET Engineering Services, 1240 N. Mountain Rd., Harrisburg, PA 17112. *Application received:* March 18, 1999.

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

A. 2499502. Public water supply. **Ridgway Township**, Ridgway Drive, Ridgway, PA 15853. This proposal involves the construction of a water distribution and fire protection to service the Boot Jack Industrial Park in Ridgway Township, **Elk County**.

A. 2599504. Public water supply. **Windsor Mobile Home Park**, 2871 Route 6N East, Edinboro, PA 16412. This proposal involves the permitting of an existing water supply which will utilize five existing wells to supply water, along with a new central pump house, disinfection, 10,000 gallon storage facility and new PVC distribution lines with shut off valves in Washington Township, **Erie County**.

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 standard, 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 a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the 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 Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

James A. Stimmler, Inc., Loading Rack, AOC, Worcester Township, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and petroleum 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 *Times Herald* on March 16, 1999.

James A. Stimmler, Inc., UST, AOC, Worcester Township, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and petroleum 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 *Times Herald* on March 16, 1999.

Trust of Samuel H. Keiser, Pottstown Borough, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and petroleum 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 Mercury* on March 19, 1999.

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

Adelphia Communications, Inc.—Future Operations Center, Coudersport Borough, **Potter County**. Jeffrey Loney, P. G. on behalf of his client Adelphia Communications, Inc., Main at Water Street, Coudersport, PA 16915, has submitted a Notice of Intent to Remediate groundwater contaminated with BTEX and PHCs. 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 *Potter Leader Enterprise* on March 8, 1999.

Dealer Associates Pennsylvania General Partnership, Ferguson Township, **Centre County**. Bradley S. Wolf on behalf of his client Dealer Associates Pennsylvania General Partnership, 169 West Aaron Drive, State College, PA 16801, has submitted a Notice of Intent to Remediate soil contaminated with lead, BTEX 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 February 10, 1999.

Joseph Mint Residence, South Waverly Borough, **Bradford County**. David R. Crowther, Geologist, on behalf of his client Joseph Mint, 47 Williams Street, South Waverly, PA 18840, has submitted a Notice of Intent to Remediate soil contaminated with PAHs and groundwater contaminated with BTEX. A summary of the Notice of Intent to Remediate was reported to have been published in *The Evening Times* on February 24, 1999.

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

Engelhard Corporation/Mallinckrodt Inc. South Parcel, City of Erie, **Erie County**, has submitted a Notice of Intent to remediate groundwater. The site has been found to be contaminated with lead, heavy metals and solvents. 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 *Erie Times* on April 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

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

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

06-302-171A: Premium Beverage Packers, Inc. (1055 Cross Roads Blvd., Reading, PA 19605) for two natural gas and No. 2 fuel oil fired boilers with low NOx burners in Muhlenberg Township, **Berks County**. The boilers are subject 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

22-303-012A: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) for operation of a batch asphalt plant in the City of Harrisburg, **Dauphin County**.

67-310-053: York Building Products, Inc. (P. O. Box 1708, York, PA 17405) for installation of a fabric collector to control particulate emissions from a primary crushing operation in Jackson Township, **York County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

14-309-043: Corning Asahi Video Products Co. (P. O. Box 9, State College, PA 16801-0009) for operation of three glass melting tanks (nos. 221, 222 and 223) and associated air cleaning devices (three electrostatic precipitators) and various associated minor air contamination sources in College Township, **Centre County**. These sources are subject to Subpart CC of the Federal Standards of Performance for New Stationary Sources and Federal Prevention of Significant Deterioration (PSD) requirements.

59-304-008B: ACP Mfg. Co. LLC (P. O. Box 9, Blossburg, PA 16912-0068) for operation of two ferrous casting grinders and tumblast machine and associated air cleaning device (a fabric collector) and operation of an annealing oven all previously owned and operated by Ward Mfg., Inc., ACP Division in Lawrence Township, **Tioga County**.

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

OP-65-00802: Bechwith Machinery Co. (P. O. Box 140, Delmont, PA 15626) for operation of construction/mining machinery at Delmont Facility in Salem Township, **Westmoreland County**.

OP-26-00280: West Penn Power Co. (800 Cabin Hill Drive, Greensburg, PA 15601) for operation of electric services at Connellsville Construction in Connellsville, **Fayette County**.

OP-11-00329: Empire Foundations, Inc. (300 Grant Street, South Fork, PA 15956) for operation at South Fork Facility in South Fork Borough, **Cambria County**.

PLAN APPROVALS

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

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

PA-46-0026A: Global Packaging, Inc. (Brower and Montgomery Avenues, Oaks, PA 19456) for modification of a flexographic printing press in Upper Providence Township, **Montgomery County**.

PA-46-0172A: Gemplus Plastics Corp. (Route 309 and Park Drive, Montgomeryville, PA 18934) for modification of a screen and lithographic printing in Montgomery Township, **Montgomery County**.

PA-46-0063: Universal Packaging Corp. (1196 Easton Road, Horsham, PA 19044) for construction of a rotogravure printing press in Horsham Township, **Montgomery County**.

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

06-3005A: Morton International (P. O. Box 15209, Reading, PA 19612) for construction of various sources in the manufacturing of plastic powder coatings controlled by two fabric collectors in Reading, **Berks County**.

21-2013D: Fry Communications, Inc. (800 West Church Road, Mechanicsburg, PA 17055) for installation of a regenerative thermal oxidizer in Building No. 1 (Plant No. 1) in Mechanicsburg Borough, **Cumberland County**.

36-03094: Snavely's Mill, Inc. (333 Snavely Mill Road, Lititz, PA 17543) for installation of two baghouses in Warwick Township, **Lancaster County**.

36-05089A: Wabash Alloys, L.L.C. (Hazel and Biddle Streets, Marietta, PA 17547) for installation of a replacement ingot casting line and modification of an existing rotary dryer in Marietta Borough, **Lancaster County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

59-304-008: ACP Mfg. Co. LLC (P. O. Box 9, Blossburg, PA 16912-0068) for construction of an electric induction furnace iron foundry and associated air cleaning devices (fabric collectors) in Lawrence Township, **Tioga County**.

59-304-008D: ACP Mfg. Co. LLC (P. O. Box 9, Blossburg, PA 16912-0068) for construction of two Isocure core machines and associated air cleaning device (a packed bed scrubber) in Lawrence Township, **Tioga County**.

08-399-039B: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848-0504) for installation of an air cleaning device (a fabric collector) on a tungsten/molybdenum press in Department 004, Building 20A in North Towanda Township, **Bradford County**.

08-301-016: Faithful Companions Pet Cemetery, Inc. (R. R. 2, Box 210, Ulster, PA 18850-9645) for construction of an animal crematory incinerator in Smithfield Township, **Bradford County**.

08-317-003B: Taylor By-Products, Inc. (P. O. Box 849, Wyalusing, PA 18853) for construction of a rendering plant crax cooler and associated air cleaning devices (a multiclone and a packed bed scrubber) in Wyalusing Township, **Bradford County**.

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

PA-63-014C: Duquesne Light Co. (411 Seventh Avenue, Mail Drop 14-705, Pittsburgh, PA 15230) for installation of Units 1, 2 and 3—boiler at Elrama Station in Union Township, **Washington County**.

65-318-046B: Perfect Plastics Industries (14th Street, Building 201, New Kensington, PA 15068) for installation of VOC evaporation at New Kensington Facility in New Kensington, **Westmoreland County**.

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

37-303-013B: Lindy Paving, Inc. (R. D. 3, Box 2A, Northgate Industrial Park, New Castle, PA 16105) for modification to increase production in Hickory Township, **Lawrence County**.

PA-33-160A: Reynoldsville Casket Co., Inc. (P. O. Box 68, Reynoldsville, PA 15851) for installation of electrostatic painting equipment on an existing casket surface coating operation (total of 12,000 units/year) and installation of a catalytic oxidizer for VOC emissions control on the same process in Reynoldsville Borough, **Jefferson County**.

Notice of Intent to Approve

Plan Approval Application No. PA-32-055C

Notice is given, under 25 Pa. Code § 127.44(a)(4), that the Department of Environmental Protection (Department) intends to issue a Plan Approval to EME Homer City Generation for the installation of three SCR units and a wet SO₂ scrubber at the plant located in Homer City, PA as described in its application received on March 1, 1999.

Based on the information provided by the applicant and on the Department's analysis of that information, these installations will result in emission reductions of approximately 2,784 tons of SO₂ and 6,492 tons of NO_x.

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

In order for the Department to assure compliance with all applicable standards, the Department proposes to place the following conditions on the Plan Approval:

Special Conditions for Plan Approval PA-32-055C

3. General Conditions

a) This Plan Approval is for the construction and seasonal operation of Selective Catalytic Reduction (SCR) on all three units at Homer City Station and the installation of a wet SO₂ scrubber (FGD) on Unit 3. In addition, Edison Mission Energy (EME) will replace the Unit 3 stack, and install limestone and gypsum product storage and handling facilities, provide for backup onsite gypsum disposal, install FGD waste water treatment and effluent discharge systems, replace and or modify air heaters and make changes to the Unit 3 turbine. A separate Plan Approval Application shall be filed and approval shall be obtained prior to construction of the anhydrous ammonia storage tank.

b) This approval to construct shall become invalid if: (1) construction is not commenced (as defined in 40 CFR 52.21(b)(8)) within 18 months after the date of this approval; or, (2) if construction is discontinued for a period of 18 months or more.

c) Unit #3 is subject to New Source Performance Standards for fossil fuel-fired steam generators (40 CFR Part 60, Subpart D). In accordance with 40 CFR 60.4, copies of all requests, reports, applications submittals and other communications shall be forwarded to both the EPA and the Department at the following addresses unless otherwise noted.

Director, Air Toxics and Radiation, US EPA, Region III, Chestnut St., Philadelphia, PA 19107;

PA DEP, Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222.

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

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

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

iii) This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the owner/operator under subpart (i), above.

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

v) The notice submitted by the owner/operator under subpart (i), above, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of the written notice.

4. Stack Emissions Limitations

a) Emissions of sulfur oxides (as SO₂) from Unit #3 shall not exceed 0.4 lb/mmBtu based on a 30 day rolling average.

b) Emissions of sulfur oxides (as SO₂) from Unit #3 shall not exceed 12,720 tons in any 12 month consecutive period.

c) The visible emissions from the lime receiving structure, the crusher building and all material drop points shall not equal or exceed 5% opacity at any time.

d) The emission of ammonia from the boilers shall not exceed 5 ppmv at stack conditions, compliance with this condition shall be determined through the stack testing required in condition #5e.

e) It is not an enforceable requirement that the SCR units operate at any given time.

5. Testing Requirements

a) Within 60 days after achieving maximum firing rate, but no later than 180 days after start-up, stack tests shall be conducted on all units to determine emission rates of particulate matter (PM₁₀), carbon monoxide and ammonia. The tests shall be conducted in accordance with 25 Pa. Code Chapter 139, 40 CFR 60.8 and 60.48(a).

b) At least 60 days prior to performance of these stack tests, pretest protocols shall be submitted to the Department for review.

c) Emission information from approved monitors and CEMs may be substituted for the stack testing requirements of this approval.

6. Facility Requirements

a) All material handling conveyors shall be covered to prevent fugitive dust emissions.

b) A water tank truck, dedicated to the facility, shall be used on the plant roads to prevent fugitive dust and be available at all times.

c) A distance of 250 feet in each direction from the plant's main entrance shall be maintained as to prevent the generation of fugitive emissions.

d) Vehicle speed shall be limited to 15 miles per hour within the plant. The speed limit shall be posted on signs measuring no less than 2 feet by 4 feet, with letters no less than 6 inches high.

7. Continuous Monitoring

a) The company shall continue to certify, maintain and operate a CEM system for monitoring sulfur oxides (as SO₂), NO_x (as NO₂) and gas flow from each boiler. Oxygen (O₂) or carbon dioxide (CO₂) shall be monitored at each location where SO₂ or NO_x are monitored in accordance with the requirements of 25 Pa. Code Chapter 139.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department at the following address. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper or the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Joseph Pezze, Regional Air Quality Program Manager, Commonwealth of Pennsylvania, Department of Environmental Protection, Southwest Region—Field Operation, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

For additional information persons may contact Thomas J. Joseph, Air Pollution Control Engineer III, Air Quality Control, at the same address.

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

11890102. Permit Renewal for Reclamation, only, **T. J. Mining, Inc.** (P. O. Box 370, Carrolltown, PA 15722), for continued restoration of a bituminous strip mine in Blacklick Township, **Cambria County**, affecting 100.0 acres, receiving stream Coal Pit Run, unnamed tributary to South Branch Blacklick Creek. Application received March 26, 1999.

11830108. Permit Renewal for Reclamation, only, **L & J Energy Company, Inc.** (P. O. Box I, Grampian, PA

16838), for continued restoration of a bituminous strip-auger mine in Susquehanna Township, **Cambria County**, affecting 183.4 acres, receiving stream unnamed tributary of West Branch Susquehanna River to West Branch Susquehanna River. Application received April 2, 1999.

32930107. Permit Renewal, **T.L.H. Coal Company** (R. D. 1, Box 170, Rochester Mills, PA 15771), commencement, operation and restoration of bituminous strip mine in Grant Township, **Indiana County**, affecting 93.3 acres, receiving stream unnamed tributaries to/and East Run. Application received April 6, 1999.

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

65990102. **Dunamis Resources Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650). Application received for commencement, operation and reclamation of a bituminous surface auger mine, located in Fairfield Township, **Westmoreland County**, proposes to affect 93 acres. Receiving streams: unnamed tributaries to the Conemaugh River and the Conemaugh River. Application received March 30, 1999.

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

17990106. **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), commencement, operation and restoration of bituminous surface mine-auger permit in Bell Township, **Clearfield County** affecting 788 acres. Receiving streams: unnamed tributaries of Laurel Run and Laurel Run both to Laurel Run to West Branch Susquehanna River. Application received March 29, 1999.

17714022. **A. W. Long Coal Company** (1203 Presqueisle Street, Philipsburg, PA 16866), renewal of an existing bituminous surface mine permit in Morris Township, **Clearfield County** affecting 142.4 acres. Receiving streams: Hawk Run to Moshannon Creek, and Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received March 11, 1999.

17813084. **Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine-coal refuse disposal permit in Lawrence Township, **Clearfield County** affecting 407.3 acres. Receiving streams: Wolf Run to, and an unnamed tributary to the West Branch Susquehanna River to the Susquehanna River. Application received March 11, 1999.

17673057. **Power Operating Co., Inc.** (P. O. Box 25, Osceola Mills, PA 16666), renewal of an existing bituminous surface mine permit in Gulich and Woodward Townships, **Clearfield County** affecting 1,237.3 acres. Receiving streams: Whiteside Run, unnamed Run to Moshannon Creek, tributary to West Branch Susquehanna River. Application received March 31, 1999.

14663003. **Power Operating Co., Inc.** (P. O. Box 25, Osceola Mills, PA 16666), renewal of an existing bituminous surface mine permit in Rush Township, **Centre County** affecting 900.0 acres. Receiving streams: Trout Run to Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received March 31, 1999.

14663004. **Power Operating Co., Inc.** (P. O. Box 25, Osceola Mills, PA 16666), renewal of an existing bituminous surface mine-coal refuse disposal permit in Rush Township, **Centre County** affecting 1,001.3 acres. Receiving streams: Moshannon Creek to Susquehanna River. Application received March 31, 1999.

17890115. Al Hamilton Contracting Company (R. D. 1, Box 87, Woodland, PA 16881), major permit modification to apply biosolids (stabilized sewage sludge) to enhance vegetation on an existing bituminous surface mine permit in Boggs Township, **Clearfield County** affecting 639 acres. Receiving streams: Camp Hope Run, Sanbourn Run, unnamed tributary to Sanbourn Run, to Clearfield Creek. Application received March 29, 1999.

57813001. 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 511 acres. Receiving streams: Birch Creek to Loyalsock Creek, and two unnamed tributaries of Loyalsock Creek to Loyalsock Creek and Loyalsock Creek to West Branch Susquehanna River. Application received April 1, 1999.

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

02851602. Mon Valley Transportation Center, Inc. (P. O. Box 135, Glassport, PA 15045-0135), to renew the permit for the Glassport Tipple in Glassport and Lincoln Boroughs, **Allegheny County**, no additional discharges. Application received March 16, 1999.

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

Project	Municipality
BF 439-101.1	Bullskin Township
BF 440-101.1	Redstone Township

To be considered, letters of interest must be received by Ernest F. Giovannitti, Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m., May 24, 1999.

Telephone inquiries shall be directed to John Stefanko, Project Engineer, Division of Acid Mine Drainage Abatement, at (717) 783-5896.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

Noncoal Applications Received

15830602C3. Allan A. Myers, Inc. d/b/a Independence Construction Materials (4042 State Street, P. O. Box 657, Devault, PA 19432), renewal of NPDES Permit No. PA0614203 in Charlestown Township, **Chester County**, receiving stream—unnamed tributary to Pickering Creek. Application received March 25, 1999.

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

Large Industrial Mineral Permits Received

41990301. Glenn O. Hawbaker, Inc. (P. O. Box 135, 325 West Aaron Drive, State College, PA 16840), commencement, operation and restoration of a large industrial minerals (sandstone) permit in Armstrong Township, **Lycoming County** affecting 36.11 acres. Receiving streams: Hagermans Run to the Susquehanna River. Application received March 19, 1999.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects:

County	Acre
Fayette	47
Fayette	55

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

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 requests for certification under section 401 of the Federal Water Pollution Control Act.

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

E41-437. Encroachment. John M. Gonsalves, 200 W. 9th Avenue, South Williamsport, PA 17702. To 1) remove sunken and submerged old growth timber logs, not including the log cribs, from the West Branch Susquehanna River bed within a 12 mile bank-to-bank reach located immediately upstream of the Hepburn Street Dam, 2) to place fish habitat structures in the areas where old growth logs were removed (Williamsport, PA Quadrangle, from N: 19.6 inches; W: 0.9 inch to Linden, PA Quadrangle N: 13.7 inches; W: 9.9 inches) in the City of Williamsport, Loyalsock Township, South Williamsport Borough, Duboistown Borough, Armstrong Township, Susquehanna Township, and Woodward Township, Nippenose Township, Piatt Township, **Lycoming County**. This project proposes to insignificantly disturb 12 miles of streambed of the West Branch of the Susquehanna River, which is designated a warm water fishery.

E41-444. Encroachment. Donald and JoMarie Shaffer, 9424 Route 118, Unityville, PA 17774. To maintain 1) flow to a 27-foot wide by 300-foot long creek channel of

Little Muncy Creek and to construct and maintain 2) a 5-foot high by 15-foot deep by 60-foot long log/stone deflector and 3) 400-cubic yards of grass stabilized clean fill in a flood eroded channel, to a height no higher than 3 feet or to the base of the mature Sycamore trees in the area (whichever is lower), located 100-feet east of the Hemlock Valley Campground Office (Lairdsville, PA Quadrangle N: 21.00 inches; W: 9.25 inches) in Franklin Township, **Lycoming County**. This project proposes to permanently impact 60-feet of Little Muncy Creek that is classified as a cold water fishery.

E59-383. Encroachment. **Lawrence Township Board of Supervisors**, R. R. 1, Box 616, Lawrenceville, PA 16929. To realign and maintain the channel of Smith Creek, a cold water fishery, to provide flood protection for private and public property. The realignment work shall consist of the periodic removal of two gravel deposition areas that shall not exceed a maximum removal depth of 4-feet. The first depositional area for periodic removal is upstream of the bridge that carries SR 0015 across Smith Creek and its removal shall not exceed a maximum area of 1,200-feet (long) × 35-feet (wide). The second depositional area is downstream of the bridge that carries SR 0015 across Smith Creek and its removal shall not exceed a maximum area of 400-feet (long) × 35-feet (wide). As proposed, the realignment of Smith Creek will not impact wetlands while impacting 1,600 linear feet of waterway. The project is located along the eastern right-of-way SR 0015 approximately 1.6-miles north of SR 0328 and SR 0015 intersection (Jackson Summit, PA Quadrangle N: 19.0 inches; W: 15.9 inches) in Lawrence Township, **Tioga County**. This permit shall be void 5 years from the date of issuance.

E59-384. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. To remove an existing structure and to construct, operate and maintain a single span prestressed concrete spread box beam that will carry SR 4035, Section 009, Segment—Offset 0090/0252 across Catlin Hollow Run; a Trout Stocking Fishery. The bridge will be constructed with a center-to-center of span of 66.5-feet, and underclearance of 7.0-feet and a skew of 49.5-degrees that will temporarily impact 0.003 acre of wetland and 80-feet of waterway that is located along the northern right-of-way of SR 0006 approximately 1,000-foot north of T-580 and SR 4035 intersection (Keeneyville, PA Quadrangle N: 4.6 inches; W: 0.7 inch) in Charleston Township, **Tioga County**. The permit will also authorize the construction, operation, maintenance and removal of a temporary crossing of Catlin Hollow Run strictly for construction vehicle access. The temporary crossing shall be constructed, operated, maintained and removed in accordance with the Department of Environmental Protection's BDWM-GP-8.

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

E16-108. Encroachment. **Paint Township Supervisors**, R. D. 1, Box 231A, Shippenville, PA 16254. To remove the existing Township Bridge No. 2 and to construct and maintain a prestressed concrete adjacent box beam or steel I-Beam bridge having a clear normal span of 15.545 meters and a minimum underclearance of 3.28 meters across Toby Creek on T-577 (Breniman Road) approximately 2.4 kilometers east of S. R. 0066 (Lucinda, PA Quadrangle N: 1.45 inches; W: 16.3 inches) located in Paint Township, **Clarion County**.

E62-343. Encroachment. **Warren County**, Warren County Courthouse, 204 4th Avenue, Warren, PA 16365. To maintain a wooden deck snowmobile/pedestrian bridge across the existing S. R. 0059 bridge wingwalls across Morrison Run (HQ-CWF). The wooden bridge has a single clear span of 29 feet, a width of 8 feet, 4 inches, and an underclearance of 4 feet, 8 inches. The project is located on S. R. 0059 across Morrison Run approximately 2,000 feet east of the intersection of S. R. 0059 and S. R. 0006 (Clarendon, PA Quadrangle N: 13.0 inches; W: 14.0 inches) located in Mead Township, **Warren County**.

E62-344. Encroachment. **Warren County**, 204 4th Avenue, Warren, PA 16365. To maintain a wooden deck snowmobile/pedestrian bridge across the existing S. R. 0059 bridge wingwalls across Browns Run (EV, trout stocked, wild trout). The wooden bridge has a single clear span of 42 feet, a width of 8 feet, 4 inches, and an underclearance of 6 feet, 8 inches. The project is located on S. R. 0059 across Browns Run approximately 2,400 feet east of the intersection of S. R. 0059 and S. R. 0006 (Clarendon, PA Quadrangle N: 13.0 inches; W: 14.0 inches) located in Mead Township, **Warren County**.

E62-345. Encroachment. **Sugar Grove Township**, R. D. 4, Box 205, Sugar Grove, PA 16350. To remove the existing bridge and to place and maintain three 7-foot diameter corrugated metal pipe culverts and associated road fill on T-452 (Deer Run Road) across Patchen Run (CWF). The project is located on T-452 (Deer Run Road) across Patchen Run approximately 400 feet north of the intersection of T-452 (Deer Run Road) and T-579 (Sugar Grove, PA Quadrangle N: 11.6 inches; W: 14.8 inches) located in Sugar Grove Township, **Warren County**.

WATER ALLOCATIONS

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

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

WA56-535A. Water Allocation. **Citizens Water Company**, 513 Dean Street, P. O. Box 26, Confluence, PA 15424. The applicant is requesting the right to withdraw 200,000 gallons per day of water from Drake Run, **Somerset County**.

WA63-83C. Water Allocation. **Charleroi Borough Municipal Authority**, PA 15022. The applicant is requesting a service area expansion to serve Somerset Township, **Washington County**. The applicant is not requesting an increase to its current maximum allocated 9 mgd of water from the Monongahela River.

WA65-090C. Water Allocation. **The Municipal Authority of the City of New Kensington, Westmoreland County**. The applicant is requesting a service area expansion with no increase in their existing allocation of 8 mgd from the Allegheny River.

WA56-808A. Water Allocation. **Seven Springs Municipal Authority**, R. D. 1, Helen Road, Champion, PA 15622-9602. The applicant is requesting the right to withdraw 470,000 gallons of water, peak day, from Trout Run Springs 1, 2, 3 and 4 and Hemlock Lodge Spring, **Somerset County**.

WA11-1005. Water Allocation. **Friends Co-Op**, 259 Friends Avenue, Sidman, PA 15955. The applicant is

requesting the right to purchase 7,000 gallons of water, peak day, from the Highland Sewer and Water Authority.

ACTIONS

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

[National Pollution Discharge Elimination System
Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

NPDES Permit No. PA0063878. Sewerage. **North-eastern Schuylkill Joint Municipal Authority**, P. O. Box 1326, R. R. 1, Tamaqua, PA 18252, is authorized to discharge from a facility located in Rush Township, **Schuylkill County**, to Pine Creek.

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

NPDES Permit No. PA0006327. Industrial waste, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014, is authorized to discharge from a facility located at West Leechburg Facility, West Leechburg, **Westmoreland County** to receiving waters named Kiskiminetas River and Elder Run.

NPDES Permit No. PA0216054. Industrial waste, **Pittsburgh Spring, Inc.**, One McCandless Avenue, Pittsburgh, PA 15201, is authorized to discharge from a facility located at City of Pittsburgh, **Allegheny County** to receiving waters named Allegheny River.

NPDES Permit No. PAS806104. Industrial waste, **Con-Way Central Express**, 736 Cooper Avenue,

Johnstown, PA 15906, is authorized to discharge from a facility located at West Taylor Township, **Cambria County** to receiving waters named Wildcat Run (Outfalls 001 and 002) and Laurel Run (Outfall 003).

NPDES Permit No. PA0024449. Sewage, **Youngwood Borough Authority**, 17 South Sixth Street, Youngwood, PA 15697, is authorized to discharge from a facility located at Youngwood Borough Sewage Treatment Plant, Youngwood Borough, **Westmoreland County** to receiving waters named Jack Run.

NPDES Permit No. PA0027111, Amendment No. 2. Sewage, **Municipal Sanitary Authority of the City of New Kensington**, 120 Logans Ferry Road, New Kensington, PA 15068-2046, is authorized to discharge from a facility located at New Kensington Sewage Treatment Plant, City of New Kensington, **Westmoreland County**.

NPDES Permit No. PA0040011, Amendment No. 1. Sewage, **United Mobile Homes, Inc.**, P. O. Box 335, Eatontown, PA 07724, is authorized to discharge from a facility located at Port Royal Village STP, Rostraver Township, **Westmoreland County**.

NPDES Permit No. PA0041441. Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501, is authorized to discharge from a facility located at Wells Creek STP, Somerset Township, **Somerset County** to receiving waters named Wells Creek.

NPDES Permit No. PA0042579. Sewage, **Smith Machine, Inc.**, P. O. Box 126, Route 519, Eighty Four, PA 15330, is authorized to discharge from a facility located at Smith Machine Sewage Treatment Plant, Somerset Township, **Washington County** to receiving waters named Storm Drain to Unnamed Tributary of Little Chartiers Creek.

NPDES Permit No. PA0092517. Sewage, **Allegheny Plaza Associates I, c/o Rosen Associates Management Corp.**, 33 South Service Road, Jericho, NY 11753-1006, is authorized to discharge from a facility located at Allegheny Plaza Associates Sewage Treatment Plant, Allegheny Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Pine Run.

NPDES Permit No. PA0093874. Sewage, **Blairsville-Saltsburg School District**, 102 School Lane, Blairsville, PA 15717-8715, is authorized to discharge from a facility located at Saltsburg Elementary School STP, Loyalhanna Township, **Westmoreland County** to receiving waters named Unnamed Tributary of the Kiskiminetas River.

NPDES Permit No. PA0096016, Amendment No. 1. Sewage, **Rostraver Estates, Inc.**, R. R. 2, Belle Vernon, PA 15012, is authorized to discharge from a facility located at Rostraver Estates Sewage Treatment Plant, Rostraver Township, **Westmoreland County**.

NPDES Permit No. PA0097136. Sewage, **Laurel Land Development Ltd.**, P. O. Box 253, Hopwood, PA 15445, is authorized to discharge from a facility located at Hopwood Village Mobile Home Park Sewage Treatment Plant, North Union Township, **Fayette County** to receiving waters named an unnamed tributary of Redstone Creek.

NPDES Permit No. PA0110302. Sewage, **Johnstown Economic Development Corporation**, 111 Market Street, Johnstown, PA 15901, is authorized to discharge from a facility located at Quemahoning Industrial Development Park STP, Quemahoning Township, **Somerset County** to receiving waters named Quemahoning Creek.

NPDES Permit No. PA0110922. Sewage, **Camp Allegheny, Inc.**, 100 Camp Allegheny Drive, Stoystown, PA 15563-8823, is authorized to discharge from a facility located at Camp Allegheny STP, Stonycreek Township, **Somerset County** to receiving waters named Unnamed Tributary of Calendars Run.

NPDES Permit No. PA0216267. Sewage, **D&E Management**, 116 East Pittsburgh Street, Greensburg, PA 15601, is authorized to discharge from a facility located at The Pines Apartments STP, Loyalhanna Township, **Westmoreland County** to receiving waters named Boatyard Run.

Permit No. 0297408. Sewerage, **Richard and Heide Engel**, 5713 Wesleyann Drive, Gibsonia, PA 15044. Construction of single residence sewage treatment plant located in Richland Township, **Allegheny County** to serve Engel Residence STP.

Permit No. 0298411. Sewerage, **South Fayette Township Municipal Authority**, P. O. Box 171, Morgan, PA 15064. Construction of sanitary sewers and pump station located in South Fayette Township, **Allegheny County** to serve Oakridge, Boyce and Alpine Roads.

Permit No. 0299404. Sewerage, **Christopher K. Ard**, 4192 Moreno Drive, Pal Harbor, FL 34685. Construction of single residence sewage treatment plant located in Richland Township, **Allegheny County** to serve Ard Single Residence STP.

Permit No. 0299405. Sewerage, **Anthony L. Weiss**, 298 Harmony Road, Pittsburgh, PA 15237. Construction of single residence sewage treatment plant located in Marshall Township, **Allegheny County** to serve Weiss Single Residence STP.

Permit No. 0299407. Sewerage, **Nancy Iacurci**, 524 Guyasuta Road, Pittsburgh, PA 15215. Construction of single residence sewage treatment plant located in Indiana Township, **Allegheny County** to serve Iacurci Single Residence STP.

Permit No. 1199401. Sewerage, **Gaye Lacko**, Box 6, Summerhill, PA 15958. Construction of single residence sewage treatment plant located in Croyle Township, **Cambria County** to serve Lacko Single Residence STP.

Permit No. 2699401. Sewerage, **Country Care Development, Inc.**, R. D. 2, Box 335D, Fayette City, PA 15438. Construction of sewage treatment plant located in Washington Township, **Fayette County** to serve Country Care Sewage Treatment Plant.

Permit No. 5698407. Sewerage, **Harry L. Crouse**, 164 Camry Lane, Somerset, PA 15501. Construction of single residence sewage treatment plant located in Somerset Township, **Somerset County** to serve Crouse Single Residence STP.

Permit No. 6399401. Sewerage, **Art and Sheila Harding**, 245 County Line Road, Bridgeville, PA 15017. Construction of single residence sewage treatment plant located in Cecil Township, **Washington County** to serve Harding Single Residence STP.

Permit No. 6399402. Sewerage, **Aimee and David Cook**, 9 Fieldcrest Drive, McDonald, PA 15057. Construction of single residence sewage treatment plant located in Robinson Township, **Washington County** to serve Cook Single Residence STP.

Permit No. 6399403. Sewerage, **John Teyssier**, 557 Swihart Road, McDonald, PA 15057. Construction of single residence sewage treatment plant located in Cecil Township, **Washington County** to serve Teyssier Single Residence STP.

Permit No. 6599402. Sewerage, **Clarence Soforic**, R. D. 4, Box 2260, Mt. Pleasant, PA 15666. Construction of single residence sewage treatment plant located in Mt. Pleasant Township, **Westmoreland County** to serve Soforic Single Residence STP.

INDIVIDUAL PERMITS

(PAS)

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

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>
PAS101317	Matthew Beers 1140 Summer Mountain Dr. Palmerton, PA 18071	Carbon County Lower Towamensing Township	Aquashicola Creek
PAS10S012-R	Camelback Ski Corp. P. O. Box 168 Tannersville, PA 18372	Monroe County Pocono and Jackson Townships	Pocono Creek
PAS10S015-R	Camelback Ski Corp. P. O. Box 168 Tannersville, PA 18372	Monroe County Pocono and Jackson Townships	Pocono Creek

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

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

operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specified General Permit.

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

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

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

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

General Permit Type—PAG-2

<i>Facility Location</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>
East Marlborough Township Chester County	PAR10-G311	Unionville—Chadds Ford School District 740 Unionville Road Kennett Square, PA 19348	Unnamed Tributary to East Branch Red Clay Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
West Bradford Township Chester County	PAR10-G312	Village Builders, Inc. 2921 Windmill Road, Suite 4 Sinking Spring, PA 19608	East Branch Brandywine Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Limerick Township Montgomery County	PAR10-T451	The Rosen Organization I Corp. 3625 Welsh Road Willow Grove, PA 19090	Unnamed Tributary to Local Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Skippack Township Montgomery County	PAR10-T516	Skippack Township 1246 Bridge Road P. O. Box 164 Skippack, PA 19474	Unnamed Tributary to Skippack Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Worcester Township Montgomery County	PAR10-T513	Fairview Village Church of the Nazarene 3044 Germantown Pike Fairview Village, PA 19409	Tributary of Skippack Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Centre County Ferguson Township	PAR10F085	Christian and Missionary Alliance Church of State College 1606 Norma St. State College, PA 16801	Unnamed Tributary to Walnut Run and Slab Cabin Run	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823
Clearfield County Sandy Township	PAR101750	Michael J. Develop Corp. P. O. Box 1198 2500 Brookville Rd. Wexford, PA 15090	Sandy Lick Creek	Clearfield County CD 650 Leonard St. Clearfield, PA 16830

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<i>Facility Location</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>
Centre Township Berks County	PAR-10-C261	Skull Hill Dairy Charles L. Zimmerman 1056 Rake Road Mohrsville, PA 19541	Irish Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Richmond Township Berks County	PAR-10-C265	Fleetwood Area School District Dr. Nancy Allmon Supt. 801 North Richmond Street Fleetwood, PA 19522	Willow Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR-10-C258	Broadcasting Square Timothy Harrison G H Property Dev. Assoc. LP 20 Erford Road, Suite 212 Lemoyne, PA 17043	Tulpehocken Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Middlesex Township Cumberland County	PAR-10-H195	ABF Freight System Inc. 3801 Old Greenwood Road Fort Smith, AR 72903	Conodoguinet Creek	Cumberland County CD 43 Brookwood Ave. Suite 4 Carlisle, PA 17013 (717) 240-7812
Porter Township Huntingdon County	PAR-10-3013	Hartslog Courts R. D. 1 Huntingdon, PA 16652	Crooked Creek	Huntingdon County CD R. R. 1, Box 7C (Rte. 26S) Huntingdon, PA 16652 (814) 627-1627
Walker Township Huntingdon County	PAR-10-3014	Beverly Heights Development R. D. 3, Box 225 Huntingdon, PA 16652	Crooked Creek	Huntingdon County CD R. R. 1, Box 7C (Rte. 26S) Huntingdon, PA 16652 (814) 627-1627
West Hempfield Township Lancaster County	PAR-10-O-292	Roy Zimmerman 10 Eagles Landing Lititz, PA 17543	UNT Swarr Run	Lancaster County CD 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Denver Borough Lancaster County	PAR-10-O-336	Richard E. Haller 307 East Lexington Road Lititz, PA 17543	Little Cocalico Creek	Lancaster County CD 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Bethel Township Swatara Township Lebanon County	PAR-10-P096	Wilmer Weaver Subdivision Airport Rd. and School House Drive R. D. 1 Fredericksburg, PA 17026	Little Swatara Creek	Lebanon County CD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 EXT 3
Bethel Township Lebanon County	PAR-10-P097	Farmers Pride, Inc. P. O. Box 39 Fredericksburg, PA 17026	Deep Run	Lebanon County CD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 EXT 3
Jackson Township Lebanon County	PAR-10-P098	P. Keneth Gehman 210 Grenville Road Denver, PA 17517	Tulpehocken Creek	Lebanon County CD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 EXT 3

<i>Facility Location</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>
Union Township Lebanon County	PAR-10-P100	Dept. of Military and Veterans Affairs Fort Indiantown Gap Annville, PA 17003-5002	Trout Run	Lebanon County CD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908 EXT 3
Conewago Township York County	PAR-10-Y322	Hunter Creek Matthew Paul Endress 1642 Whitley Drive Harrisburg, PA 17111	Little Conewago Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
New Freedom Borough York County	PAR-10-Y378	New Freedom Apartments NFO Partners 2350 Springwood Rd., Suite 200 York, PA 17402	UNT to South Branch of Codorus Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAR-10-Y359	Fairview Industrial Park Geometry Realty Inc. 110 East 59th Street 18th Floor New York, NY 10022	Fishing Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y376	Briar Bend J. Eugene Stumpf Est 135 South Duke Street York, PA 17403	UNT to Codorus Creek	York County CD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
<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 Weatherly Borough	PAR202219	Weatherly Casting & Machine Co. P. O. Box 21 Weatherly, PA 18255	Black Creek	NERO Water Management (570) 826-2511
Lackawanna County Scranton City	PAR202222	Suckle Corporation 733 Davis Street Scranton, PA 18505	N/A	NERO Water Management (570) 826-2511
Lehigh County Coopersburg Borough	PAR212204	HYK Construction Corp. dba Rahns Construction Material Co. 430 Bridge Road Rahns, PA 19426	Unnamed tributary to Saucon Creek	NERO Water Management (570) 826-2511
Luzerne County Luzerne Borough	PAR202228	Kingston Metal Co. 100 Parry St. Luzerne, PA 18709	Toby Creek to Susquehanna River	NERO Water Management (570) 826-2511
Luzerne County Wright Township	PAR232207	Mountaintop Manufacturing 1050 Crestwood Drive P. O. Box 99 Mountaintop, PA 18707-0099	Big Wapwallopen Creek	NERO Water Management (570) 826-2511
Luzerne County Hanover Township	PAR212205	Wilkes-Barre Burial Vault 68 East St. Mary's Road Wilkes-Barre, PA 18702-4182	Susquehanna River	Northeast Regional Office, Water Management Program 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

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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>
Luzerne County West Hazleton Borough	PAR232214	Flint Ink North America 4600 Arrowhead Drive Ann Arbor, MI 48105	Black Creek	Northeast Regional Office, Water Management Program 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lackawanna County City of Scranton	PAR602215	Lackawanna County Solid Waste Management Authority 3400 Boulevard Avenue Scranton, PA 18512	Lackawanna River	NERO Water Management (570) 826-2511
Luzerne County Plains Township	PAR802206	Altec Industries, Inc. 210 Inverness Center Drive Birmingham, AL 35242	Susquehanna River	NERO Water Management (570) 826-2511
Northampton County Lower Mt. Bethel Township	PAR122208	ConAgra Flour Milling Co. a Subsidiary of ConAgra, Inc. P. O. Box 193 Martins Creek, PA 18063	Delaware River	NERO Water Management (570) 826-2511
Schuylkill County West Brunswick Township	PAR232226	GHM, Inc. R. R. 1, Box 1286A Industrial Drive Orwigsburg, PA 17961-9736	Schuylkill River	NERO Water Management (570) 826-2511
Westmoreland County City of Greensburg	PAR116101	ABB Power T&D Company, Inc. The Power Circuit Breaker Division 125 Theobald Avenue Greensburg, PA 15601	Slate Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Hempfield Township	PAR116117	Carbidie Corporation P. O. Box 509 425 Arona Road Irwin, PA 15642-0509	UNT to Little Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Borough of Verona	PAR236120	Double R. Enterprises 221 Grove Street New Castle, PA 16101	Plum Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Union Township	PAR806185	Consolidated Rail Corporation 2001 Market Street Room 6A Philadelphia, PA 19101-1406	Monongahela River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4**Facility Location
County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream
or Body of Water**Contact Office and
Telephone No.*

Allegheny County Indiana Township	PAG046179	Nancy Iacurci 524 Guyasuta Road Pittsburgh, PA 15215	UNT of Rawlings Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Richland Township	PAG046174	Christopher K. Ard 4192 Moreno Drive Palm Harbor, FL 34685	UNT of Willow Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County Croyle Township	PAG046172	Gaye Lacko Box 6 Summerhill, PA 15958	Little Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Mt. Pleasant Township	PAG046169	Clarence Soforic RD 4, Box 2260 Mt. Pleasant, PA 15666	UNT of Brush Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Robinson Township	PAG046173	Aimee and David Cook 9 Fieldcrest Drive McDonald, PA 15057	UNT of Robinson Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Cecil Township	PAG046175	John Teyssier 557 Swihart Road McDonald, PA 15057	UNT of Miller Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Marshall Township	PAG046176	Anthony L. Weiss 298 Harmony Road Pittsburgh, PA 15237	UNT of East Branch Big Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

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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>
Beaver County Franklin Township	PAG046180	Terry E. McClain 190 Hickernell Road Fombell, PA 16123	Hazen Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Elizabeth Township	PAG046162	John Karlovski 827 Peairs Road Elizabeth, PA 15037	UNT of Douglass Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset County Somerset Township	PAG046163	Harry L. Crouse 164 Camry Lane Somerset, PA 15501	UNT of West Branch Coxes Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Indiana County White Township	PAG046164	Robert M. and Denise L. Clawson P. O. Box 771 Indiana, PA 15701	UNT of McKee Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset County New Centerville Borough	PAG046166	James Richard Miller 199 Bridge Street Rockwood, PA 15557	UNT of South Glade Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Cecil Township	PAG046168	Art and Sheila Harding 245 County Line Road Bridgeville, PA 15017	UNT of Coal Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Lancaster County Caernarvon Township	PAG043611	Jacob L. Smucker 1842 Division Highway Narvon, PA 17555	UNT to Conestoga River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Caernarvon Township	PAG043616	Donald and JoAnn Pilon R. D. 3, Box 155A Elverson, PA 19520	Ditch to Conestoga River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County Lower Mifflin Township	PAG043617	Mark W. and Tara L. Lehman 695 Center Road Newville, PA 17241	Doubling Gap Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG 05**Facility Location
County and
Municipality*York County
Hanover Borough*Permit No.*
PAG053526*Applicant Name
and Address*
Getty Property Corporation,
Inc.
86 Doremus Avenue,
P. O. Box 1099
Newark, NJ 07101*Receiving Stream
or Body of Water*
Drainage Ditch
Connected
to Plum Creek*Contact Office and
Telephone No.*
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG 8**Facility Location
County and
Municipality*South Middleton
Township
Cumberland County*Permit No.*
PAG-08-3532*Applicant Name
and Address*
Peck's Septic Waste
Processing Facility
68 Pine School Road
Gardners, PA 17324-9048*Receiving Stream
or Body of Water*
N/A*Contact Office and
Telephone No.*
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707East Manchester
Township
York County*Permit No.*
PAG-08-3529*Applicant Name
and Address*
Northeastern York County
Sewer Authority
175 Chestnut Street
P. O. Box 516
Mt. Wolf, PA 17347*Receiving Stream
or Body of Water*
N/A*Contact Office and
Telephone No.*
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707*General Permit Type—PAG 9**Facility Location
County and
Municipality*Lack Township
Juniata County*Permit No.*
PAG-09-3521*Applicant Name
and Address*
Norm Thatcher
RR 1, Box 3
East Waterford, PA 17021*Receiving Stream
or Body of Water*
N/A*Contact Office and
Telephone No.*
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707**SEWAGE FACILITIES ACT
PLAN APPROVAL****Plan approvals granted under the Pennsylvania
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Northeast Regional Office: Water Management Program
Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790,
(570) 826-2511.***City of Pottsville, Norwegian Township, North
Manheim Township, Borough of Palo Alto,
Schuylkill County**

The Department has received the following submissions, as submitted by Camp, Dresser & McKee, Inc., the Greater Pottsville Area Sewer Authority (Authority), the City of Pottsville and Norwegian Township:

1. Correspondence, dated August 10, 1998, from Camp, Dresser & McKee, transmitting the following items to the Department:

(a) Final, revised corrective plan and schedule (CP&S) documents for the Main and West End Wastewater Treatment Facilities (Updated April 22, 1998).

(b) Proof of newspaper publication (Published on May 1, 1998) advertising proposed adoption of CP&S Documents for the Main and West End Wastewater Treatment Facilities.

(c) Solicitation letters to, and response letters from the Schuylkill County Planning Commission, City of Pottsville Planning Commission, Port Carbon Borough Planning Commission, Norwegian Township Planning Commission and North Manheim Township Planning Commission.

2. Correspondence, dated September 24, 1998, from Greater Pottsville Area Sewer Authority transmitting the following items to the Department:

(a) Resolutions of adoption from the City of Pottsville and Norwegian Township for the CP&S documents mentioned in Item 1.a. above.

All of the previously-referenced submissions are required to effectively revise the Authority's existing CP&S documents for its Main and West End Wastewater Treatment Facilities. The existing CP&S documents, last approved by the Department on March 13, 1997, will be replaced by the revised CP&S documents as listed in this correspondence, for both the Main and West End Wastewater Treatment Facilities. The revised CP&S documents set forth systematic plans to reduce and eliminate the hydraulic and organic overload conditions which currently exist in the Authority's wastewater collection, conveyance and treatment facilities. The CP&S documents also contain time schedules for the implementation of the activities listed in each CP&S.

After receiving the submissions listed earlier in this correspondence, developing circumstances in the Greater Pottsville Area, concerning the Authority and its Main Wastewater Treatment Facility, warranted the need for the Department to prepare a consent order and agreement (CO&A). The CO&A was structured using the CP&S document, prepared by the Authority for the Main Wastewater Treatment Facility and its service area, as its basis. As a result, the items previously outlined in the Main Wastewater Treatment Facility's CP&S are now part of the CO&A between the Department and the Authority. The CO&A was formally executed by the Department on February 8, 1999.

This correspondence acknowledges the Department's position that the Main Wastewater Treatment Facility's CP&S has already been accepted by the Department as the Authority's Corrective Plan as required by 25 Pa. Code § 94.21(a)(3). This was accomplished through the execution of the CO&A document by all parties. For purposes of sewage facilities planning under the Pennsylvania Sewage Facilities Act (Act 537), this correspondence also grants planning approval for both the Main and West End Wastewater Treatment Facilities' CP&S documents. These documents are now to be considered an integral part of the municipalities' Official Sewage Facilities Plan.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act and 25 Pa. Code Chapter 71, the Department will hold the municipalities and the Greater Pottsville Area Sewer Authority responsible for the complete and timely implementation of the activities listed in the CP&S documents previously described. Noncompliance with any of the provisions of the approved CP&S documents may result in Departmental action against the municipality and/or the Greater Pottsville Area Sewer Authority.

Please be advised that any additional wastewater-related improvements, additions, deletions or changes outside those explicitly described in the CP&S documents must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

Rice Township, Luzerne County

The Department has reviewed the Prospect Road Area Act 537 Special Study (Special Study), dated June 1996, and revised November 1998 (received by the Department on December 11, 1998), as submitted by Milnes Engineering Inc. on behalf of Rice Township.

The Department's review has found that the Special Study is acceptable and hereby grants planning approval. This review has also not identified any significant environmental impacts resulting from this proposal.

The wastewater disposal alternative to be implemented proposes the construction of both gravity and low-pressure sewer extensions from the existing Mountaintop Area Joint Sanitary Authority's (MAJSA) 4' force main/gravity sewer line which traverses the Prospect Road study area. A gravity sewer line will be constructed from existing MAJSA Manhole No. 28 eastward to serve a total of four properties located on the north side of Prospect Road. The line will be sized, however, to accommodate wastewater flows which may result from the future eastward extension of the line along the remaining length of Prospect Road.

The selected alternative also proposes the installation of two low-pressure sewer extensions from the existing MAJSA force main and extending south across Prospect Road. The low-pressure sewer extensions would provide access to the MAJSA wastewater collection/conveyance system for four properties located on the southern side of Prospect Road. Currently, these properties are not connected to the MAJSA system.

In accordance with the Special Study, the Township shall require property owners within the Prospect Road Special Study Area whose onlot wastewater disposal system has malfunctioned to connect to the proposed wastewater collection system as per the Rice Township mandatory sewer connection ordinance No. 77-4 (Adopted January 7, 1997) after the collection systems are constructed. In accordance with the Special Study, the Township shall require all other property owners accessible to

the proposed wastewater collection system and not currently experiencing an onlot wastewater disposal system malfunction to connect to the system when one or more of the following conditions occur:

1. Upon the expiration of a 10-year period from the date of approval of the Prospect Road Area Special Study by the Department (by March 24, 2009).

2. Upon Rice Township's or the Department's determination that an onlot wastewater disposal system serving a particular property has malfunctioned.

3. Upon a change in the ownership of a particular property.

To determine the malfunction status on those onlot wastewater disposal systems still in use within the Prospect Road Special Study Planning Area, Rice Township's Sewage Enforcement Officer will inspect each system on an annual basis until all the properties are eventually connected to the proposed sewer system. A representative of the Department may participate in the Sewage Enforcement Officer's inspections at its discretion.

To ensure that connections to the proposed wastewater collection system are made in accordance with Condition No. 3 above, Rice Township proposes to place a restricted covenant in the property deeds of those properties listed in Appendix 3 of the Special Study. The covenant shall ensure that both current and future, prospective owners of the indicated properties are aware that a connection to the proposed wastewater collection system must be constructed upon a change in ownership of the indicated properties.

The proposed covenant does not adequately inform owners and prospective purchasers of existing homes that the Township will be requiring them to connect to the centralized wastewater collection system in accordance with the approved Special Study. Inclusion of the notice/restriction on a deed furthers the public policy of insuring that the affected residents and prospective purchasers are aware of the financial expenditures associated with connecting to the centralized wastewater collection system. The final version of the deed covenant should contain additional, specific language which indicates the requirement to connect the properties to the system upon any future change in ownership of the properties previously mentioned. The covenant should also contain a "sunset" provision which indicates that the deed covenant becomes null and void after the 10-year mandatory connection period lapses on March 24, 2009. Regardless of the language of the deed restriction, Rice Township is obligated to implement its approval Special Study.

After March 24, 2009 all properties, with the exception of the Kanaske, Davis and Wolfe properties, within the current study area must be connected to the proposed wastewater collection system regardless of each property's onlot system operational status. Financing of the selected wastewater disposal alternative will be provided by the MAJSA. MAJSA will also construct and operate the proposed system.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act, and 25 Pa. Code Chapter 71, the Department will hold Rice Township responsible for the complete and timely implementation of the Special Study's selected alternative, as listed in the Schedule of Implementation, contained in the Special Study.

Please be advised that any additional wastewater-related improvements, additions, deletions or changes

outside of those explicitly described in the Special Study and this correspondence must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

SAFE DRINKING WATER

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

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

Permit No. 0999503. Public water supply. **Borough of Chalfont**, 40 Main Street, Chalfont, PA 18914. A permit has been issued for a proposal involving the installation of an air stripping tower on well No. 8A for the removal of tetrachlorethylene. Also, this project includes modifications to the existing well house building and replacement of the well pump in New Britain Borough, **Bucks County**.

Type of Facility: Public Water Supply. *Consulting Engineer:* Joseph N. Nolan, P.E., CKS Engineers, Inc., 88 South Main Street, Doylestown, PA 18901. *Permit to Construct Issued:* April 5, 1999.

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

Permit No. 4146363. The Department issued an operating permit to **Harmony Brook, dba Culligan Store Solutions** (1030 Lone Oak Road, Suite 110, Eagan, MN 55121-2251), for registration of a NAMA approved drinking water vending machine located at the Wal-Mart Supercenter #2528 in Mill Hall Borough, **Clinton County**.

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

Permit No. 0375501-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Worthington distribution system and 488,000 gallon storage tank.

Permit for Operation Issued: April 5, 1999.

Permit No. 0376501-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Bear Street Water Treatment Plant and wells no. 1 and no. 2

Permit for Operation Issued: April 5, 1999.

Permit No. 0380501-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Well no. 3.

Permit for Operation Issued: April 5, 1999.

Permit No. 0383502-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Well no. 4 and Cherry Street Water Treatment Plant.

Permit for Operation Issued: April 5, 1999.

Permit No. 0383502-A2-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Modifications to the Cherry Street Water Treatment Plant.

Permit for Operation Issued: April 5, 1999.

Permit No. 0383502-A3-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Interconnection with Kittanning Suburban Joint Water Authority.

Permit for Operation Issued: April 5, 1999.

Permit No. 0375501-A4-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Pumping equipment in existing meter vault.

Permit for Operation Issued: April 5, 1999.

Permit No. 0390501-T1. Public water supply. **Worthington-West Franklin Joint Municipal Authority**, P. O. Box O, Worthington, PA 16262.

Type of Facility: Well no. 5 at the Cherry Street Water Treatment Plant.

Permit for Operation Issued: April 5, 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, 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.

Realen Limited Partner, Inc., Old Mill Pointe Development, Middletown Township, **Delaware 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 report is intended to document remediation of the site to meet the Statewide health standard.

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 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.

Penns Park Road Spill Site, Wrightstown Township, **Bucks County**. Richard A. Weaver, Kleeman Associates, Inc., 1500 S. Delaware Avenue, Suite 200, Philadelphia, PA 19147, has submitted a Final Report concerning remediation of site soils contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Golden Triangle Shopping Center, Manheim Township, **Lancaster County**. BL TETHYS LLC, 2407 Park Drive, 1st Floor, Harrisburg, PA 17110, has submitted a Remediation Investigation and Final Report concerning remediation of site groundwater contaminated with heavy metals, BTEX and PHCs. The report is intended to document remediation of the site to the site-specific standard.

Lancaster Leaf Transformer Oil Release, City of Lancaster, **Lancaster County**. Science Applications International Corporation, 3240 Schoolhouse Road, Middletown, PA 17057-3595, has submitted a Final Report concerning remediation of site soils contaminated with polychlorinated biphenyls (PCBs). The report is intended to document remediation of the site to the Statewide health standard.

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

Dealer Associates Pennsylvania General Partnership, Ferguson Township, **Centre County**. Bradley S. Wolf on behalf of his client Dealer Associates Pennsylvania General Partnership, 169 West Aaron Drive, State College, PA 16801, has submitted a Final Report concerning the remediation of soils contaminated with lead, BTEX and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard.

Joseph Mint Residence, South Waverly Borough, **Bradford County**. David R. Crowther, Geologist, on behalf of his client Joseph Mint, 47 Williams Street, South Waverly, PA 18840, has submitted a Final Report concerning the remediation of soil contaminated with PAHs and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 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 Remediations 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.

AVO International, Inc., Plymouth Township, **Montgomery County**. David N. Wilcots, P.G., GA Environmental Services, Inc., 401 Baldwin Tower, 1510 Chester Pike, Eddystone, PA 19022, has submitted a Final Report concerning remediation of site soils contaminated with petroleum hydrocarbons and groundwater contaminated with solvents. The Final Report demonstrated attainment of the Statewide health standard for soils and site-specific standards for groundwater and was approved by the Department on April 6, 1999.

New Life Youth and Family Services, Lower Salford Township, **Montgomery County**. Samuel J. Kucia, Environmental Consulting, Inc., 1232 Forty Foot Road, Kulpsville, PA 19443-3145, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 30, 1999.

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

Berks Products Corporation, Muhlenberg Township, **Berks County**. Berks Products Corporation, 4408 Fifth Street Highway, Reading, PA 19560, has submitted a Final Report concerning the remediation of site groundwater contaminated with lead, solvents and PHCs. The final report demonstrated attainment of the background standard, and was approved by the Department on April 7, 1999.

Osram Sylvania Products, West Manchester Township, **York County**. Osram Sylvania Products, 1128 Roosevelt Avenue, York, PA 17404, has submitted a remedial investigation report and a final report concerning the remediation of site soils contaminated with solvents. These reports demonstrated attainment of the site-specific standard, and were approved by the Department on March 8, 1999. This corrects a previous *Pennsylvania Bulletin* notice.

AIR QUALITY OPERATING PERMITS

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

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

OP-09-0066: PECO Energy Co. (Fairless Hill Generating Station, Fairless Hills, PA 19030), issued December 31, 1999, for operation of a Facility VOC/NOx RACT in Falls Township, **Bucks County**.

OP-09-0003: Superpac, Inc. (1220 Industrial Boulevard, Southampton, PA 18966), issued March 25, 1999, for operation of a graphic arts facility VOCs RACT in Upper Southampton Township, **Bucks County**.

OP-46-0156: Universal Packaging Corp. (1196 Easton Road, Horsham, PA 19044), issued April 8, 1999, for operation of a Facility VOC/NOx RACT in Horsham Township, **Montgomery County**.

OP-09-0006: USX Corp./U. S. Steel Group (Fairless Works, Fairless Hills, PA 19030), issued April 8, 1999, for operation of a Facility NOx RACT in Falls Township, **Bucks County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

14-318-001A: Spectra Wood (2651 Carolean Industrial Drive, State College, PA 16801), on March 11, 1999, for operation of a wood furniture finishing operation in College Township, **Centre County**.

17-305-012A: Fuel Fabricators, Inc. (P. O. Box 368, Bigler, PA 16825), on March 30, 1999, for operation of a

bituminous coal-fired boiler and associated air cleaning device (a multi-cyclone collector) in Bradford Township, **Clearfield County**.

OP-49-0005: Truck Accessories Group East, A Division of Truck Accessories Group, Inc. (Leer) (200 Housels Run Road, Milton, PA 17847), on March 26, 1999, for establishment of reasonably available control technology (RACT) for various volatile organic compound sources at a fiberglass reinforced plastics truck cap manufacturing and surface coating facility in Milton Borough, **Northumberland County**.

OP-41-0008: Koppers Industries, Inc. (P. O. Box 189, Montgomery, PA 17752), on March 30, 1999, for establishment of reasonably available control technology (RACT), for various nitrogen oxides sources at a creosoted woodwaste-fired cogeneration plant and railroad crosstie treatment plant in Clinton Township, **Lycoming County**.

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

63-000-070: Dyno Nobel Inc. (1320 Galiffa Drive, Donora, PA 15033), issued March 31, 1999, for operation of NOx sources at Donora Plant in Donora Borough, **Washington County**.

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

PA-10-298C: ESM II, Inc. (1161 Pittsburgh Road, Valencia, PA 16059), issued March 31, 1999, for a hammermill in Clinton Township, **Butler County**.

PA-24-083B: Carbon of America Graphite Materials Division (215 Stackpole Street, St. Marys, PA 15857), issued March 30, 1999, for a graphite machining center in Benzinger Township, **Elk County**.

PA-33-161A: Buff-One Transmission & Core Buyer (74 First Street, Falls Creek, PA 15840), issued February 28, 1999, for an aluminum melting furnace in Falls Creek, **Jefferson County**.

PA-43-305A: Champion Carrier Corp. (2755 Kirila Road, Hermitage, PA 16148), issued April 30, 1999, for a surface coating operation in Hermitage, **Mercer County**.

PA-61-011A: Merisol Antioxidants, L.L.C. (Route 8, Rouseville Road, Oil City, PA 16301), issued March 31, 1999, for a process dryer system and two heaters in Cornplanter Township, **Venango County**.

Operating Permits denied, terminated, suspended or revoked 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.

46-313-119: Rhone-Poulenc Rorer Pharmaceutical, Inc. (500 Virginia Drive, Fort Washington, PA 19034), revoked April 5, 1999, for operation of four coating pans lines (Slo-Bid) in Upper Dublin Township, **Montgomery County**.

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

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

23-310-014GP: Joseph F. Cappelli & Sons, Inc. (140 1/2 Bethel Road, Twin Oaks, PA 19014), issued April 7, 1999, for a portable crushing plant in Upper Chichester Township, **Delaware County**.

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

GP-62-017: United Refining Co. (15 Bradley Street, Warren, PA 16365), issued March 31, 1999, for installation of floating roof seals for tanks in Warren, **Warren 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.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

OP-49-0002: Foster Wheeler Mount Carmel, Inc. (P. O. Box 490-D, Marion Heights, PA 17832), on March 17, 1999, to authorize operation of a trommel screen constructed under Plan Approval No. OP-49-0002A as well as the operation of an ash silo and two associated cartridge collectors installed under Plan Approval No. OP-49-0002A in Mount Carmel Township, **Northumberland 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-15-0029A: Dopaco, Inc. (241 Woodbine Road, Downingtown, PA 19335), issued April 5, 1999, for operation of a flexographic printing press in Downingtown Borough, **Chester County**.

PA-09-0111: Waste Alternatives, Inc. (Hays Blvd., Magnolia Industrial Park, Bristol, PA 19007), issued April 6, 1999, for operation of a solid waste composting plant in Bristol Township, **Bucks County**.

PA-46-0191: Merck & Co., Inc. (Sumneytown Pike, P. O. Box 1000, North Wales, PA 19454), issued March 8, 1999, for operation of a fuel combustion source in Upper Gwynedd Township, **Montgomery County**.

PA-46-0161: Pottstown Trap Rock Quarries, Inc. (394 Sanatoga Road, Pottstown, PA 19464), issued April 8, 1999, for operation of a batch asphalt plant in Lower Pottsgrove Township, **Montgomery County**.

PA-09-0025: Delbar Products, Inc. (7th and Spruce Streets, Perkasio, PA 18944), issued April 8, 1999, for operation of an afterburner (control device) in Perkasio Borough, **Bucks County**.

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

21-310-031B: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201), issued April 7, 1999, for modification of the limestone crushing plant in Southampton Township, **Cumberland County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

22-305-001B: Kimmel's Coal and Packaging (P. O. Box 1, Machamer Avenue, Wiconisco, PA 17097), issued April 7, 1999, for construction of the miscellaneous coal handling operations controlled by six fabric collectors in Wiconisco Township, **Dauphin County**. These sources are subject to 40 CFR 60, Subpart Y, Standards of Performance for New Stationary Sources.

PA-36-05001A: Armstrong World Industries, Inc. (P. O. Box 169, Marietta, PA 17547), issued April 7, 1999, for modification of a board dryer controlled by two scrubber systems in East Donegal Township, **Lancaster County**.

PA-67-05032B: Harley-Davidson Motor Co. (1425 Eden Road, York, PA 17402), issued April 7, 1999, for welding and polishing cells controlled by a cartridge collector and in-line filter system in Springettsbury Township, **York County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

08-313-049C: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 16648), on March 5, 1999, for construction of three bulk acid storage tanks, a railcar unloading operation and associated air cleaning devices (a venturi scrubber and a packed bed scrubber) in Towanda Borough, **Bradford County**.

08-318-027: Mill's Pride-Pennsylvania (c/o Mill's Pride Limited Partnership, 423 Hopewell Road, Waverly, OH 45690-9700), on March 8, 1999, for construction of a wood kitchen cabinet door manufacturing and finishing operation incorporating two wood-fired boilers and associated air cleaning devices (dual multiclones), a finishing operation and associated air cleaning device (a regenerative thermal oxidizer), various pieces of woodworking equipment and associated air cleaning devices (five fabric collectors), a lumber pre-dryer, 18 lumber drying kilns and various other minor air contamination sources in Athens Township, **Bradford County**. The boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

41-305-009C: Keystone Filler & Mfg. Co. (P. O. Box 120, Muncy, PA 17756), on March 11, 1999, for installation of an air cleaning device (a fabric collector) on a coal dryer and various other pieces of carbon product processing equipment in Muncy Creek Township, **Lycoming County**.

41-329-001A: Lycoming County Resource Management Services (P. O. Box 187, Montgomery, PA 17752), on March 15, 1999, for construction of two 860 hp landfill gas-fired reciprocating internal combustion engines at the Lycoming County Landfill in Brady Township, **Lycoming County**.

17-305-032B: Al Hamilton Contracting Co. (RD 1, Box 87, Woodland, PA 16881), on March 16, 1999, for construction of a coal crusher, dump bin/hopper and product conveyor at the Little Beth Tipple in Bradford Township, **Clearfield County**. This equipment is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

53-399-006B: St. Mary's Carbon Co. (P. O. Box One, Galeton, PA 16922), on March 17, 1999, for construction of two powdered metal parts sintering furnaces in Pike Township, **Potter County**.

OP-41-0007B: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701), on March 30, 1999, for construction of a coil coating application station and curing oven in Williamsport, **Lycoming County**. This equipment is subject to Subpart TT of the Federal Standards of Performance for New Stationary Sources.

49-313-032G: Merck & Co., Inc. (P. O. Box 600, Danville, PA 17821-0600), on March 31, 1999, for installation of an air cleaning device (a vacuum pump/condenser) on various chemical process vessels in Riverside Borough, **Northumberland County**.

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

PA-37-304A: L & N Metallurgical Products Co. (3 Fountain Avenue, Ellwood City, PA 16117), issued April 6, 1999, for installation of three skiving machines in Ellwood City, **Lawrence County**.

PA-37-234A: Praxair Surface Technologies (3225 Honeybee Lane, New Castle, PA 16105-9029), issued April 7, 1999, for construction of a coating deposition cubicle in Wilmington Township, **Lawrence County**.

PA-10-028E: Armstrong Cement & Supply Co. (100 Clearfield Road, Cabot, PA 16023), for installation of three baghouses on the cement storage silos in West Winfield Township, **Butler County**.

PA-37-023B: Pennsylvania Power Co. (P. O. Box 891, 1 East Washington Street, New Castle, PA 16103), for installation of low NOx burners in West Pittsburgh, **Lawrence County**.

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

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

PA-46-0018: Brown Printing Co. (668 Gravel Pike, East Greenville, PA 18041), issued April 7, 1999, for operation of a web offset/heat set printing press in Upper Hanover Township, **Montgomery County**.

09-303-028: Bucks County Crushed Stone Co., Inc. (262 Quarry Road, Ottsville, PA 18942), issued March 31, 1999, for operation of a batch asphalt plant in Nockamixon Township, **Bucks County**.

09-313-093: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951), issued April 7, 1999, for operation of 2 web offset presses in Quakertown Borough, **Bucks County**.

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

46-313-115: SmithKline Beecham Pharmaceuticals (709 Swedeland Road, King of Prussia, PA 19406), issued April 7, 1999, for operation of a centrifuge and reactor exhausts in Upper Merion Township, **Montgomery County**.

PA-09-0013: Wheelabrator Falls, Inc. (1201 New Ford Mill Road, Morrisville, PA 19067), issued April 7, 1999, for operation of a municipal waste incinerator in Falls Township, **Bucks County**.

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

PA-10-277A: Wiest Asphalt Products (310 Mitchell Hill, Butler, PA 16001), issued March 30, 1999, for a batch asphalt plant in Summit Township, **Butler County**.

PA-10-302A: Allegheny Metalworking Corp. (17 Leonburg Road, Cranberry Township, PA), issued April 30, 1999, for a paint finishing system in Cranberry Township, **Butler County**.

PA-37-243A: International Metals Reclamation Co. (245 Portersville Road, Ellwood City, PA 16117), issued April 30, 1999, for rotary calciner thermal oxidation in Ellwood City, **Lawrence County**.

PA-42-182A: Allegheny Store Fixtures, Inc. (500 Chestnut Street, Bradford, PA 16701), issued March 30, 1999, for surface coating in Bradford Township, **McKean County**.

42-399-026A: Allegheny MDF, Limited Partnership (RD 1, Box 266, Kane, PA 16735), issued April 30, 1999, for a material reject air system in Sargeant Township, **McKean County**.

42-399-027A: Allegheny MDF, Limited Partnership (RD 1, Box 266, Kane, PA 16735), issued April 30, 1999, for two dryers, one cone sander dust burner in Sargeant Township, **McKean County**.

42-399-028A: Allegheny MDF, Limited Partnership (RD 1, Box 266, Kane, PA 16735), issued April 30, 1999, for a high pressure chip system in Sargeant Township, **McKean County**.

42-399-030: Allegheny MDF, Limited Partnership (RD 1, Box 266, Kane, PA 16735), issued April 30, 1999, for sander dust systems in Sargeant Township, **McKean County**.

42-399-031: Allegheny MDF, Limited Partnership (RD 1, Box 266, Kane, PA 16735), issued April 30, 1999, for a sawdust and fuel system in Sargeant Township, **McKean 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 410 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

56980109. Mountaineer Mining Corporation (1010 Garrett Shortcut Road, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 29.4 acres, receiving stream unnamed tributaries to/and Hays Run and unnamed tributaries to/and Buffalo Creek. Application received November 23, 1998. Permit issued March 31, 1999.

56960108. SMP Revision, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), SMP Revision to conduct mining activities within 100 feet of T-654 in Brothersvalley Township, **Somerset County**, affecting 101.0 acres, receiving stream unnamed tributary to Buffalo Creek; Buffalo Creek. Application received February 17, 1999. Issued April 5, 1999.

56663094 Permit Revision, Croner, Inc. (P. O. Box 157, Berlin, PA 15530), requesting approval for a revised plan from the approximate original contour backfilling to postmining recontouring affecting approximately 77 acres. Postmining land use changes are requested as follows: 5.4 acres of forestland to cropland; 1.6 acre of forestland to pastureland; and 22.7 acres of previously unreclaimed strip mine to forestland in Brothersvalley Township, **Somerset County**, affecting 182.0 acres, receiving stream unnamed tributaries to Blue Lick Creek and to Blue Lick Creek. Application received February 8, 1999. Issued April 8, 1999.

11890102. Permit Renewal for Reclamation, only. T. J. Mining, Inc. (P. O. Box 370, Carrolltown, PA 15722), for continued restoration of a bituminous strip mine in Blacklick Township, **Cambria County**, affecting 100.0 acres, receiving stream Coal Pit Run, unnamed tributary to South Branch Blacklick Creek. Application received March 26, 1999. Issued April 8, 1999.

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

17980122. Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Knox Township, **Clearfield County**, affecting 110 acres. Receiving streams: Pine Run and unnamed tributaries of Pine Run to Pine Run, Pine Run to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River. Application received October 7, 1998. Permit issued March 30, 1999.

17803094. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, Pa 15849), renewal of an existing bituminous surface mine-auger permit in Goshen Township, **Clearfield County**, affecting 295 acres. Receiving streams: Little Trout Run to Trout Run to West Branch Susquehanna River. Application received January 7, 1999. Permit issued March 17, 1999.

17803105. Shale Hill Coal Company (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Ferguson and Pike Townships, **Clearfield County**, affecting 797 acres. Receiving streams: Six unnamed tributaries to Little Clearfield Creek, to Clearfield Creek, and to the West Branch Susquehanna River to Susquehanna River. Application received January 8, 1999. Permit issued March 26, 1999.

17930129. Penn Grampian Coal Company (P. O. Box 249, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Jordan Township, **Clearfield County**, affecting 436.4 acres. Receiving streams: Potts Run, unnamed tributaries to Gazzam Run and McNeel Run. Application received January 19, 1999. Permit issued April 5, 1999.

17960114. Larry D. Baumgardner Coal Co., Inc. (P. O. Box 186, Lanse, PA 16849), revision to an existing bituminous surface mine permit for a change in permit acreage from 57.0 to 80.9 acres, Brady Township, **Clearfield County**. Receiving streams: unnamed tributaries to Luthersburg Branch. Application received December 15, 1998. Permit issued April 6, 1999.

17663037. Al Hamilton Contracting Co. (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Woodward and Decatur Townships, **Clearfield County** affecting 400.5 acres. Receiving streams: Goss Run and Little Beaver Run, both to Beaver Run to Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received February 5, 1999. Permit issued April 6, 1999.

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

04970701. M J Mining Co. (1021 Whitestown Rd., Butler, PA 16001), to operate the Refuse 1 in Greene Township, **Beaver County**, new refuse site, unnamed tributary to Peggs Run. Permit issued March 25, 1999.

32951301. PennAmerican Coal, L. P. (R. D. 1, Box 119A, Avonmore, PA 15618), to transfer the permit for the Burrell Mine in Burrell Township, **Indiana County** to transfer from CRG Group, no additional discharges. Permit issued March 25, 1999.

32841312. Keystone Coal Mining Corp. (P. O. Box 729, Indiana, PA 15701), to renew the permit for the Urling No. 1 and No. 3 Mines in Armstrong Township, **Indiana County**, no additional discharges. Permit issued March 30, 1999.

56981301. Quecreek Mining, Inc. (2851 Stoystown Rd., P. O. Box 149, Friedens, PA 15541), to operate the Quecreek No. 1 Mine in Lincoln Township, **Somerset County**, new underground mine, unnamed tributary to Quemahoning Creek. Permit issued March 31, 1999.

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

49870101R2. Kaminski Brothers, Inc. (226 New Boston Road, Pittston, PA 18640-9961), renewal of an existing anthracite surface mine operation in Jenkins Township, **Luzerne County** affecting 76.6 acres, receiving stream—the watershed of Lampback Creek and Gardner Creek. Renewal issued April 8, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

08982801. Robert J. Johnson (R.R. 4, Box 4055, Wyalusing, PA 18853), commencement, operation and restoration of a small industrial mineral (flagstone) permit in Stevens Township, **Bradford County** affecting 3 acres. Receiving streams: Benner Creek, tributary to Wyalusing Creek. Application received November 19, 1998. Permit issued March 26, 1999.

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

58970847. Rowena J. Shager (RR 1, Box 111W, New Milford, PA 18834), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued April 6, 1999.

28992802. Snoke's Excavating & Paving, Inc. (P. O. Box 247, Walnut Bottom, PA 17266), commencement,

operation and restoration of a quarry operation in Southampton Township, **Franklin County** affecting 3.0 acres, receiving stream—Muddy Run. Permit issued April 8, 1999.

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

Coal Applications Returned

63980102. Robinson Coal Company (P. O. Box 9347, Neville Island, PA 15225). Application returned for road variance for a portion of S. R. 4067 within the above-referenced permit known as the Burgoon Mine located in Robinson Township, **Washington County**. Application returned: April 5, 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 Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Project do not include 401 Certification, unless specifically stated in the description.)

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

E14-336. Encroachment. College Township Water Authority, 1481 East College Avenue, State College, PA 16801. To construct and maintain approximately 150 linear feet of 12 inch ductile water line with an associated meter and valve box in a palustrine emergent/palustrine scrub shrub exceptional value wetland. The project is located along Puddin Town Road (SR 3012) approximately 0.5 mile west from the intersection of SR 0026 (State College, PA Quadrangle N: 11.5 inches; W: 12.0 inches) in College Township, **Centre County**. The project will

temporarily disturb 0.13 acre of exceptional value wetlands that shall be fully restored.

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

E46-812. Encroachment Permit. Lower Gwynedd Township, P. O. Box 625, Springhouse, PA 19477. To construct and maintain facilities associated with the construction of Penllyn Park. The water obstructions are listed as follows. The project will impact 0.28 acre of wetlands, and have 216 feet of impact to watercourses (TSF). The site is located north of the intersection of Township Line Road and Gwynedd Avenue (Lansdale, PA Quadrangle N: 8.65 inches; W: 0.85 inch) in Lower Gwynedd Township, **Montgomery County**. The applicant will construct 0.25 acre of replacement wetlands.

1. Install and maintain twin 40-foot long, 4-foot high by 9-foot wide, precast concrete box culverts in and along Willow Run beneath the main park entrance roadway (Township Line Road) and to install and maintain a stormwater outfall structure in this area.

2. Install and maintain two 40-foot long, 4-foot high by 9-foot wide, precast concrete box culverts in and along Willow Run to serve as an emergency access roadway to the park.

3. Construct and maintain a 10-foot wide pier supported pedestrian bridge spanning Willow Run.

4. Construct and maintain a 600-foot long circular boardwalk, supported by 4 by 4-inch support posts, impacting 0.06 acre of wetlands. (Mitigation required only for support posts.)

5. To construct and maintain 400 feet of Township Line Road within the floodplain of Wissahickon Creek.

6. To install and maintain a split rail fence across wetlands in several locations.

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E35-304. Encroachment. Bureau of Abandoned Mine Reclamation, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To remove an existing footbridge and to reconstruct approximately 1,610 linear feet of Lucky Run for the purpose of eliminating multiple deep mine infiltration points with work consisting of the construction of a trapezoidal, meandering and rock lined channel in McDade Park. The project, known as OSM 35 (2185) 101.1, Keyser Avenue/Scranton is located approximately 0.3 mile northwest of the intersection of S. R. 3002 and S. R. 3011 (Scranton, PA Quadrangle N: 7.3 inches; W: 11.7 inches) in Taylor Borough, City of Scranton, **Lackawanna County**.

E40-511. Encroachment. City of Wilkes-Barre, 40 East Market Street, Wilkes-Barre, PA 18711. To remove the existing structure and to construct and maintain a single-span prestressed concrete box beam bridge, having a clear span of 38.0 feet and an underclearance of 7.3 feet, across Laurel Run at Mill Street; and to construct and maintain a single-span prefabricated steel truss pedestrian bridge, having a clear span of 41.6 feet and an underclearance of 8.4 feet, across Laurel Run at Govier Street. The project is located approximately 2,000 feet east of the interchange of S. R. 309 and Wilkes-Barre Boulevard (Pittston, PA Quadrangle N: 1.2 inches; W: 13.3 inches), in the City of Wilkes-Barre, **Luzerne County**.

E54-263. Encroachment. **Blue Mountain School District**, P. O. Box 279, Red Dale Road, Orwigsburg, PA 17961-0279. To place fill in 0.11 acre of wetlands within the drainage basin of Mahoney Creek, for the purpose of constructing site improvements at Blue Mountain High School. The wetland impacts are associated with the construction of an athletic field, an outfall apron and berm for a stormwater detention pond, and the widening of an existing access road. The project is located on a 113-acre parcel of land situated on the northwest corner of the intersection of S. R. 0443 and T-376 (Greenview Road) (Pottsville, PA Quadrangle N: 4.7 inches; W: 1.7 inches), in North Manheim Township, **Schuylkill County**. The permittee is required to provide 0.19 acre of replacement wetlands.

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

E02-1210. Encroachment. **Jay B. Simmons**, 1411 Parkmont Road, Allison Park, PA 15101. To maintain fill in 0.23 acre of wetlands (PFO) and in the floodway on the left bank side and to operate and maintain a driveway crossing consisting of three 3 foot culverts in a tributary to Lowries Run (TSF) locally known as Whitmer Run to provide access to two existing residences. The project is located on the east side of Highland Road approximately 1,000 feet north of its intersection with Sloop Road (Emsworth, PA Quadrangle N: 12.9 inches; W: 6.8 inches) in McCandless Township, **Allegheny County**.

E02-1265. Encroachment. **City of Pittsburgh**, 414 Grant Street, City-County Building, Room 301, Pittsburgh, PA 15219-2455. To construct and maintain a 75 feet long and 12 feet high retaining wall between two existing retaining walls along the left bank side of the Monongahela River near River Mile 1.9 for a proposed gravel walking trail and paved bicycle path (Pittsburgh East, PA Quadrangle N: 10.4 inches; W: 14.8 inches) in the City of Pittsburgh, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E20-466. Encroachment. **PA Department of Transportation**, District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing Shermansville Bridge and to construct and maintain a 191-foot-long reinforced concrete box stream enclosure having a 10-foot-wide by 6-foot-high waterway opening in a tributary to Pymatuning Reservoir and fill 0.2 acre of wetlands on S. R. 0006, Section B01, Segment 0250, Offset 0000 in the village of Shermansville (Linesville, PA Quadrangle N: 0.45 inch; W: 0.3 inch) in Sadsbury Township, **Crawford County**. Project includes contribution to the Pennsylvania Wetland Replacement Fund for replacement of 0.2 acre of wetlands.

E25-577. Encroachment. **Oas Partnership**, 306 Shenango Drive, Girard, PA 16417. To construct and maintain approximately 867 feet of 48-inch-diameter PVC pipe stream enclosure in a tributary to Lake Erie for construction of a warehouse facility and associated parking and access north of Church Street and east of the Bessemer and Lake Erie Railroad tracks (Fairview, PA Quadrangle N: 1.75 inches; W: 9.0 inches) in Girard Borough, **Erie County**.

WATER ALLOCATIONS

Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

Permit issued on April 6, 1999.

WA 32-1000. Water Allocation. **Indiana County Municipal Services Authority**, Indiana, PA. The right to withdraw 450,000 gallons per day of water, as a 30-day average, not to exceed 700,000 gallons per day as a daily peak, from Crooked Creek, at Creekside, at an intake point upstream of the confluence with McKee Run but downstream of the confluence with Twomile Run.

SPECIAL NOTICES

Nitrogen Oxides (NOx) Allowance Program Notice of Intent to Issue State Only Operating Permit

The Department of Environmental Protection (Department) intends to revise the State Only Operating Permit issued to the Cheswick plant, owned and operated by Duquesne Light Company located in Springdale Borough, Allegheny County. The proposed revision will revise the NOx Allowances available to the facility.

Persons wishing to file protests or comments on the proposed revised operating permit must submit the protest or comment to the Department within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed permit. Any comments or protests filed must include a concise statement of the objections to the issuance of the 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* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permit and other relevant information is available for review at the following address.

Bureau of Air Quality: Division of Permits, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

02-0054: Duquesne Light Company Cheswick (411 Seventh Avenue, Box 1930, Pittsburgh, PA 15230), located in Springdale Borough, **Allegheny County**.

NOx Affected
Sources(s):

Boiler Point ID: 001 Allowance: 2500

Public Hearing Notice 102/NPDES/Stormwater

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit applications:

Columbia Transmission Communications Corporation, Chesapeake Network Fiber Optic Row, PAS10-G359; and

Sugartown Ridge Associates, Sugartown Ridge, PAS10-G360

The hearing is scheduled for May 25, 1999 at 1:30 a.m. at the Chester County Conservation District Office, Conference Room 240, 610 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on these applications. The applications are for stormwater construction activities, with discharges to the West Branch Brandywine Creek Watershed, the Cooks Creek Watershed and the Valley Creek Watershed. A copy of the applications are available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing the applications should call to schedule a date to review the file. The project sponsors are:

Columbia Transmission Communications Corporation,
P. O. Box 10146, Fairfax, VA 22030-0146.

Sugartown Ridge Associates, c/o Vintage Development Company, 63 Chestnut Road, Paoli, PA 19301.

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the applications. The hearing will not be a question and answer session.

Persons intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include your name, address and phone number, whether you are opposed or in favor of any of the projects and a brief statement about your presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Persons wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

[Pa.B. Doc. No. 99-664. Filed for public inspection April 23, 1999, 9:00 a.m.]

Grants Available for Local Watershed AMD Abatement Projects

DEP's Bureau of Mining and Reclamation is accepting project proposals for acid mine drainage (AMD) pollution abatement projects to be funded between October 1 and September 30, 2000. Projects will be funded by the FY 99 Clean Water Act, Section 104(b)(3) Federal grant money, or other funding that may become available. Moneys under this program are to be used on a watershed basis to fund projects. Acceptable projects involve watershed group formation, watershed assessments, development and implementation of watershed rehabilitation plans or demonstrations of AMD remediation technologies in Pennsylvania watersheds.

Watershed activities must focus on the causes, effects, extent, prevention, reduction or elimination of water pollution from abandoned coal mines or related facilities. Emphasis will be placed on a holistic watershed approach supporting the principles of Reclaim PA for water quality improvements and on projects that support this approach. Each proposal must include a description of how the environmental impact of the project will be evaluated.

Proposals should include a long-range plan and a demonstrated commitment to efforts that will extend beyond the proposed contractual period. Demonstration projects should have potential for Statewide application. Selection criteria will be weighted to favor AMD technology demonstration proposals. Deadline for project proposals is 4 p.m. on June 4, 1999. Project proposals received after this date will not be considered.

A copy of the proposal guide is available by contacting Lou DiLissio at (717) 787-7007, or accessing the DEP website at <http://www.dep.state.pa.us/mines/bmr/104b3.htm>.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-665. Filed for public inspection April 23, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding

Indiana County Cambria 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 is proposing a project to reconstruct existing U. S. Route 22 (S. R. 0022, Section 495) between the eastern end of the Armagh Bypass in East Wheatfield Township, Indiana County extending a distance of approximately 14.0 kilometers (8.7 miles) east to the four-lane section of U. S. Route 22 at Fords Corner in Jackson Township, Cambria County. The project consists of widening/reconstruction to four lanes and providing minor horizontal and vertical realignment to provide additional capacity and improve safety through the project area. The Department of Transportation has received environmental clearance in the form of a Finding of No Significant Impact from the Division Administrator of the Federal Highway Administration.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-666. Filed for public inspection April 23, 1999, 9:00 a.m.]

Finding

Montgomery 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 incorporate roadway safety improvements along S. R. 0113 in Skip-pack Township, Montgomery County. The roadway will be widened approximately 3.0 meters (10 feet) throughout most of the project corridor. The roadway drainage will be

improved in problem areas, including the construction of a 1.5 × 3.7 meter (5 foot × 12 foot) box culvert to replace the existing structure carrying S. R. 0113 over an unnamed tributary of Skippack Creek.

The construction of the project will require right-of-way from seven (7) National Register eligible historic properties within the Creamery Historic District and the Jacob Kolb Farm property.

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

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-667. Filed for public inspection April 23, 1999, 9:00 a.m.]

Finding

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 a new diamond interchange with a new bridge over Interstate 81 (I-81) approximately 412 meters (1,350 feet) south of the existing Walker Road (T-517) overpass. The southbound ramps to I-81 and from I-81 will be located on the east side of existing Walker Road, and will tie into existing Walker Road near the Green Township-Chambersburg Borough line. The northbound ramps to I-81 and from I-81 will be located on the west side of Franklin Farm Lane. The existing Walker Road overpass will be removed, and a new bridge over I-81 will be constructed 412 meters (1,350 feet) south of the existing overpass.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-668. Filed for public inspection April 23, 1999, 9:00 a.m.]

Finding

Venango 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 Utica Bridge, which carries S. R. 3017, Section B00 over French Creek in the Borough of Utica, Venango County. The existing Utica Bridge has been determined eligible for the National Register of Historic Places. The effect of this project on the Utica Bridge will be mitigated by the following measures to minimize harm to the resource:

1. A marketing plan for the relocation and preservation of the existing Utica Bridge will be developed.

2. Preparing a Historic American Engineering Record (HAER) Recordation of the Utica Bridge.

3. Installing a permanent plaque commemorating the history and significance of the Utica Bridge.

4. Incorporating the extant bridge plaques for the Utica Bridge into the construction of the new structure.

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 feasible and prudent alternative to the project as designed, and that all reasonable steps have been taken to minimize such effect.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-669. Filed for public inspection April 23, 1999, 9:00 a.m.]

Retention of Engineering Firms

Centre and Clearfield Counties Project Reference No. 08430AG2334

The Department of Transportation will retain a consulting firm to provide Environmental Review Services for S.R. 0322, Section B02, The Dog Leg, in Centre and Clearfield Counties.

S. R. 0322, Section B02 is the relocation of approximately twenty-seven (27) miles of U.S. 0322 as a four lane Limited Access Highway from its interchange with I-99 north of Port Matilda in Centre County to the Woodland Interchange (Interchange 20) of Interstate 80 in Clearfield County.

The environmental review will consist of technical advisory support in the areas of natural resources, cultural resources, farmlands, Section 2002 evaluations, socioeconomics, air quality, noise, hazardous and residual wastes, and federal and state permitting.

Document review will include the prompt review of all pre-draft and draft technical documents, including report outlines, individual sections and chapters of technical reports, working papers, permit applications, graphics and exhibits. A review of the project's Technical Support Data File is to be conducted.

The sub-topics that are included in the Environmental Evaluation Report that are subject to review may include, but are not limited to, the following: regional and community growth; secondary and cumulative impacts; aquatic resources; wetland delineation and report preparation; agricultural areas; residential; commercial and industrial areas; hazardous and residual waste investigations; terrestrial habitat; archaeological investigations; Section 2002; threatened/endangered species habitat; groundwater recharge; air quality attainment areas; noise studies; needs analysis; and necessary permits.

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

a. How the selected firm will accomplish the tasks outlined or provide the services as detailed.

b. Specialized experience and technical competence of the team in Environmental Studies

c. Specialized experience and technical competence of the team in Preliminary Design

d. Experience in public participation

e. Specialized experience and technical competence of the team in the design of high speed interchanges

f. Specialized experience, previous experience, technical competence of individuals

g. The understanding of this assignment

h. Capacity of the team to perform work

i. Past record of performance with respect to cost control, work quality, and ability to meet schedules

The shortlisting for this project will be done at the District. All firms submitting Letters of Interest will be notified by the District of the shortlisting date.

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

This project reference assignment is considered complex. The letter of interest shall be a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The letter of interest submission shall be sent to:

Mr. George M. Khoury, P.E., District Engineer
Engineering District 2-0
P. O. Box 342, 1924-30 Daisy Street
Clearfield, PA 16830

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Christopher J. Sokol, P.E. District 2-0, at (814) 765-0676 or Mr. James R. Bathurst, P.E., District 2-0, at (814) 75-0437.

Crawford, Erie, Forest, Mercer, Venango and Warren Counties

Project Reference No. 08430AG2335

The Department of Transportation will retain an engineering firm for an Open-End Contract for Utility Designation, Location and Site Characterization Services on various projects located in Engineering District 1-0, that is, Crawford, Erie, Forest, Mercer, Venango and Warren 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 An Open-End Contract based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final 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. Experience and effectiveness of proposed project managers

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience

c. Specialized experience and technical competence of key staff

d. Specialized equipment required (available) for locating underground utilities

e. Location of consultant with respect to Engineering District 1-0

The firm may be required to perform any or all of the following engineering services: attend project field views and meetings and prepare minutes of same; prepare appropriate submissions for all project related meetings and field views; determine by electronic equipment the approximate location of underground facilities; locate by test hole an underground utility facility; survey and provide data indicating the top and bottom of the facility as well as the existing ground at the site; scan or sweep specific delineated areas for underground storage tanks, drums, and/or other subsurface structures that are incidental to designating and locating utilities; and provide data on Department plans as may be required.

The format and content of all documents, plans, reports and other submissions will be consistent with applicable State and Federal regulations and guidelines.

The reports and other written graphic material to be prepared may include, but not be limited to, early coordination and scoping correspondence; plans of study; meeting minutes; handouts and displays.

The engineering services 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 described for under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

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

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael L. McMullen, P.E., District 1-0, at (814) 437-4331.

Lackwanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming Counties
Project Reference No. 08430AG2336

The Department of Transportation will retain an engineering firm for an Open-End Contract for designated and locating utilities on various projects located in Engi-

neering District 4-0, that is, Lackawanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount for the Open-End Contract will be \$250 thousand.

The Department will establish an order of ranking of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the Letters of Interest received in response to this solicitation. The ranking will be established directly from the Letters of Interest.

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, availability of appropriate equipment, and technical competence of firm in performing subsurface utility engineering for highway project.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.
- c. Available staffing for this assignment.
- d. Location of consultant in respect to the District.
- e. Resumes of all key personnel.

The selected firm will be required to provide: all professional designating and locating services to designate, with electronic equipment, existing subsurface utility facilities, including detection and mapping of underground storage tanks, drums, and similar type facilities in progressive phases; to locate by test holes existing subsurface utility facilities which may be affected by our highway projects; to provide valuation problem identification and solutions in the field; to provide utility facility identification by survey; and other related services as may be required.

For the purpose of this advertisement, "designate" means to indicate, by marking, the presence of approximate horizontal location of a subsurface utility using geophysical prospecting techniques, and "locate" means to obtain the accurate horizontal and vertical location of a subsurface utility by digging a test hole.

This project reference assignment is considered non-complex. The letter of interest shall be a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Charles M. Mattei, P.E., District Engineer
Engineering District 4-0
P. O. Box 111
Scranton, PA 18501/
O'Neill Highway
Dunmore, PA 18512

Any technical questions concerning the requirements for this project should be directed to: Mr. George J. Roberts, P.E., District 4-0, at (570) 963-4064.

**Philadelphia County
Project Reference No. 08430AG2337**

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 S.R. 2001, Section B02, Philadelphia County. This project consists of reconstructing Delaware Avenue to six (6) lanes including drainage, sidewalks and lighting from Race Street to Richmond Street in the City of Philadelphia.

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. Specialized experience in bituminous and concrete paving, landscaping, Maintenance and Protection of Traffic and lighting, electrical and water/sewer construction (City of Philadelphia experience beneficial).
- 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 one (1) "CDS" operator or person capable of inputting data into personal computer (TCIS Classification).
- f. Past performance.

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

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 Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (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; and perform other duties as may be required.

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

- a. 35 MM camera (one per project)
- b. Three (3) Two-way radios/repeater equipment and base unit (maximum number per project)
- c. Safety vests-high visibility for inspectors
- d. One (1) cellular phone

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).

This project reference assignment is considered non-complex. The letter of interest shall be a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Andrew Warren, District Administrator
 Engineering District 6-0
 200 Radnor-Chester Road
 St. Davids, PA 19087

The Letter of Interest submission for this project reference number must be received at the address listed

above by 4:30 P.M. prevailing time on the twentieth day following the date of this Notice.

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	7

No resumes are required for the TA Classification.

Any technical questions concerning the requirements for this project should be directed to: Mr. George Dunheimer, District 6-0, at (610) 964-6554.

**Montgomery County
 Project Reference No. 08430AG2338**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately eighteen (18) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 0202, Section 4032, Montgomery County. This project consists of constructing new bridge structures and ramps for Traffic Routes 202 and 422, including retaining walls, concrete paving, soundwalls, drainage, wetlands and signing while maintaining the existing traffic in Upper Merion and Tredyffrin Townships.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities. Department and District experience and supervisory experience.
- b. Specialized experience in structures, concrete paving, earthwork, geotextiles 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 one (1) "CDS" operator or person capable of inputting data into personal computer (TCIS Classification), and one (1) licensed nuclear operator (TCI-M Classification).
- f. Past performance.

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

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 & TCI-M) (NICET Highway Construction Level 2 or equivalent)	12 (7)
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>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-M)	\$36.55
(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; and perform other duties as may be required.

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

- a. Two (2) 35 MM camera
- b. One (1) pager
- c. Safety vests-high visibility for inspectors
- d. One (1) cellular phone
- e. One (1) nuclear densometer gauge/license and a means to transport this gauge on demand.

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).

This project reference assignment is considered non-complex. The letter of interest shall be a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Andrew Warren, District Administrator
 Engineering District 6-0
 200 Radnor-Chester Road
 St. Davids, PA 19087

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth day following the date of this Notice.

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-M	2
TCI	11

No resumes are required for the TA Classification.

Any technical questions concerning the requirements for this project should be directed to: Mr. Rex Mackey, District 6-0, at (610) 964-6556.

**Bedford County
 Project Reference No. 08430AG2339**

The Department of Transportation will retain an engineering firm to perform preliminary design, final design, and construction services for S.R. 0030, Section 007, and S.R. 0030, Section 017, the Bedford to Everett widening project, located on U.S. Route 30, in Bedford and Snake Spring Townships, and Bedford Borough, in Bedford County and the Bedford By-Pass located on S.R. 0030, Section 017 in Bedford Township, in Bedford County. Estimated construction costs for these two (2) projects is approximately \$58.0 million.

The S.R. 0030, Section 007 project includes widening and reconstruction 4.7 miles of U.S. Route 30 from the Narrows at Segment 0390 to Mount Dallas at Segment 0470, including rehabilitation of the existing Narrows Bridge, construction of a new structure adjacent to the

Narrows Bridge, replacement of the PA Turnpike overpass bridge to provide wider opening of Route 30 at Segment 0394, and replacement of the structure over Snake Spring Valley Run at Segment 0460. The S.R. 0030, Section 017 project also includes rehabilitation of 3.3 miles of four-lane U.S. Route 30 known as the Bedford By-Pass, including rehabilitation work for nine (9) structures.

The selected firm will be required to perform field surveys; preliminary and final roadway design; erosion and sedimentation control plans; maintenance and protection of traffic plans; right-of-way plans; hydrologic and hydraulics analysis; roadway and structure borings; preliminary of final type, size and location, preparation of plans, specifications and estimates, shop drawing review, and consultation during construction.

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 the firm. Firms must demonstrate an ability to analyze available data to make decisions and develop plans in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar projects. The firms will also be evaluated on customer satisfaction, including accessibility, cooperation, and attitude toward previous projects.

c. The firms selected must be capable of providing adequate leadership, human resources, organization, and strategic planning to effectively coordinate all final design activities.

d. Firms must demonstrate their ability to communicate ideas and/or practices across units, including subconsultants, to improve the design process and better meet the requirements of the Department.

e. The relative size of the firm.

f. Location of the firm in relation to the District Office.

This project reference assignment is considered moderately complex. The letter of interest shall be a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11 x 17 size), required information, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Earl L. Neiderhiser, P.E., District Engineer
Engineering District 9-0
1620 North Juniata Street
Hollidaysburg, PA 16648
Attention: Mr. Thomas A. Prestash, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth day following the date of this Notice.

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

The letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Earl L. Neiderhiser, P.E., District Engineer, District

9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Attention: Mr. Thomas A. Prestash, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Thomas A. Prestash, P.E., District 9-0, at (814) 696-7174.

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, WEBS 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. 99-670. Filed for public inspection April 23, 1999, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Metz Contracting, Inc. v. DEP; EHB Doc. No. 99-061-R

Metz Contracting, Inc. has appealed the denial by the Department of Environmental Protection of an NPDES permit to PAR 10W120 for a facility in the Borough of Canonsburg, Washington County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 99-671. Filed for public inspection April 23, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, April 8, 1999, and took the following actions:

Regulations Approved:

State Board of Psychology #16A-635: Examination Fees (amends 49 Pa. Code § 41.12).

State Board of Chiropractic #16A-4310: Radiologic Procedures Examination Fees (amends 49 Pa. Code Chapter 5).

State Board of Landscape Architects #16A-614: Examination Fees (amends 49 Pa. Code § 15.12).

Department of Labor and Industry #12-53: Special Funds Assessments (amends 34 Pa. Code Chapter 121).

Pennsylvania Public Utility Commission #57-163: Obsolete Regulations Concerning Electric Service (amends 52 Pa. Code Chapters 57 and 59).

Department of Agriculture #2-111: Weights, Measures and Standards (amends 70 Pa. Code Chapters 1—10, 21, 35 and 39).

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocco-drilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

State Board of Psychology—Examination Fees; Regulation No. 16A-635

Order

On March 12, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Psychology (Board). This rulemaking amends 49 Pa. Code § 41.12. The authority for this regulation is section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) and sections 3.2(2) and 3.3(d) of the Professional Psychologists Practice Act (63 P. S. §§ 1203.2(2) and 1203.3). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation increases the fee for the National portion of the licensure examination, Professional Practice of Psychology, by \$55 or 18.6%. The increase is necessary to meet contract costs that apply to examinations on and after April 1999.

On March 23, 1999, the House Professional Licensure Committee approved the regulation.

We have reviewed this regulation and find it to be in the public interest. The revised fee reflects the Board's contract with Professional Examination Services to develop, grade and administer the Professional Practice of Psychology examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-635 from the State Board of Psychology, as submitted to the Commission on March 12, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocco-drilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

State Board of Chiropractic—Radiologic Procedures Examination Fees; Regulation No. 16A-4310

Order

On March 12, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Chiropractic (Board). This rulemaking amends 49 Pa. Code Chapter 5. The authority for this regulation is contained in section 812.1 of The Administrative Code of 1929 (71 P.S. § 279.3a) and section 1101(a) of the Chiropractic Practices Act (63 P.S. § 625.1101(a)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board is proposing to decrease the fee for the radiological procedures examination. The fee will be reduced from \$75 to \$58. The fee represents the contract cost between the Board and its agent, the American Chiropractic Registry of Radiological Technologists to administer the radiological procedure examination. The examination must be taken by auxiliary personnel who perform certain radiological procedures under the direct supervision of a chiropractor.

The House Professional Licensure Committee approved the regulation on March 23, 1999.

We have reviewed this regulation and find it to be in the public interest. The change in fee is necessary to reflect the actual costs to administer the radiological procedures examination.

Therefore, It Is Ordered That:

1. Regulation No. 16A-4310 from the State Board of Chiropractic, as submitted to the Commission on March 12, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocco-drilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

State Board of Landscape Architects—Examination Fees; Regulation No. 16A-614

Order

On March 10, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Landscape Architects (Board). This rulemaking amends 49 Pa. Code § 15.12. The authority for this regulation is in sections 4(2) and (9) and 5(a) of the Landscape Architects' Registration Law (63

P.S. §§ 904(2) and (9) and 905(a)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board is increasing the fees for the National Landscape Architect Registration Examination (LARE) effective with the December 1999 examinations. The regulation also incorporates revised examination section designations which will be used starting with the June 1999 examination. Currently, the LARE has six numbered sections. The revised LARE has Sections A through E.

On March 23, 1998, the House Professional Licensure Committee approved the regulation.

We have reviewed this regulation and find it to be in the public interest. The revised fees reflect the Board's contract with the Council of Landscape Architectural Registration Boards to develop, grade and administer the LARE.

Therefore, It Is Ordered That:

1. Regulation No. 16A-614 from the State Board of Landscape Architects, as submitted to the Commission on March 10, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocco-drilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

Department of Labor and Industry—Special Funds Assessments; Regulation No. 12-53

Order

On August 26, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapter 121. The authority for this regulation is found in section 2218 of Act 57 of 1997 (71 P.S. § 578) and sections 401.1 and 435 of the Workers' Compensation Act (71 P.S. §§ 710 and 991). The proposed regulation was published in the September 5, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 16, 1999.

In accordance with Act 57, the Department is revising Chapter 121 to clarify that the imposition, collection and remittance of assessments for certain funds shall be done "through insurers" rather than "imposed on" insurers. The revisions affect the Subsequent Injury Fund; the Workmen's Compensation Supersedeas Fund; and the Workmen's Compensation Administration Fund. The regulation also clarifies the formula for calculating the assessment for the Office of Small Business Advocate and the procedures for the operation of the Special Funds.

We have reviewed this regulation and find it to be in the public interest. The revisions bring the Department's regulations into compliance with Act 57.

Therefore, It Is Ordered That:

1. Regulation No. 12-53 from the Department of Labor and Industry, as submitted to the Commission on March 16, 1999, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

Pennsylvania Public Utility Commission—Obsolete Regulations Concerning Electric Service; Regulation No. 57-163

Order

On February 20, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapters 57 and 59. The authority for this regulation is sections 501, 504, 505, 506, 1301 and 1501 of the Public Utility Code (66 Pa.C.S. §§ 501, 504, 505, 506, 1301 and 1501). The proposed regulation was published in the March 8, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 10, 1999.

This regulation eliminates or revises obsolete provisions, including record maintenance for electric utilities and sales promotion practices for gas and electric utilities. The regulation also simplifies procedures for electric utilities to request an exemption from the underground installation requirements for electric service in new residential developments.

We have reviewed this regulation and find it to be in the public interest. Elimination of unnecessary record maintenance requirements should lower costs for electric utilities. Simplified procedures for exemption from underground installation requirements will benefit residential developers as well as new home purchasers.

Therefore, It Is Ordered That:

1. Regulation No. 57-163 from the Pennsylvania Public Utility Commission, as submitted to the Commission on March 10, 1999, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli, dissenting; Robert J. Harbison, III; John F. Mizner

Public Meeting held
April 8, 1999

Department of Agriculture—Weights, Measures and Standards; Regulation No. 2-111

Order

On September 29, 1998, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Department of Agriculture (Department). This rulemaking amends 70 Pa. Code Chapters 1—10, 21, 35 and 39. The authority for this regulation is the Consolidated Weights and Measures Act (3 Pa.C.S. §§ 4101—4194) (act). The proposed regulation was published in the October 10, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 17, 1999.

The regulation implements the act by incorporating comprehensive provisions. It includes provisions for testing and inspection of universal product code (UPC) scanners and price look up (PLU) devices by State inspectors, county or city sealers, or by private certification programs. The regulation also allows cities and counties the option to participate in a sealer program. Participation had previously been mandatory.

The regulation contains training and licensure requirements for inspectors of UPCs and PLUs and for Certified Examiners of Weights and Measures (CEWMs). It also contains registration, training and reporting standards for sellers, installers and repairers of commercial weighing and measuring devices.

We have reviewed this regulation and find it to be in the public interest. The regulation establishes requirements consistent with the act for all parties who seek Department certification as CEWMs and scanner inspectors. It will impact all businesses that commercially use weighing and measuring devices by insuring that inspections are completed annually.

Therefore, It Is Ordered That:

1. Regulation No. 2-111 from the Department of Agriculture, as submitted to the Commission on March 17, 1999, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-672. Filed for public inspection April 23, 1999, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) (act) 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 (l) of the act (75 P. S. § 745.5a(h)(l)).

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>
16A-623	State Board of Examiners of Nursing Home Administrators Continuing Professional Education (29 Pa.B. 662 (February 6, 1999))	4/8/99	3/8/01
11-193	Insurance Department Medicare Supplement Insurance Minimum Standards (29 Pa.B. 650 (February 6, 1999))	4/8/99	3/8/01
11-149	Insurance Department Motor Vehicle Physical Damage Appraisers (29 Pa.B. 655 (February 6, 1999))	4/8/99	3/8/01

Insurance Department Regulation No. 11-193

Medicare Supplement Insurance Minimum Standards

April 8, 1999

We have reviewed this proposed regulation from the Insurance Department (Department) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(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 clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Complaints—Clarity

The regulation is not clear regarding what constitutes a complaint, how complaints are to be distinguished from grievances, and the procedures an insurer must follow when a complaint is received. This affects the plan of operations filed by insurers, hearing of complaints by insurers, and the Department's evaluation of the performance of an insurer regarding complaints and grievances. The following comments provide specific points in the regulation where complaints and their procedures are vague.

a) *Definition of "Complaint."*

The definition of "complaint" in Subsection (c) does not provide a clear distinction between a complaint and a grievance. The definition of "grievance" appears to be substantially the same as the definition of "complaint." However, the definition of "grievance" contains qualifying phrases such as "expressed in writing," and "insured under a Medicare Select policy or certificate." It isn't clear whether a complaint could be in writing, or whether a complaint could be filed by an individual who is not insured. The regulation should provide clear guidance to distinguish a complaint from a grievance.

Alternatively, if there is not a clear distinction between the terms, the Department should combine these provisions and delete one of the terms from the regulation.

b) *Plan of operation regarding complaints.*

Subsection (f)(3) requires a description of the grievance procedure. The regulation does not require a corresponding description of the complaint procedure. If there is a difference between a complaint and a grievance, the regulation should include a requirement for the plan of operation to contain a description of the complaint procedure to be utilized, and how the insurer will distinguish between a complaint and a grievance.

c) *Procedures for hearing complaints.*

Subsection (l) requires procedures for hearing complaints and resolving written grievances. However, subsequent Paragraphs (1)—(6) only discuss grievances. If there is a difference between a complaint and a grievance, the regulation should provide a parallel description of procedures for hearing complaints and their resolution.

d) *Report regarding complaint procedures.*

Subsection (l)(6) requires reporting regarding grievance procedures. The regulation should provide a parallel reporting requirement for complaint procedures.

2. Subsection (f). Plan of Operation—Clarity

Subsection (f)(7) requires a proposed plan to contain "other information requested by the Commissioner." The Department should narrow the scope of this requirement to information pertinent to the plan of operation.

3. Subsection (l). Complaint and Grievance Procedures—Clarity

Subsection (l) requires the grievance procedure to be provided in the policy, the outline of coverage, and described in detail when a policy is issued. The Department should also consider requiring the insurer to explain how an individual may initiate a complaint or grievance when an individual expresses dissatisfaction to the insurer or its providers.

Subsection (l)(3) requires grievances to be considered in a "timely manner." Subsection (l)(4) requires corrective action to be taken "promptly." Subsection (l)(5) requires the concerned parties to be notified, but does not provide a timeframe for notice. These subsections do not provide clear guidance for when the actions are expected to occur. A grievance may involve the type or level of care an ill individual is receiving. The Department should consider setting minimum timeframes for processing grievances that directly affect a patient's care.

*State Board of Examiners of Nursing Home
Administrators
Regulation No. 16A-623*

Continuing Professional Education

April 8, 1999

We have reviewed this proposed regulation from the State Board of Examiners of Nursing Home Administrators (Board) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(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 fiscal impact, reasonableness, feasibility, need and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 39.41. Provider registration.—Clarity

Subsection 39.41(a) states that “anyone seeking to offer a program for continuing education” must apply for Board approval as a provider. According to Board staff, this requirement applies to all providers including colleges, universities, associations, professional societies or organizations. Currently, subsection 39.14(b) outlines an approval process for programs offered by an association, professional society or organization. The proposed regulation deletes subsection 39.14(b). There are no other references to professional organizations in the regulation. In contrast, college or university courses are listed in subsection 39.61(b)(2). To clarify that professional organizations may apply to be continuing education providers, subsection 39.41(a) should include “colleges, universities, associations, professional societies or organizations” as examples of providers.

2. Section 39.44. Provider responsibilities.—Clarity

The Preamble states that the new section 39.44 establishes provider responsibilities including “verification requirements.” The term “verification” is not used in the new section. However, subsection 39.44(8) does require providers to retain “attendance records” and other materials. The Board counsel indicates that the “verification requirements” is intended to refer to the attendance records. This explanation needs to be included in the Preamble of the final-form regulation.

3. Section 39.51. Standards for continuing education programs.—Clarity

Subsection 39.51(b), as it appears in the *Pennsylvania Bulletin*, contains a typographical error. The first word of the revised subsection is repeated twice.

4. Section 39.52. Programs registration.—Fiscal Impact, Reasonableness, Feasibility and Need

Subsection 39.52(b) requires “preapproval” of all continuing education programs. The Pennsylvania Association of Non-Profit Homes (PANPHA), Hospital and Healthsystem Association of Pennsylvania (HHAP) and individual commentators are concerned that this requirement will unnecessarily limit the availability of valuable continuing education programs.

The House Professional Licensure Committee (House Committee) met on March 23, 1999, and considered this proposed regulation. The House Committee also expressed concern over the availability of continuing education programs. It requested additional information regarding the impact of the proposed regulation on the availability of continuing education programs for licensees.

Availability is important. The Board needs to study the numbers and types of courses that will be available under this proposed regulation. It should also examine the costs to licensees of locating and attending “preapproved” programs. The Board’s licensure renewal prerequisites must be both reasonable and feasible. The Board needs to assure both the House Committee and licensees that programs will be available and affordable.

In addition, the Board should consider two options to increase availability of programs. First, the regulation should include procedures whereby licensees could individually submit applications for preapproval of programs

when a provider is unwilling to apply or is unaware of the requirement. Second, the Board should consider retaining the retroactive approval option. Currently, section 39.64 contains procedures whereby licensees can obtain credit hours for attendance at programs that were not “preapproved” by the Board. It is being deleted by the proposed regulation. Rather than completely eliminating this option, the Board should consider retaining it. To encourage licensees to attend “preapproved” courses, it could limit the retroactive approval option to a limited number of hours.

5. Section 39.61. Requirements—Fiscal Impact, Reasonableness, Need and Clarity

When is preapproval required

Subsection 39.61(b)(1) requires that at least 24 hours of continuing education be taken in courses approved by the Board or National Association of Boards of Examiners of Long-Term Care Administrators (NAB). The rest of the section discusses other alternatives for receiving credit for clock hours including college or university courses, individual study, authoring a published article and serving as an instructor. However, there is no indication that these alternatives must be Board or NAB approved. According to the Board counsel, the only exception to the “preapproval” requirement will be authoring a published article.

The regulation should clearly delineate the programs that require “preapproval.” For example, subsection 39.61(b)(2) should be deleted or revised to state clearly that college and university courses need to be preapproved by the Board. In addition, subsection 39.52(b) should include “authoring a published article” as an exception to the “preapproval” rule.

Awarding “clock hours” for individual study and authoring a published article

Subsection 39.61(b)(3) allows a licensee to earn clock hours of continuing education through other activities including “individual study” and authoring an article. The continuing education prerequisite is 48 clock hours of instruction. “Individual study” is defined as not having “an instructor or other interactive learning methodologies” in section 39.1. The regulation does not contain any procedures for crediting “clock hours” to “individual study.” The regulation needs to describe how the Board will calculate the credit earned through individual study.

The subsection also states that a licensee may earn up to three clock hours per published article. It goes on to indicate that an author may earn additional clock hours for an article based on the complexity of the subject matter or work or if the article is published in a refereed journal. However, there is no indication of how and when the Board will determine the amount of additional credit to be awarded to a licensee for authoring a published article. The regulation needs to explain how this credit will be measured as well.

Authoring a published article and earning more clock hours

Subsection 39.61(b)(3) begins with this statement: “A maximum of 12 clock hours may be taken in any of the following categories.” However, there is an exception to the maximum in subparagraph 39.61(b)(3)(ii). This subparagraph indicates that a licensee who authored an article published in a refereed journal may earn up to 24 clock hours of credit.

Subparagraph 39.61(b)(3)(ii) is not consistent with the “maximum 12-hour rule” set forth in the first sentence in the subsection. To improve clarity, subparagraph

39.61(b)(3)(ii) should appear as a separate subsection. It could be subsection 39.61(b)(4). Subparagraph 39.61(b)(3)(iii) would then be renumbered as (ii).

6. Section 39.61. Requirements—Fiscal Impact, Reasonableness and Need

The proposed regulation deletes the existing language in subsection 39.61(b)(2) which allows licensees to earn up to 12 credit hours by actively participating in community, professional and health care activities. Individual commentators claim that these activities are valuable experiences and they need the flexibility to use these activities as credit. The Board's position is that while these are worthwhile activities, they do not constitute education or learning which contributes directly to the professional competence of licensees.

Since the Board acknowledges that community, professional and health care activities are worthwhile, it needs to explain why they are not valuable as continuing education for licensees. Written comments to the Board questioned the value of some preapproved courses and presented a compelling case for receiving continuing education credit for professional, community and health care activities. For example, meetings with professional colleagues are an opportunity to exchange new and current ideas that enhance the quality and efficiency of health care and skilled nursing operations.

Section 9(b) of the Nursing Home Administrators License Act (63 P. S. § 1109(b)) requires licensees to attend "not less than 24 hours" of continuing education biennially. The Board increased the requirement to 48 hours. The Board's authority to increase the minimum requirement of the statute is clear. However, the Board should fully explain the need and rationale for restricting licensees' ability to meet the requirement.

Many nursing homes and their staffs operate under tight budgets. Limiting the options for administrators to meet their continuing education requirements may not be in the best interests of these facilities or their residents. Rather than eliminating the "community, professional and health care activities" option, the Board should examine the possibility of reducing the maximum amount of credit available for this option from 12 to 9 hours.

Insurance Department Regulation No. 11-149

Motor Vehicle Physical Damage Appraisers

April 8, 1999

We have reviewed this proposed regulation from the Insurance Department (Department) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(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 and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 62.1. Definitions.—Clarity.

Aftermarket crash part

The regulation includes the following definition of "aftermarket crash part":

A replacement for any of the nonmechanical sheet metal or plastic parts that generally constitute the exterior of the motor vehicle, including inner and outer panels.

It appears this definition applies only to original equipment manufacturer (OEM) parts because the proposed regulation contains a separate definition of "nonoriginal equipment manufacturer aftermarket crash part." The definition of "aftermarket crash part" should be revised to clarify this point. Furthermore, the Department should clarify whether recycled OEM parts are covered by the definition of "aftermarket crash part."

In its comments, the Insurance Federation of Pennsylvania (IFP) recommended deleting the reference to "sheet metal or plastic" parts because it may not reflect the changing technology in the industry. The Department should ensure that the definition is broad enough so that it does not become obsolete as new materials are used to manufacture parts.

Appraisal

"Appraisal" is defined, in part, as follows:

A written monetary determination of damage incurred to a motor vehicle when the making of such a determination is assigned in order to return the vehicle to its *condition prior to the damage in question*. (emphasis added.)

To be consistent with the terminology used throughout the regulation, the phrase "condition prior to the damage in question" should be replaced with "predamaged condition."

Predamaged condition

The definition of this term reads as follows:

The condition of the motor vehicle just prior to the damage in question incurred.

The definition is confusing and hard to read. In its comments, IFP suggests substituting "condition" with "function and appearance" to eliminate the circular reference to "condition." We suggest the Department revise the definition to read as follows:

The function and appearance of the motor vehicle immediately prior to when the damage in question was incurred.

2. Section 62.2. Licensing requirements.—Clarity.

Additional information for licensure

Subsection (a)(2) provides the following:

The applicant shall provide additional information experience, education or training to the Commissioner or a designee upon request.

It is unclear what additional requirements are contemplated by this provision and under what circumstances an applicant would be subject to the additional requirements. We request the Department clarify when an applicant would be subject to requirements other than those contained in the Motor Vehicle Physical Damage Appraiser Act (act) and the regulation. Also, the Department should insert the word "on" between "information" and "experience" to clarify the sentence.

Determination of trustworthiness

Subsection (b)(3) states that the Department will determine if an applicant possesses the trustworthiness required to conduct motor vehicle appraisals. The regulation does not specify how the Department will make this determination. It is our understanding that the Department will base this determination on the factors listed in paragraphs (b)(1), (2), (4) and (5). If this is the Department's intent, we suggest that paragraph (b)(3) be deleted and that paragraph (b) be revised to read as follows:

(b) An application for licensing may be denied if the Department determines the applicant does not possess the professional competence and trustworthiness required to engage in conducting motor vehicle appraisals. The Department will base this determination on the following:

3. Section 62.3. Applicable standards for appraisal.—Clarity, reasonableness.

Use of abbreviations

The Department is proposing to delete existing subsection (a)(3), which prohibits an appraisal from using abbreviations or symbols to describe the work to be done unless the appraisal includes an explanation of the symbols and abbreviations. The Department's rationale for deleting this provision is that it has been an automotive industry practice to use abbreviations with definitions, and section 11(b) of the act (63 P.S. § 861(b)) requires the appraisal to be legible.

Consumers may not be familiar with the abbreviations used in the automotive industry. Deleting the requirement for definitions of abbreviations and symbols may result in appraisals with terms and notations confusing to the consumer. Since the use of definitions with abbreviations has been an industry standard, retaining this requirement would not be burdensome or unreasonable. Therefore, the Department should retain subsection (a)(3).

Signing the appraisal

Subsection (a) requires the appraisal be "signed" by the appraiser. Some commentators noted that "authenticated" would be a better term because many appraisals are now electronically transmitted. We agree and recommend that the Department replace "signed" with "authenticated."

Excess costs

Subsection (b)(2) requires the following:

A statement that excess costs above the appraised amount may be the responsibility of the vehicle owner.

It is unclear what the term "excess cost" means. We suggest the Department define this term in Section 62.1. Definitions.

It is also unclear what recourse the vehicle owner has in disputing the appraiser's determination of excess costs, or in objecting to the appraiser's conduct. Not all consumers may be aware of the option of filing a complaint with the Department. We suggest the Department require the appraisal to include a statement informing the vehicle owner of the right to file a complaint with the Department and providing the address and phone number of the appropriate bureau in the Department.

Recommendation of repair shops

Subsection (b)(3) allows the appraiser to provide the consumer with the names of at least two repair shops able to perform the repairs. This provision raised concerns with several commentators. The IFP believes there is no provision in the act for the appraiser to make this recommendation. The Pennsylvania Collision Trade Guild also opposes this provision because it is inconsistent with the intent of the act with respect to customer choice and an appraiser's independence. We agree. Allowing an appraiser to recommend specific repair shops raises a concern about an appraiser's independence and could influence the consumer's selection of a repair shop.

Section 861 of the act (63 P.S. § 861) allows the consumer to select a body shop to perform the repairs. This section also provides that "No appraiser or his

employer shall require repairs be made in any specified repair shop" and that the appraiser must make an independent appraisal.

The regulation does not require the consumer to choose the recommended shops. However, the consumer may feel obligated to follow the appraiser's recommendation. Also, the provision may create the appearance that the appraiser is steering consumers to specific repair shops and not performing an independent appraisal.

To avoid these concerns, the Department should delete the provision allowing an appraiser to recommend repairs shops to the consumer.

Description of repairs

This paragraph requires the appraisal to include a "description of repairs necessary to return the vehicle to its predamaged condition." Commentators have suggested adding the phrase "known at the time of the appraisal" after "repairs" to acknowledge that all the repairs that are ultimately necessary to return the vehicle to its predamaged condition may not be known at the time of the initial appraisal. Commentators suggest the same language also be added to paragraphs (b)(4), (b)(5) and (b)(7). The Department should make this revision.

Depreciation

Also in subsection (b), the Department is deleting the sentence that requires specification of charges relating to several specific items including depreciation. Most of the items in the deleted sentence are included under new paragraphs 62.3(b)(5), (6) and (7), with the exception of depreciation. It is our understanding that the exclusion of depreciation was simply an oversight. The Department should include the reference to depreciation in the final-form regulation.

Invocation of the appraisal clause

Subsection (b)(4) provides that if there is a dispute about repair costs, the insured or insurer may seek resolution through the invocation of the appraisal clause in the insurance policy. We have two concerns with this provision.

First, some commentators have interpreted this provision as requiring all insurance policies to contain an appraisal clause. The commentators assert such a requirement is not authorized in the act. It is our understanding that this provision is intended to provide information to consumers about potential options available when a dispute occurs, not to mandate an appraisal clause in all policies. If it is only for informational purposes, the Department should consider whether this regulation is the appropriate vehicle to provide this information.

Second, if this provision is retained, the Department needs to explain what occurs if a consumer's policy does not contain an appraisal clause. That is, what process is to be followed when the consumer and insurer disagree on the appropriate repair costs?

Applicable sales tax

Subsection (b)(6) provides that the appraisal shall contain "the sales tax on the total dollar amount of the appraisal." Because not all items in the appraisal may be subject to sales tax, it is not correct to apply the sales tax to the total dollar amount of the appraisal. For example, sales tax does not apply to towing services and storage. Therefore, the appraisal should contain the sales tax only where applicable.

Warranty of Non-OEM parts

Subsection (b)(9) provides that if the use of an aftermarket crash part voids the warranty on the original part, the aftermarket crash part should have a warranty equal to or better than the original part. We have several concerns about the clarity and reasonableness of this provision.

First, Subsection (b)(9) begins by referencing Non-OEM aftermarket crash parts. The last part of the provision relating to warranties simply references aftermarket crash parts. Therefore, it is not clear if the provision relates to just Non-OEM parts or all aftermarket crash parts. The Department should clarify how this provision is to be applied. Also, if the Department's intent is to apply this requirement only to Non-OEM parts, it should explain why the warranty provision should not apply to all other aftermarket crash parts.

Second, we question the intent and reasonableness of the warranty being "equal to or better than the warranty on the original part." The warranty period should only be as long as the remaining portion of the original part's warranty. If the original part had a five-year warranty and was 3 years old, the warranty on the replacement part should be for two years. The Department should clarify that the warranty for the replacement part must be of the same duration as the remaining time on the original part.

Third, the regulation should clarify who will make the determination that an aftermarket crash part voids the warranty on the original part.

Disclosure of Non-OEM parts

Subsection (b)(9) requires disclosure "if the appraisal includes Non-OEM aftermarket crash parts, a statement the appraisal has been prepared based on the use of aftermarket crash parts supplied by a source other than the manufacturer of the motor vehicle. . . ." We have several concerns and questions related to this new disclosure provision.

First, it is not clear if the appraisal must specifically indicate which replacement parts are Non-OEM or just simply indicate that the appraisal is based on the use of Non-OEM parts. To provide full disclosure and protect the consumer, the appraisal should indicate which parts are Non-OEM parts.

Second, many consumers may not understand the term Non-OEM. In order for the disclosure to be meaningful, the appraisal should include a definition of Non-OEM aftermarket crash part. We suggest the appraisal include the definition of this term found in Section 62.1. Definitions.

Third, disclosure is required if the appraisal includes "aftermarket crash parts supplied by a source other than the manufacturer of the motor vehicle." It appears the Department's intent is to require disclosure of parts not certified or manufactured by the original vehicle manufacturer. Consequently, the Department should replace the phrase "supplied by a source other than" with "not manufactured or certified by."

Finally, just as a consumer should be aware of the use of Non-OEM parts, a consumer should be informed when recycled OEM parts are used. Therefore, the Department should require disclosure when recycled OEM parts are used.

Salvage requirements in Pennsylvania vehicle code

The Pennsylvania Automotive Recycling Trade Society recommends that subsection (c)(1) be amended to reference section 1117(a) of the Pennsylvania Vehicle Code. This section requires the filing of an application of salvage with the Department of Transportation. The Department should consider this recommendation to assist the consumer in understanding all requirements for salvaging a vehicle.

Request of the use of other parts

Subsection (d) provides the following:

An appraisal for the repair of the motor vehicle shall be made in the amount necessary to return the motor vehicle to its predamaged condition. If the consumer requests the use of parts other than those listed on the appraisal, or otherwise wishes to repair the motor vehicle to a condition better than that existing prior to the damage incurred, the appraisal need only specify the cost of repairing the vehicle to its predamaged condition. (emphasis added.)

We have two concerns with this paragraph. First, it is unclear if the Department's intent is to address the issue of excess costs raised in section 62.3(b)(2). In the existing regulation, this provision follows a paragraph heading relating to "betterment of the vehicle." This heading has been deleted in the proposed regulation resulting in confusion regarding the difference between paragraphs (b)(2) and (d). We suggest the Department clarify the intent of this paragraph in the final-form regulation.

Our second concern relates to the phrase "requests the use of parts other than those listed on the appraisal, or otherwise wishes to repair the motor vehicle to a condition better than that existing prior to the damage incurred." This phrase implies that any time a consumer requests a part other than those listed on the appraisal, the consumer is seeking to restore the vehicle to a condition better than the predamaged condition. There may be instances where the consumer's request is legitimate. It is unnecessary to refer to the specific case of requesting parts other than those listed on the appraisal. The heart of the issue is that the appraisal does not need to specify costs of restoring a vehicle to better than its predamaged condition. We suggest the following revision: . . . If the consumer wishes to repair the motor vehicle to a condition better than the predamaged condition, the appraisal need only specify the cost of repairing the vehicle to its predamaged condition.

Satisfactorily and reasonably repaired

Subsection (e) uses the phrase "satisfactorily or reasonably repaired" as a decision factor when determining that the appraised value of loss should be the replacement value. It is not clear what will be considered "satisfactorily repaired" or "reasonably repaired." Furthermore, it is unclear who will make this determination. The Department needs to define these two terms and clarify who makes the determination.

Subsection (e) also contains the phrase "condition just prior to the damage in question being incurred." For consistency, this phrase should be changed to "predamaged condition."

Guide sources and replacement value

Subsection (e)(1)(i) provides that the Department will publish a list of approved guide sources once a year. Because this listing is instrumental in the implementa-

tion of the regulation, the initial list should be published at the same time as the final-form regulation.

The IFP recommends that the Department also allow the use of electronic data sources as an option for determining the replacement value. The Department should consider the merits of this recommendation.

For consistency, the first sentence of subsection (e)(1)(ii) should be amended to refer to the "predamaged condition of the motor vehicle" instead of using the qualifier "just prior to the damage in question."

Total loss evaluation report

Subsection (e)(7) requires the appraiser to send a copy of the total loss evaluation report within 5 working days of the appraisal's completion. This paragraph further requires that the consumer be advised of the right to receive a copy of the report within 5 days. To be consistent, the Department should revise this provision to require that the consumer be advised of the right to "be sent" a copy of the report within 5 days.

Terminology of salvager and salvage yard

The Pennsylvania Automotive Recycling Trade Society observes that the terms "salvage yard" and "salvager" are outdated and inconsistent with terms used in Pennsylvania statute. Section 1337 of the Pennsylvania Vehicle Code (75 Pa.C.S. § 1337) defines and provides for the registration of "Vehicle Salvage Dealer." Accordingly, the Department should use this term in place of salvager and salvage yard.

Direct and indirect conflict of interest

The regulation lacks clarity as to how direct and indirect conflict of interest will be defined, especially as it relates to the requirements of the act. Subsection (f)(9) provides that an appraiser shall:

(9) Not have a *direct or indirect conflict of interest* in the making of an appraisal. . . . (emphasis added.)

The Act (63 P. S. § 861(f)(2), (3) and (4)) provides the following:

(f) Every appraiser shall:

* * * * *

(2) Approach the appraisal of damaged property without prejudice against, or favoritism toward, any party involved in order to make fair and impartial appraisals.

(3) Disregard any efforts on the part of others to influence his judgment in the interest of the parties involved.

(4) Prepare an independent appraisal of the damage.

* * * * *

Subsection (f)(9) reinforces the independence requirements contained in the act. However, it is not clear what the Department regards as a "direct or indirect conflict of interest." Given that appraisers may be independent contractors, employees of an appraisal firm or employees of an insurance company, the Department should define "direct conflict of interest" and "indirect conflict of interest" in Section 62.1. Definitions.

Reappraisal

The Department is deleting subsection (g), relating to the ability to conduct more than one appraisal, because it serves no purpose and does not enhance the provisions of the act. This provision should be retained because it will provide notice to consumers and insurance companies that they may seek more than one appraisal. It also

provides notice that the original appraiser may need to make a second appraisal based upon new information.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-673. Filed for public inspection April 23, 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>
14-442	Department of Public Welfare Child Residential and Day Treatment Facilities	4/8/99
14-441	Department of Public Welfare Protective Services	4/14/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-674. Filed for public inspection April 23, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Tri-Century Insurance Company

University of Pittsburgh Medical Center Health System has filed an application to acquire control of Tri-Century Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies 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 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, by fax to (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-675. Filed for public inspection April 23, 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 Valerian and Jane Kulakowski, file no. 99-280-30746; Prudential Property and Casualty; doc. no. PH99-04-005; May 11, 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. 99-676. Filed for public inspection April 23, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Philadelphia County, PLCB Regional Office #1, 4501 Kelly Drive, Philadelphia, PA 19129-1794.

Lease Expiration Date: January 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 9,000 net useable square feet of new or existing office space in the City of Philadelphia in the Chestnut Hill, Andorra, Roxborough or Manayunk sections of the City. The office

space must be near a SEPTA stop with parking for approximately 40 vehicles.

Proposals due: May 21, 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 #4607, 131 E. Butler Avenue, Ambler, PA 19002-4425.

Lease Expiration Date: July 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space in the Borough of Ambler.

Proposals due: May 21, 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 #4609, 55 Limekiln Pike, Glenside, PA 19038-2907.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space in Springfield Township.

Proposals due: May 21, 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 #4622, 404 Huntingdon Pike, Rockledge, PA 19046-4448.

Lease Expiration Date: January 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in the Borough of Rockledge.

Proposals due: May 21, 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 #4629, Fairway Shopping Center, 1825 Limekiln Pike, Dresher, PA 19025-1739.

Lease Expiration Date: July 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space on Limekiln Road within a half mile radius of the intersection of Route #152 and Twining Road.

Proposals due: May 21, 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

Philadelphia County, Wine & Spirits Shoppe #5127, 2511 W. Girard Avenue, Philadelphia, PA 19130-1313.

Lease Expiration Date: April 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space on West Girard Avenue on the 2500 to 2900 block of Girard Avenue, Philadelphia.

Proposals due: May 21, 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

Philadelphia County, Wine & Spirits Shoppe #5159, 2006 Germantown Avenue, Philadelphia, PA 19122-1422.

Lease Expiration Date: June 30, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space within a half mile radius of the intersection of 5th and Berks Streets, Philadelphia.

Proposals due: May 21, 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

Philadelphia County, Wine & Spirits Shoppe #5165, 7322 Castor Avenue, Philadelphia, PA 19152-4205.

Lease Expiration Date: March 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 within a half mile radius of the intersection of Cottman and Castor Avenues, Philadelphia.

Proposals due: May 21, 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

Philadelphia County, Wine & Spirits Shoppe #5170, 6103 N. Broad Street, Philadelphia, PA 19141-1995.

Lease Expiration Date: March 31, 2001

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 on Broad Street, North of Olney Avenue, Philadelphia.

Proposals due: May 21, 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

Philadelphia County, Wine & Spirits Shoppe #5195, 7702 City Avenue, Philadelphia, PA 19151-2001.

Lease Expiration Date: April 30, 1999

Lease retail commercial space to the Commonwealth of

Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space on City Avenue, between Lancaster Avenue and West Chester Pike, Philadelphia.

Proposals due: May 21, 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

Erie County, Wine & Spirits Shoppe #2502, 105 W. 18th Street, Erie, PA 16501-2103.

Lease Expiration Date: April 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,100 net useable square feet of new or existing retail commercial space in a shopping center environment in downtown Erie, South of 12th Street and North of 20th Street. Location must have free, off-street parking and access for semi-trailer deliveries.

Proposals due: May 7, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130
 The Liquor Control Board seeks the following site:

Montgomery County, Wine & Spirits Shoppe #4617, Harleysville, Lower Salford Township.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within a 3 mile radius of the intersection of Route 63 and Route 113, Harleysville, Lower Salford Township.

Proposals due: May 21, 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. 99-677. Filed for public inspection April 23, 1999, 9:00 a.m.]

PENNSYLVANIA COMMISSION FOR WOMEN

Hearing Notice

The Pennsylvania Commission for Women (Commission) will hold a childcare hearing in Harrisburg on Thursday, May 13, 1999, at 9:30 a.m. in Room 8-EB of the East Wing Rotunda, Capitol Building.

The Commission will be working with the Pennsylvania Bar Association's Commission on Women in the Profession, and hopes to foster an informed public discussion on childcare issues that will contribute to the formulation of creative solutions to many childcare problems.

The Commission is soliciting the views of parents, childcare providers, legislators, policy makers, business owners, law enforcement officials and any other individuals interested in enhancing childcare services throughout the State. Persons who need accommodations due to a disability and want to arrange to attend should contact Christine Anderson, Pennsylvania Commission for Women, 205 Finance Building, Harrisburg, PA 17120 at (717) 787-8128, at least 24 hours in advance so arrangements can be made.

LOIDA ESBRI,
Executive Director

[Pa.B. Doc. No. 99-678. Filed for public inspection April 23, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service Without Hearing

A-122250 F0010. Peoples Natural Gas Company. Application of the Peoples Natural Gas Company for all approvals required under the Public Utility Code due to the transfer by merger of all of the stock of its parent company, Consolidated Natural Gas Company, to Dominion Resources, Inc., or a subsidiary thereof, with Dominion Resources, Inc., being the surviving parent company, directly or indirectly of the Peoples Natural Gas Company.

This 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 May 10, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: The Peoples Natural Gas Company

Through and By Counsel: William T. Hawke, Esquire, Thomas J. Sniscak, Esquire, Malatesta, Hawke and McKeon, LLP, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17105, and

Applicant: Dominion Resources, Inc.

Through and By Counsel: Michael d. Klein, Esquire, John J. Gallagher, Esquire, LeBoeuf, Lamb, Greene and MacRae, LLP, 200 North 3rd Street, Suite 300, Harrisburg, PA 17108.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-679. Filed for public inspection April 23, 1999, 9:00 a.m.]

Sale of Certain Designated Generating and Related Assets

Without Hearing

A-110650F0004. Pike County Light & Power Company. Application of Pike County Light & Power Company (1) Requesting a Certificate of Public Convenience evidencing approval under section 1102(a)(3) of the Public Utility Code of the sale of certain designated generating

and related assets by Orange and Rockland Utilities, Inc. to affiliates of Southern Energy, Inc.; (2) Requesting approval under sections 508 and 2811(c) of the Public Utility Code of contracts related to sale; and (3) Requesting findings under section 32 of the Public Utility Holding Company Act.

This 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 May 10, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Pike County Light & Power Company

Through and By Counsel: Michael W. Hassell, Morgan, Lewis & Bockius LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-680. Filed for public inspection April 23, 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 May 17, 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 approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00115766. John Joseph Chambers (545 Tasker Avenue, Norwood, Delaware County, PA 19074)—persons in limousine service, between points in the counties of Philadelphia and Delaware, and from points in said counties, to points in Pennsylvania, and return.

A-00115789. Adamo Limousine, Ltd. (P. O. Box 3357, Easton, Northampton County, PA 18043-3357), a corporation of the Commonwealth of Pennsylvania—persons, in limousine service, between points in those portions of the counties of Berks, Chester, Lehigh, Montgomery, Northampton and Philadelphia, which are within an airline distance of 40 statute miles of the limits of the township of Doylestown, Bucks County, and from said points, to the Philadelphia International Airport, and vice versa. *Attorney:* Michael W. Hassell, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of household goods as described under each application.

A-00115679, Folder 2. Millennium Moving Co., Inc. (17 Ronald Circle, Oreland, Montgomery County, PA 19075), a corporation of the Commonwealth of Pennsylvania—additional right—household goods in use, between points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, and from points in said counties, to other points in Pennsylvania, and vice versa. *Attorney:* Richard A. Franklin, 1700 Sansom Street, 12th Floor, Philadelphia, PA 19103.

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-00111323, Folder 1, Am-A. Terry J. Kovach, t/d/b/a Vogue Limousines (508 Route 30 E, Irwin, Westmoreland County, PA 15642)—persons, in limousine service, between points in the county of Westmoreland, and from points in the county of Westmoreland, to points in the counties of Allegheny, Somerset and Washington, and return; subject to the following conditions: (a) that no right, power or privilege is granted to transport persons attending funerals or to provide service for funeral homes; and (b) that no right, power or privilege is granted to provide service between points in Allegheny County: *So as to permit* the transportation of persons in limousine service: (1) between points in the counties of Butler, Bedford, Westmoreland, Beaver, Armstrong, Cambria, Somerset, Fayette, Greene, Indiana, Lawrence and Washington, and from points in said counties, to points in Pennsylvania, and return; and; (2) from points in the county of Allegheny, to points in Pennsylvania, and return.

A-00112166, F. 1, Am-A. Classic Limousine Transportation, LLC (345 Rouser Road, Coraopolis, Allegheny County, PA 15108), a Pennsylvania Limited Liability Company—persons in limousine service, from points in Allegheny County, to other points in Pennsylvania, and return: *So as to permit* the transportation of persons in limousine service, between points in the counties of Washington, Westmoreland, Beaver, Fayette, Armstrong and Somerset, and from points in said counties, to points in Pennsylvania, and return; subject to the following condition: provided that no right, power or privilege is granted to provide service for funeral homes or for persons attending funerals. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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

A-00112166, Folder 3. Classic Limousine Transportation, LLC (345 Rouser Road, Coraopolis, Allegheny County, PA 15108), a Pennsylvania Limited Liability Company—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383

A-00115767. JMRS Enterprises, Inc., t/d/b/a JJ'S Travel & Tickets (1187 Wyoming Avenue, Exeter,

Luzerne County, PA 18643), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* Louis S. Sciandra, 11 Gramercy Park Building, Suite 213, 121 South Main Street, Pittston, PA 18640.

Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of persons as described under each application.

A-00088737, Folder 11, Am-A. Grove City Bus Lines, Inc. (1085 Sandy Lake Road, P. O. Box 745, Grove City, Mercer County, PA 16127), a corporation of the state of Delaware—discontinuance of service—persons in paratransit operations, including service for Federal, State, county or local agencies under programs sponsored by said agencies, a plan-a-ride service, share-a-ride service, time call service and senior citizens transportation service between points in the counties of Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Forrest, Jefferson, Lawrence, Mercer and Venango; subject to the following conditions: (a) that the service herein authorized is limited to transportation in vehicles having a seating capacity of not less than seven nor more than 15 persons, including the driver; (b) that the service herein authorized is limited to transportation for which advance reservations are made in vehicles not reserved for individual use; (c) that no right power or privilege is granted to provide call or demand service as defined in 52 Pa. Code Chapter 29; (d) that no right, power or privilege is granted to provide scheduled-route service as described in 52 Pa. Code § 29.14; or group and party service, as described in 52 Pa. Code § 29.16, except as presently authorized; and (e) that no right, power or privilege is granted to transport persons from points in Erie County, except as otherwise authorized.

A-00088737, Folder 13. Grove City Bus Lines, Inc. (1085 Sandy Lake Road, Grove City, Mercer County, PA 16127), a corporation of the State of Delaware—discontinuance of service—persons on schedule as follows: **A-00088737, Folder 3:** (1) to transport, as a common carrier by motor vehicle, persons on schedule in the borough of Grove City and vicinity, in Mercer County, over the following routes: (a) beginning at the intersection of Pine Street and South Broad Street in the borough of Grove City, thence on South Broad Street, Blair Street, South Center Street, East Main Street and Highway Route 58 to a point in Pine Township located 1 mile beyond the borough line, thence returning on Highway Route 58, East Main Street and South Broad Street to Pine Street, the place of beginning; (b) beginning at the intersection of Pine Street and South Broad Street, thence on South Broad Street, Blair Street, South Center Street, West Main Street, Spring Street, Columbia Avenue, South Center Street, West Main Street and Highland Avenue to Park School located near the intersection of Euclid Avenue and Highland Avenue, thence on Highland Avenue and West Main Street to the entrance of Community Park, thence returning on West Main Street and South Broad Street to Pine Street, the place of beginning; (c) beginning at the intersection of Pine Street and South Broad Street, thence on South Broad Street, North Broad Street, Gilmore Avenue, North Center Street, Chestnut Street, State Street and Cranberry Road (Highway Route 43077) to a point in Pine Township located 1 mile beyond the borough line, thence returning

on Cranberry Road, State Street, Hillcrest Avenue, Edgewood Avenue, Erie Street, South Center Street, West Main Street and South Broad Street to Pine Street, the place of beginning; (d) beginning at the intersection of Pine Street and South Broad Street, thence on South Broad Street, North Broad Street, Lincoln Avenue, Terrace Avenue, West Washington Boulevard, East Pine Street, Winfield Drive, Lincoln Avenue, East Washington Boulevard, West Washington Boulevard, Woodland Drive, North Harvard Street, South Harvard Street, East Pine Street, West Pine Street, South Center Street, West Main Street and South Broad Street to Pine Street, the place of beginning; **A-00088737, Folder 4:** (1) to transport, as a common carrier by motor vehicle, persons on schedule, baggage, newspapers, freight and express, such as can be transported in buses without the removal of seats or inconvenience to passengers, between the city of Sharon, Mercer County, and the city of Pittsburgh, Allegheny County, over the following routes: (a) beginning at the bus depot at 216 West State Street in the city of Sharon, Mercer County, thence on West State Street, South Irvine Street, Ohio Street, Chestnut Street, Depot Street and South Dock Street (Highway Route 718) to Broadway in the City of Farrell, thence to the bus depot at 704 Broadway, thence on Broadway, the Wheatland and Middlesex Road and Highway Route 18 (Sharon Road) through the borough of West Middlesex to its intersection with Highway Route 208 in Lawrence County, thence on Highway Route 208 to Neshannock Street in the borough of New Wilmington, thence on Neshannock Street and Market Street to the bus depot at 147 South Market Street (Isaly's Dairy Store), thence on Market Street, Vine Street, Highway Routes 158 and 18 to Wilmington Avenue in the city of New Castle, thence on Wilmington Avenue, North Jefferson Street to the bus depot at 114 South Jefferson Street, thence on South Jefferson Street, Grove Street, Neal Street, Taylor Street, East Washington Street and Highway Route 88 to Eastline Avenue in the borough of Ellwood City, thence on Eastline Avenue, North Street, Fountain Avenue, Fourth Street and Lawrence Avenue to the bus depot at 428 Lawrence Avenue (Elton Hotel), thence on Lawrence Avenue, Fifth Street, Crescent Avenue, Second Street, Hillside Street and Highway Route 288 to West New Castle Street in the borough of Zelienople, Butler County, thence on West New Castle Street and South Main Street to the bus depot at 205 South Main Street, thence on South Main Street and U.S. Highway Route 19 through the village of Wexford, Allegheny County to Babcock Boulevard, thence on Babcock Boulevard to North Avenue in the borough of Millvale, thence on North Avenue and East Ohio Street to Sixteenth Street in the city of Pittsburgh, thence on Sixteenth Street and Liberty Avenue to its intersection with Eleventh Street, the bus depot, thence returning on Penn Avenue, Eleventh Street, Liberty Avenue and the same route to the intersection of Crescent Avenue and Third Street in the borough of Ellwood City, thence on Third Street, Lawrence Avenue, Fifth Street, Fountain Avenue, North Street and the same route to the intersection of Depot Street and Railroad Avenue in the city of Sharon, thence on Railroad Avenue and State Street to the bus depot, the place of beginning; subject to the following condition: that no right, power or privilege is granted to transport persons locally between a point 100 yards north of the intersection of Babcock Boulevard and Rochester Road in the township of Ross and the terminus at Eleventh Street and Liberty Avenue in the city of Pittsburgh, all in the county of Allegheny; (2) to transport, as a common carrier by motor vehicle, persons on schedule, baggage, newspapers, freight and express, such

as can be transported in buses without the removal of seats or inconvenience to passengers, over the following *alternate route*: beginning at the bus depot at the intersection of Liberty and Eleventh Street in the city of Pittsburgh, Allegheny County, thence on Liberty Avenue, Twelfth Street, Penn Avenue, Eleventh Street, Liberty Avenue and Sixth Street to and across the Sixth Street Bridge to Federal Street, thence on Federal Street and East Ohio Street to its intersection with Chestnut Street, thence returning on East Ohio Street, Federal Street, Isabella and Sandusky Street to and across the Seventh Street Bridge to Seventh Street, thence on Seventh Street and Liberty Avenue to the bus depot, the place of beginning; with the right to render through service without change of buses between points on the aforesaid described routes and routes described at A-00088737, Folder 2 and Folder 3; with the right immediately above subject to the following condition: that no right, power or privilege is granted to transport persons locally between points on the said alternate route; **A-00088737, Folder 4, Am-A:** (1) to transport, as a common carrier by motor vehicle, persons on schedule, baggage, newspapers, freight and express, such as can be transported in buses without the removal of seats or inconvenience to passengers, between the city of Sharon, Mercer County, and the city of Pittsburgh, Allegheny County over the following alternate route: *For operating convenience only*: beginning at the intersection of U.S. Highway Route 19 and Interstate Highway Route 79; thence by Interstate Highway Route 79 to its intersection with Pennsylvania Highway Route 65; thence by Pennsylvania Highway Route 65 to the Fort Duquesne Bridge; thence by the Fort Duquesne Bridge to Stanwix Street, in the city of Pittsburgh, and return by the same route; **A-00088737, Folder 5:** (1) To transport, as a common carrier by motor vehicle, persons on schedule and, as a Class A carrier, merchandise, small packages, including automotive accessories, ice cream jackets, newspapers, meats, electrical supplies, dental supplies, magazines and film, such as may be transported in buses without the removal of seats, over the following route: beginning at the terminal on North Perry Square in the city of Erie, thence on State Street, 26th Street, Highway Route 505 to Highway Route 97, thence on Highway Route 97 through Waterford to Union City, thence on Highway Route 8, Highway Route 20139, along the north side of Canandoha Lake, Highway Route 20083 to the village of Lincolnville, Highway Application Route 6862, Highway Route 77 through the village of Riceville, thence on Highway Route 8 through the borough of Centerville, the village of Five Corners, the borough of Hydentown, the city of Titusville to the city of Oil City, and return over the same route; subject to the following conditions: (a) that no right, power or privilege is granted to transport persons locally within the municipal limits of the city of Oil City; (b) that no right, power or privilege is granted to transport persons locally between the city of Oil City and the borough of Rouseville, and between the cities of Franklin and Oil City; (c) that the rights, powers and privileges herein granted shall be limited and restricted so that the commodities shall be transported in separate compartments so as not to interfere with the safety, accommodation or convenience of passengers in the buses in which the said commodities are carried; and (d) that no right, power or privilege is granted to transport persons on schedule and merchandise, small packages, including automotive accessories, ice cream jackets, newspapers, meats, electrical supplies, dental supplies, magazines and films, such as may be transported in business without the removal of seats, locally between the city of Erie, Erie County, or within 1 mile of

the limits of the city of Erie; Erie County; **A-00088737, Folder 7:** (1) To transport, as a common carrier by motor vehicle, persons on schedule and merchandise and small packages, including automotive accessories, ice cream jackets, newspapers, meats, electrical supplies, dental supplies, magazines and films, such as may be transported in buses without the removal of seats, between the city of New Castle, Lawrence County, and the Pennsylvania-Ohio State Line over the following route and alternate route: beginning at the bus terminal located on Jefferson Street in the city of New Castle, Lawrence County, thence by Jefferson Street to Grant Street, thence by Grant Street to Highway Route 422, thence by Highway Route 422 through the townships of Union, Mahoning and Pulaski, Lawrence County, to the Pennsylvania-Ohio State Line; *Alternate Route:* beginning at the intersection of Old and New Highway Route 422 in the township of Union, Lawrence County, (a point on a presently certificated route), thence on New Highway Route 422 through the townships of Union, Mahoning and Pulaski, Lawrence County, to its intersection with Old Highway Route 422, (a point on a presently certificated route), near the Pennsylvania-Ohio State Line; (2) To transport, as a common carrier by motor vehicle, persons on schedule and merchandise and small packages, including automotive accessories, ice cream jackets, newspapers, meats, electrical supplies, dental supplies, magazines and films, such as may be transported in buses without the removal of seats, over the following route: beginning at the intersection of Highway Routes 322 and 19 west of the city of Meadville, Crawford County, thence on Highway Route 322 through the borough of Conneaut Lake to the village of Hartstown, thence by Highway Route 18 to College Avenue in the borough of Greenville, Mercer County, thence on College Avenue, Main Street, Clarksville Street and Highway Route 18 to its intersection with Highway Route 518, on Highway Route 518 to Walnut Street in the borough of Sharpsville, thence on Walnut Street, Main Street, Seventh Street, West Ridge Avenue and Sharpsville Avenue to East State Street in the city of Sharon, thence by East State Street, Dock Street to Broadway Street in the city of Farrell, thence on Broadway Street, Haywood Street and Highway Route 518 to Highway Route 18, thence on Highway Route 18 to the intersection of Highway Route 278, east on Highway Route 278 (formerly Route 18) to New Wilmington, south on Highway Route 158 (formerly Route 18) to the junction of Highway Route 18, thence on Highway Route 18 to North Jefferson Street in the city of New Castle, Lawrence County, thence on North Jefferson Street to the company's terminal and returning over the same route; subject to the following condition: that the rights, powers and privileges herein granted shall be limited and restricted so that the commodities shall be transported in separate compartments so as to not interfere with the safety, accommodation or convenience of passengers in the buses in which the said commodities are carried; (3) To transport, as a common carrier by motor vehicle, on schedule, persons and merchandise in small packages, including automotive accessories, ice cream jackets, newspapers, meats, electrical supplies, dental supplies, magazines and films, such as may be transported in buses without the removal of seats, over the following route: *Alternate Route (in either direction):* beginning at the intersection of Highway Routes 322 and 6 in the borough of Conneaut Lake, Crawford County, thence on Highway Route 6 and Highway Route 618 by Conneaut Lake Park to its intersection with Highway Route 18 in or near the village of Harmonsburg, thence on Highway Route 18 to its intersection with Highway

Route 322; (4) To transport, as a common carrier, persons on schedule and small parcels over a route beginning at 899 Park Avenue in the city of Meadville, Crawford County; thence by Park Avenue, Chestnut Street, Water Street, Mercer Street and Highway Route 322 to the intersection of Highway Routes 322 and 19 west of the city of Meadville as an extension of the second base route hereinabove described; with the right to render through service between points on said routes; **A-00088737, Folder 8:** To transport, as a common carrier by motor vehicle, on schedule, persons, freight, packages, express and newspapers, such as can be transported in buses without the removal of seats, over the following routes: *New Castle-Oil City Routes:* beginning at the bus depot on Neshannock Avenue near North Street in the city of New Castle, Lawrence County, thence on Neshannock Avenue, North Street, Creton Avenue and State Highway Traffic Route 108 through the village of Marlansburg to its intersection with State Highway Traffic Route 173 in the borough of Slippery Rock, Butler County, thence on State Highway Traffic Route 173 to Liberty Street in the borough of Grove City, Mercer County, thence on Liberty Street, East Main Street and Broad Street to the bus depot (McMullen's), thence continuing on Broad Street and State Highway Traffic Route 208 to its intersection with State Highway Traffic Route 8 in the village of Markeyville, Venango County, thence on State Highway Traffic Route 8 to 15th Street in the city of Franklin, thence on 15th Street and Liberty Street to the bus depot (M and C Smoke Shop), thence continuing on Liberty Street, Washington Crossing and State Highway Traffic Route 8 (U.S. Highway Route 62) through the village of Reno to Main Street in the city of Oil City, thence on Main Street, Petroleum Street, First Street, Wilson Avenue and Front Street to the Onion 1 Terminal, thence returning over Front Street, Petroleum Street and over the same route to the place of beginning; *Alternate Route:* beginning at the bus depot on Neshannock Avenue near North Street in the city of New Castle, thence on Neshannock Avenue, North Street, Craton Avenue and State Highway Traffic Route 168 through the village of Eastbrook to its intersection with U.S. Highway Route 19 in the village of Leesburg, Mercer County, thence on U.S. Highway Route 19 and State Highway Traffic Route 208 through the village of London to South Center Street in the borough of Grove City, thence on South Center Street, Poplar Street and Broad Street to the bus depot (McMullen's), and returning over the same route; *New Castle-Johnstown Route:* beginning at the bus depot on Neshannock Avenue near North Street in the city of New Castle, Lawrence County, thence on Neshannock Avenue, North Street, Jefferson Street, Taylor Avenue, Butler Avenue and U.S. Highway Route 422 to New Castle Street in the city of Butler, Butler County, thence on New Castle Street to the bus depot (McMullen's), thence continuing on New Castle Street, North Main Street and U.S. Highway Route 422 through the borough of West Kittanning to South Water Street in the borough of Kittanning, Armstrong County, thence on South Water Street, Jacob Street and South Jefferson Street to the bus depot (Sloan's Drugstore) at the corner of South Jefferson Street and Market Street, thence on Market Street, South Water Street and U.S. Highway Route 422 through the boroughs of Elderton and Shelocta to Philadelphia Street in the borough of Indiana, Indiana County, thence on Philadelphia Street and South 7th Street to the bus depot (Hess Restaurant), thence continuing on South 7th Street, Wayne Avenue, U.S. Highway Route 119 and State Highway Traffic Route 56 through the boroughs of Armagh and Seward to Harold Avenue in the city of Johnstown,

Cambria County, thence on Harold Avenue, Strayer Avenue, Fairfield Avenue, Broad Street, Roosevelt Boulevard, Washington Street and Walnut Street to the Greyhound Bus Terminal, and returning over the same route; subject to the following conditions, if necessary or proper for the service, accommodation and convenience of the public: (a) that the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the equipment certificate; (b) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers to or from any intermediate points between the terminal of the Grove City Bus Lines, Inc., in the city of Johnstown and the terminal in the borough of Indiana; (c) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers locally between points on that portion of the New Castle-Oil City Route and Alternate Route, between Grove City and Slippery Rock, including intermediate points and points within 1 mile of the limits of Grove City and Slippery Rock; (d) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers from points on that portion of the New Castle-Oil City Route and Alternate Route, between Oil City and a point 1 mile west of the limits of Slippery Rock on State Highway Traffic Route 108, including intermediate points and points within 1 mile of the limits of Grove City, to the city of Pittsburgh, or vice versa; (e) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers from points in the city of Butler and within 1 mile of the limits thereof to points in the city of Pittsburgh, or vice versa; (f) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers locally on the New Castle-Johnstown Route between points in the city of Johnstown and within 1 mile of the limits of said city; (g) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers locally between points in the New Castle-Johnstown Route between Indiana and Homer City, including intermediate points; (h) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers locally between Oil City and Markeyville, including intermediate points; (i) that no right, power or privilege is granted to transport persons, freight, packages, express and newspapers from points in the city of Erie to points on U.S. Highway Route 19 and the city of Pittsburgh, or vice versa; **A-00088737, Folder 9:** (1) to transport, as a common carrier, by motor vehicle, persons on schedule between the borough of Zelenople and the city of Butler, Butler County, over the following route: Beginning at the bus depot on Main Street in the borough of Zelenople, thence on Main Street, Grand View Avenue and State Highway Traffic Route 68 through the boroughs of Harmony and Evans City to New Castle Street in the city of Butler, thence on New Castle Street to the bus depot on New Castle Street, and returning over the same route.

A-00088737, Folder 2, Am-F and Folder 6, Am-H. Grove City Bus Lines, Inc. (1085 Sandy Lake Road, P. O. Box 745, Grove City, Mercer County, PA 16127), a corporation of the state of Delaware—discontinuance of service—**A-00088737, Folder 2:** (1) to transport, as a common carrier, by motor vehicle, groups and parties of persons from the borough of Grove City and the township of Wilmington, Mercer County, and the borough of New Wilmington, and the township of Wilmington, Lawrence County, to points in Pennsylvania; (2) to transport, as a common carrier by motor vehicle, groups and parties of persons from the borough of Ellwood City, Lawrence County, and points within 5 miles of the limits of said

borough to points in Pennsylvania; with Right No. 2 immediately above subject to the following condition: that no right, power or privilege is granted to transport groups and parties of persons from points within 5 miles by the usually traveled highways of the limits of the city of New Castle, except as presently authorized; (3) to transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from Harmony, Evans City, Mars and Zelenople, Butler County, Perrysville, West View, Wexford, Keown and Bradfordwoods, Allegheny County, and New Castle, Lawrence County to points in Pennsylvania; **A-00088747, Folder 2, Am-A:** to transport, as a common carrier, groups and parties of persons and persons on special excursions or tours or sight-seeing trips from points in that part of Allegheny County located north of the Ohio and Allegheny Rivers, and south and west of Highway Route 6, to points in Pennsylvania; subject to the following conditions: (a) that no right, power or privilege is granted to transport groups and parties of persons and persons on special excursions and tours and sight-seeing trips from points in the city of Pittsburgh, the boroughs of Millvale and Etna, and the townships of Reserve, Shaler, Hampton and Richland, Allegheny County, except as presently authorized; (b) that no right, power or privilege is granted to render service between points in Allegheny County; **A-00088737, Folder 2, Am-B:** to transport, as a common carrier, groups and parties of persons between points in the township of Marion, Butler County, and within an airline distance of 20 statute miles of the limits of said township and from points in said area to points in Pennsylvania; subject to the following conditions: (a) that no right, power or privilege is granted to render service from the cities of Oil City and Franklin, Venango County; (b) that no right, power or privilege is granted to render service from points in Butler County south of a line beginning at the northeast corner of Donegal Township and extending westerly along the northern boundaries of Donegal, Oakland and Center Townships and extending therefrom in a westerly direction along an extension of the said line to its intersection with the Butler-Lawrence County line, except as presently authorized; (c) that no right, power or privilege is granted to render service from the borough of Slippery Rock and the township of Slippery Rock, Butler County; (d) that no right, power or privilege is granted to render service from the borough of Mercer, Mercer County; **A-00088737, Folder 2, Am-C:** (1) to transport as a common carrier, groups and parties of persons from the city of Franklin, Venango County, and points within an airline distance of 5 statute miles of the limits of the said city (excluding the township of Cranberry, Venango County) to points in Pennsylvania; (2) to transport, as a common carrier, groups and parties of persons from points within an airline distance of 5 statute miles of the limits of the city of Oil City, Venango County (excluding said city of Oil City and the township of Cranberry, Venango County, to points in Pennsylvania); **A-00088737, Folder 2, Am-D:** (1) to transport as a common carrier by motor vehicle, persons in group and party service between points in the county of Clarion and from points in the county of Clarion and the borough and township of Slippery Rock, Butler County and the borough of Mercer, Mercer County, to points in Pennsylvania and return; (2) to transport as a common carrier by motor vehicle, persons in group and party service, from points in Armstrong County and within 3 miles of the limits of the

borough of New Bethlehem, Clarion County to points in Pennsylvania and return; **A-00088737, Folder 6:** to transport, as a common carrier by motor vehicle, groups and parties of persons on special excursions and tours or sight-seeing trips from the city of Titusville, the borough of Centerville, Hydetown, Spartansburg, and Townville, and the townships of Athens, Bloomfield, Oil Creek, Rome, Sparta, Steuben and Troy, Crawford County, and the townships of Cherrytree and Oakland, Venango County, to points in Pennsylvania; **A-00088737, Folder 6, Am-A:** (1) to transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the borough of Volant and the townships of Hickory, Mahoning, Neshannock and Pulaski, Lawrence County, the borough of Conneaut Lake, the village of Conneaut Lake Park and the townships of East Fallowfield, Greenwood, North Shenango, Pine, Sadsbury, South Shenango, Summit, West Fallowfield and West Shenango, Crawford County, and the cities of Farrell and Sharon, the boroughs of Clarksville, Greenville, Jamestown, West Middlesex and Wheatland and the townships of Greene, Hempfield, Hickory, Shenango, South Pymatuning, Sugar Grove and West Salem, Mercer County, to points and places in Pennsylvania; subject to the following conditions: (a) that no right, power or privilege is granted to transport groups and parties of persons between points in Conneaut Lake during the summer season when the Conneaut Lake Navigation Company is furnishing service; (b) that no right, power or privilege is granted to render service from Greenville, Mercer County, to points south thereof; (2) to transport, as a common carrier by motor vehicle, groups and parties and persons on special excursions and tours or sight-seeing trips from the borough of Sharpsville, Mercer County, to points in Pennsylvania within 75 miles by the usually traveled highways of the point of origin; **A-00088737, Folder 6, Am-B:** to transport as a common carrier, in coaches with reclining chairs, groups and parties of persons who are part of Clarion State College, from the borough of Clarion, Clarion County, and within an airline distance of 5 statute miles of the limits of said borough to points in Pennsylvania, and the return of persons so transported to the point of origin; **A-00088737, Folder 6, Am-C:** to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the city of Meadville, Crawford County, and points within an airline distance of 5 statute miles of the limits of said city and from the city of Oil City and Cranberry Township, Venango County to points in Pennsylvania; **A-00088737, Folder 6, Am-D:** to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the county of Erie, to points in Pennsylvania, excluding the right to provide such service between points in Erie County, Pennsylvania; **A-00088737, F. 6, Am-E:** to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the boroughs of Clarion and Shipperville, Clarion County, to points in Pennsylvania; subject to the following condition: that no right, power or privilege is granted to transport handicapped children attending the schools for the blind, deaf and crippled located in the city of Pittsburgh and the county of Allegheny, and from points in the borough of Clarion, Clarion County to the said schools and vice versa; **A-00088737, Folder 6, Am-F:** to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the townships of

Center, Potter, Raccoon, Greene, Hanover, Independence and Hopewell and the boroughs of Frankfort Springs, Hookstown, Georgetown, Shippingport, and South Heights, Beaver County, to points in Pennsylvania; **A-00088737, Folder 6, Am-G:** to transport, as a common carrier, groups and parties of persons and persons on special excursions and tours of sight-seeing trips from points in the boroughs of Aliquippa, Conway, Baden, Ambridge and Economy, and the township of Harmony, all in Beaver County, to points in Pennsylvania; provided, however, that all the transportation from the boroughs of Aliquippa and Ambridge shall be limited to points in Pennsylvania more than 50 statute miles by the usually traveled highways from the point of origin.

Application of the following for the approval of the transfer of stock as described under each application.

A-00108867, Folder 5000. Personal Touch Limousine, Inc., t/d/b/a V.I.P. Limousine Service (49 Merri-man Road, Ambridge, Beaver County, PA 15003), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 500 shares of issued and outstanding shares of stock held by Francis B. McCormick, II to ATM Corporation of America. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00092819, F. 5000. Lansdale Yellow Cab Co., Inc., t/d/b/a North Penn Carriers, 32 East Blaine Street, Lansdale, Montgomery County, PA 19446), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from James Reese, Jr. (100 shares) to Norristown Transportation Company, Inc. *Attorney:* William R. Wanger, 1250 South Broad Street, Lansdale, PA 19446.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-681. Filed for public inspection April 23, 1999, 9:00 a.m.]

Telecommunications

A-310482. Bell Atlantic-Pennsylvania, Inc. and Cellular Rentals, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Cellular Rentals, Inc. for approval of a Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Cellular Rentals, Inc., by its counsel, filed on April 8, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and Cellular Rentals, Inc., Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-682. Filed for public inspection April 23, 1999, 9:00 a.m.]

Telecommunications

A-310803. Bell Atlantic-Pennsylvania, Inc. and Omnipoint Communications, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Omnipoint Communications, Inc. for Approval of an Interconnection Agreement Under Section 252(e) of The Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Omnipoint Communications, Inc., by its counsel, filed on April 8, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and Omnipoint Communications, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-683. Filed for public inspection April 23, 1999, 9:00 a.m.]

Water Service Without Hearing

A-210084. Republic Development Corporation. Application of Republic Development Corporation for approval to begin to offer, render, furnish or supply water service to the public in the Vantage Hills Development, Milford Township, Juniata County, PA.

This 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 May 10, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Republic Development Corporation

Through and By Water Operator: Harry J. Becker, III,
P. O. Box 36, Mexico, PA 17056.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-684. Filed for public inspection April 23, 1999, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT SYSTEM

Request for Proposal for Medical Consultant Services; Request for Proposal 1999-1

The Commonwealth of Pennsylvania State Employees' Retirement Board is soliciting proposals for Medical Consultant Services to be provided to the Commonwealth of Pennsylvania State Employees' Retirement System (SERS). The primary role of the Medical Consultant will be to review disability retirement applications and supporting medical documentation to determine whether a member qualifies for disability retirement and, in these cases, whether a temporary disability retirement should continue.

Eight signed copies of the proposal must be submitted in accordance with the specific instructions set forth in Request For Proposal 1999-1 (RFP 1999-1). Proposals should be sent to Linda M. Miller, Benefit Determination Division, SERS, 30 N. Third Street, Harrisburg, PA 17101. Proposals must be received at this address no later than 4 p.m. on Friday, June 4, 1999. Proposals received after that time will be rejected.

A preproposal conference will be held on Friday, May 14, 1999 at 9:30 a.m. at the SERS headquarters located at 30 North Third Street, 5th Floor, Harrisburg, PA 17101. Prospective bidders are invited to attend the preproposal conference before submitting a proposal to SERS for consideration. The preproposal conference is to clarify any points in RFP 1999-1 which may require explanation. Questions regarding the contents of RFP 1999-1 should be submitted in writing and received at SERS on or before 4 p.m. on Wednesday, May 12, 1999. All bidders will receive written responses to the submitted questions 1 week after the preproposal conference. Please note attendance at the preproposal conference is not mandatory.

Interested parties should contact Gayle Martin, Bureau of Benefit Administration, at the address referenced above or by internet e-mail at gmartin@sers.state.pa.us to obtain a copy of RFP 1999-1. Requests may also be faxed to Gayle Martin at (717) 787-5866.

JOHN BROSIUS,
Executive Director

[Pa.B. Doc. No. 99-685. Filed for public inspection April 23, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Reference No. 3-111

The Turnpike Commission (Commission) will retain an engineering firm to perform environmental services on an open-end basis for a variety of environmental services to be provided on various projects being performed by the Pennsylvania Turnpike.

The type of tasks to be addressed may include, but are not limited to, the following: project need documentation; alternatives analysis evaluation; farmlands evaluations and ALCAB presentations; historical structures inventories; Phase I, II and III archeological investigations;

wetlands identification and delineation, value and function analysis, and mitigation design; surface water quality and aquatic biota investigations; hazardous waste investigations; noise monitoring, modeling and abatement evaluations; and air quality investigations. The contract will be for a not-to-exceed amount of \$750,000 or a 2 year period, whichever occurs first.

Questions and inquiries concerning this project should be directed to David Willis at 939-9551, Ext. 3570 or by e-mail at dwillis@paturndpike.com.

General Requirements and Information

Firms interested in performing the above services are invited to submit expanded letters of interest to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the PA Turnpike Commission Administration Building located on Eisenhower Boulevard at the Harrisburg-East Interchange (No. 19). (FedEx address: Route 283 and Eisenhower Boulevard, Highspire, PA 17034) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The expanded letters of interest must include the following for both the prime and all subconsultants: the project reference number on the cover, a Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, resumes of key personnel expected to be involved in the project (limit to one 8 1/2 x 11 page, one side, per person), an organizational chart and explanation that the firm has successfully completed similar type projects of the same magnitude. If the firm has multiple offices, the location of the office performing the work must be identified.

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

The Consultant in their submission should identify the following factors:

(A) Specialized experience and technical competence of firm. The firm must clearly demonstrate their capabilities of completing this project by identifying similar projects that have been completed, the magnitude of the project and the client.

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

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

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

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

(F) An organization chart for the project, identifying key personnel. Only resumes of key personnel should be included.

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

There is not a minimum participation level for DBE/MBE/WBEs in this project.

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

The expanded letter of interest and required forms must be received by 12 p.m., Friday, May 14, 1999. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest received in response to this solicitation, one firm will be selected for this project. The order of preference will be established for the purpose of entering into an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Commission. Technical proposals or requests for proposals will not be requested prior to selection.

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

JAMES F. MALONE, III,
Chairperson

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