

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 20, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-29-99	Penn Laurel Financial Corp., Curwensville, to acquire 100% of the voting shares of Clearfield Bank & Trust Company, Clearfield	Curwensville	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-19-99	Patriot Bank Pottstown Montgomery County	4915 Perkiomen Ave. Exeter Township Berks County	Approved
4-20-99	Harris Savings Bank Harrisburg Dauphin County	1147 Eichelberger St. Hanover York County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-14-99	Royal Bank of Pennsylvania Narberth Montgomery County	<i>To:</i> 655 W. Dekalb Pike King of Prussia Upper Merion Twp. Montgomery County <i>From:</i> 1030 Dekalb Pike King of Prussia Upper Merion Twp. Montgomery County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
4-15-99	The Glenmede Trust Company Philadelphia Philadelphia County	To provide for a change to Article Nine for the purpose of restating the permissible investments of the Company's capital so as to include the investment in foreign securities.	Approved and Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

RICHARD C. RISHTEL,
Secretary

[Pa.B. Doc. No. 99-708. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Harrisburg Area Community College for Approval to Establish a Branch Campus

Notice of Opportunity to Respond to this Application

Under 22 Pa. Code § 34.11 (relating to establishment of additional branches or campuses or alteration of degree level), the Department of Education (Department) will consider the application of Harrisburg Area Community College (HACC), a State-supported institution, for approval by the Secretary of Education, to establish a Gettysburg Area Campus at 705 Old Harrisburg Road, Gettysburg. The college's Gettysburg Center, an off-campus operation, currently operates at the same site, which is located in the North Gettysburg Shopping Plaza, Cumberland Township, Adams County, PA.

The application was received by the Secretary of Education on March 23, 1999, and is available for public inspection in the business office of the HACC Gettysburg Center, 705 Old Harrisburg Road, Suite 2, Gettysburg, PA 17325-3401, or in the Public Relations Office at HACC's Wildwood (Main) Campus, 110 Blocker Hall, One HACC Drive, Harrisburg, PA 17110-2999.

Written public comments on this application may be submitted to the Department within 30 days of the date of publication of this notice. Comments should be brief and should be limited to: (a) whether and how the application adversely affects the respondent or others; (b) whether and how the application assists the respondent or others; and (c) whether the application is feasible and needed or not feasible and not needed in the region.

All written comments shall be filed with Dr. Michael B. Poliakoff, Deputy Secretary for Postsecondary and Higher Education, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333 [(Phone: (717) 787-5041; fax (717) 783-0583; TTY (717) 783-8445)] on or before 4 p.m. on the due date prescribed by this notice.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-709. Filed for public inspection April 30, 1999, 9:00 a.m.]

Availability of 1999—2000 Tech Prep Competitive Funds under the Carl D. Perkins Vocational and Technical Education Act of 1998

Applications for FY 1999—2000 Perkins Vocational and Technical Education competitive funds are invited for the following funding category: 386—Tech Prep.

1. *Eligibility Requirements*

SDs, AVTSs, IUs and accredited postsecondary institutions offering less than baccalaureate degree, occupational programs with consortium membership consisting of at least one eligible secondary, and one eligible postsecondary institution.

2. *Application Deadlines*

Applications are due June 7, 1999 by 4 p.m.

3. *Application Forms and Guidelines*

Completion of applications requires the examination of two references: general and categorical funding guidelines. These documents are available on the home page of the Department of Education at www.pde.psu.edu under Vocational Education as General Funding Guidelines and Tech Prep Guidelines. Printed copies may be requested from the Division of Advisory and Approval Services, Bureau of Vocational-Technical Education, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 787-8022.

4. *Completed Applications*

Completed applications should be mailed or delivered (not faxed) to the Division of Advisory and Approval Services.

5. *Questions Concerning the Guidelines*

Questions concerning the guidelines can be submitted in writing to Raymond Watson at the Bureau of Vocational-Technical Education up to May 11, 1999. A response to questions will be made through the Department of Education's PENN*LINK Bulletin Board on May 19, 1999. Persons wishing a printed copy of the responses must do so in writing to Raymond Watson.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-710. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards

and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

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

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

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

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

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

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

PA 0011657. Industrial waste, **PECO Energy Company**, 2600 Monroe Boulevard, Norristown, PA 19403.

This application is for renewal of an NPDES permit to discharge cooling water from Schuylkill Generating Station; Trigen equipment and Grays Ferry Cogeneration facility located in City of Philadelphia, **Philadelphia County**. This is an existing discharge to Schuylkill River Delaware River Estuary Zone 4.

The receiving stream is classified for the following uses: warm water fishery (maintenance only).

The proposed effluent limits for cooling water for Outfall 001 based on an average flow of 360.4 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Oil and Grease	15		30
Temperature			110°F
Heat Rejection Rate		1,558 million BTU per hour	
Total Residual Oxidant			0.2
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for internal monitoring point 101 at the effluent of the neutralizing tank based on an average flow of 0.18 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	100	
Oil and Grease	15	20	30
Total Copper	1.0	1.0	
Total Iron	1.0	1.0	
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for internal monitoring point 201 at the effluent of the oil water separator based on an average flow of 20,000 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	100	
Oil and Grease	15	20	30
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for internal monitoring point 301 prior to blending with Outfall 001 based on an average flow of 70.11 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	100	
Oil and Grease	15	20	30
Total Residual Chlorine			0.2

Other Conditions:

The EPA waiver is not in effect.
 No discharge of PCB compounds.
 Thermal Requirements.

PA 0012696. Industrial waste, **McNeil Consumer Products Company**, 7050 Camp Hill Road, Fort Washington, PA 19034.

This application is for renewal of an NPDES permit to discharge treated process wastewater from McNeil consumer wastewater treatment plant in Whitemarsh Township, **Montgomery County**. This is an existing discharge to Sandy Run.

The receiving stream is classified for trout stocking fishery.

The proposed effluent limits for Monitoring Point MP101 based on an average flow of 58,000 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	10	20	25
(11-1 to 4-30)	20	40	50
Suspended Solids	30	60	75
Ammonia (as N)			
(5-1 to 10-31)	2	4	5
(11-1 to 4-30)	6	12	15
COD	220	440	550
Temperature			110°F
Phosphorus (as P)	monitor	monitor	
Total Residual Chlorine	0.5		1.25
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	0.17	0.34	0.425
Free Cyanide	0.03	0.06	0.075
Chlorodibromomethane	0.02	0.04	0.05
Dichlorobromomethane	0.05	0.10	0.125

The proposed effluent limits for stormwater monitoring point MP201 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			monitor
COD			monitor
Oil and Grease			monitor
pH			monitor
TSS			monitor
TKN			monitor
Total Phosphorus			monitor
Dissolved Iron			monitor

Other Conditions:

The EPA waiver is in effect.

PA 0026964. Sewage, **Montgomery County Sewer Authority**, Court House, P. O. Box 311, Norristown, PA 19404-0311.

This application is for renewal of an NPDES permit to discharge treated sewage from the Oaks Wastewater Treatment Plant in Upper Providence Township, **Montgomery County**. This is an existing discharge to the Schuylkill River.

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

The proposed effluent limits for Outfall 001 based on an average flow of 9.057 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	25	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	5.0		10.0
(11-1 to 4-30)	9.0		18.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Lead	monitor/report		
Total Nickel	monitor/report		
Total Phenols	monitor/report		
Total Copper	monitor/report		
Total Zinc	monitor/report		
Total Mercury	monitor/report		
Free Cyanide	monitor/report		
Total Arsenic	monitor/report		
Hexavalent Chromium	monitor/report		
Total Silver	monitor/report		

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

PA 0208922. SIC: 4952, **Woodward Township Sewage and Water Authority**, P. O. Box 6, Houtzdale, PA 16651.

This proposed action is to renew the NPDES permit. The discharge of treated sewage is at the existing location on Whiteside Run in Woodward Township, **Clearfield County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is at Lock Haven located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on the existing design flow of 0.385 mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum²</i>
pH (std units)		within the range 6.0—9.0	
Total Cl ₂ Residual	monitor		monitor
CBOD ₅	25	40	50
TSS	30	45	60
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

Other Conditions: none

The EPA waiver is in effect.

PA 0113913. SIC: 4952, **Irvin's Tinware Company**, R. R. 1, Box 73, Mt. Pleasant Mills, PA 17853.

This proposed action is for renewal of an NPDES permit for discharge of treated sewage and treated groundwater to an unnamed tributary to North Branch Mahantango Creek in West Perry Township, **Snyder County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is the intake at Dauphin located approximately 2.8 miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0009 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	50.0
Suspended Solids	30.0	60.0
pH		6.0—9.0 su
Chlorine Residual	1.0	2.3
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	

The proposed effluent limits for Outfall 002, based on a design flow of 0.003 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
Tetrachloroethylene	0.018
Ethylbenzene	monitor
Lead	monitor
Cadmium	monitor
Chromium	monitor
pH	6.0—9.0 su

The EPA waiver is in effect.

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

PA 0218154. Sewage, **Partnership of Robert Gearhart, Deborah Bomberger and Anthony Tommasone**, 617 Portersville Road, Ellwood City, PA 16117.

This application is for issuance of an NPDES permit to discharge treated sewage from Lock 6 Landing Restaurant and Lounge Wastewater Treatment Plant in Industry, **Beaver County**.

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

Outfall 001: new discharge, design flow of 0.003 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

Other Conditions:

The EPA waiver is in effect.

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

PA 0002216. Sewage, **Concast Metal Products**, P. O. Box 816, Mars, PA 16046.

This application is for renewal of an NPDES permit to discharge existing treated sewage to Unnamed Tributary to Connoquenessing Creek in Adams Township. 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 Zelenople Water Works on Connoquenessing Creek located at Zelenople, approximately 12 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 5,200 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	1.8	3.6
(11-1 to 4-30)	5.4	10.8
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	4,500/100 ml as a geometric average	
Total Residual Chlorine (Interim)	XX	
(Final)	1.0	2.5
pH	6.0—9.0 at all times	

XX = monitor and report

The EPA waiver is in effect.

PA 0222844. Industrial waste, SIC: 2813, **Ellwood Industrial Facilities Company**, 700 Moravia Street, New Castle, PA 16101.

This application is for a new NPDES permit, to discharge vacuum pump seal, water softener regenerant and air compressor condensate wastewater to the Shenango River in New Castle, **Lawrence County**. This is a new 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 Beaver Falls Municipal Authority Eastvale Plant on the Beaver River located at Eastvale, approximately 20.5 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of .0216 mgd are:

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

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0060593	Wilbar Realty Sanitary Co. c/o Carl Kresge 1199 Laurel Run Road Wilkes-Barre, PA 18702-9979	Luzerne Rice Twp.	Nuangola Outlet to Little Wapwallopen 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 writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amend-

ments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

WQM Permit No. 1099405. Sewage, **W. Larry Rodgers, SRSTP**, 106 South Main St., Butler, PA 16003. This project is for the construction of a single residence sewage treatment plant in Penn Township, **Butler County**.

WQM Permit No. 2099405. Sewage, **William E. and Barbara J. DeRoss SRSTP**, 16405 Lynn Rd., Saegertown, PA 16433. This project is for the construction of a single residence sewage treatment plant in Hayfield Township, **Crawford County**.

WQM Permit No. 2099406. Sewage, **Robert J. Tanner SRSTP**, 68 Canal St., Albion, PA 16401. This project is for the construction of a single residence sewage treatment plant in Spring Township, **Crawford County**.

WQM Permit No. 1099406. Sewage. **Western Butler County Authority**, 607 Market Street, Zelienople, PA 16063. This project is for the upgrade and expansion of an existing water pollution control plant in Zelienople Borough, **Butler County**.

WQM Permit No. 4299402. Sewage. **Westline Inn, Inc.**, Box 137, Westline Road, Westline, PA 16751. This project is for the construction and operation of a small flow treatment facility located in Lafayette Township, **McKean County**.

WQM Permit No. 6299405. Sewage. **Boyles, Pepperman and Main SFTF**, 178C Eccles Road, Sugar Grove, PA 16350. This project is for the construction and operation of a small flow treatment facility located in Sugar Grove Township, **Warren County**.

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

WQM Permit No. 4999401. Sewerage. Submitted by **Shamokin Coal Township Joint Sewer Authority**, R. D. 2, Box 35, Shamokin, PA 17872. This application is to construct and operate improvements to their wastewater treatment facility in Ralpho Township, **Northumberland County**. The application was received by the Northcentral Regional Office on March 26, 1999.

WQM Permit No. 4999402. Sewerage. Submitted by **Delaware Township Municipal Authority**, P. O. Box 80, Dewart, PA 17730. This application is to update their wastewater treatment system and will expand their gallon per day. The facility is located at Delaware Township, **Northumberland County**. The application was received by the Northcentral Regional Office on March 3, 1999.

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-G362. Stormwater. **Dennis and Kathleen Wolfgang**, 206 Brownbacks Church Road, Spring City, PA 19475, has applied to discharge stormwater from a construction activity located in East Vincent Township, **Chester County**, to French Creek.

NPDES Permit PAS10-T099. Stormwater. **Lejenue Properties, Inc.**, 4070 Butler Pike, Suite 800, Plymouth Meeting, PA 19462, has applied to discharge stormwater from a construction activity located in Upper Providence Township, **Montgomery County**, to Schuylkill River.

NPDES Permit PAS10-T016-R. Stormwater. **The Cutler Group, Inc.**, P. O. Box 629, Horsham, PA 19044, has applied to discharge stormwater from a construction activity located in Montgomery Township, **Montgomery County**, to Park Creek.

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

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

NPDES Permit PAS101319. Stormwater. **Blue Mt. Ski Area**, Raymond C. Tuthill, P. O. Box 216, Palmerton, PA 18701, has applied to discharge stormwater from a construction activity located in Lower Towamensing Township, **Carbon County**, to Aquashicola Creek.

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

NPDES Permit PAS10U111. Stormwater. **Triple Net Investments VII, L. P., c/o J. G. Petrucci Company, Inc.**, 171 Rt. 173, Suite 201, Asbury, NJ 08802, has applied to discharge stormwater from a construction activity located in Bethlehem Township, **Northampton County**, to Monocacy Creek.

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

Cumberland County Conservation District, District Manager, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

NPDES Permit PAS-10-H084. Stormwater. **South Middleton Township Municipal Authority**, P. O. Box 8, Boiling Springs, PA 17007-0008, has applied to discharge stormwater from a construction activity located in South Middleton Township, **Cumberland County**, to Yellow Breeches Creek.

SAFE DRINKING WATER

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

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

A. 4699505. Public water supply. **Morrison Coulter, President, Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposal involves the construction of a water treatment plant to treat water pumped from Rahns Well No. 2 in Perkiomen Township, **Montgomery County**.

A. 1599507. Public water supply. **Richard J. Blair, Junction Plaza Partnership**, 926 Cooperstown Road, Bryn Mawr, PA 19010. This proposal involves the installation of corrosion control and pH adjustment systems in Malvern Borough, **Chester County**.

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

Minor Amendment to 3546379. Public water supply. **Far Away Springs**, Stanley F. Frompovicz, Jr., 7 Spruce

Street, Pine Grove, PA 17963. This proposal involves the movement of the gallon line from the second floor to the first floor of the facility. It is located in Pine Grove Township, **Schuylkill County**. *Engineer: Yourshaw Engineering Inc.*

5499501. Public water supply. **Eagle Springs Inc., Valley View Springs II**, Richard J. Withelder, Tremont, PA 17981. This proposal involves the addition of a spring source, Valley View Springs II. It is located in Hegins Township, **Schuylkill County**. *Engineer: Alfred Benesch and Company.*

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

Permit No. 2899503. Public water supply, **Mt. Rock Homes, Inc.**, Southampton Township, **Franklin County**. *Responsible Official: William K. Swarthout, President, 7650 Molly Pitcher Highway, Shippensburg, PA 17257-9093. Type of Facility: Application for a construction permit to authorize expansion of the existing Mt. Rock Manor Mobile Home Park. This phase of construction will include a new well, treatment facilities and distribution expansion. The well will be operated at a maximum rate of 72 gallons per minute. Treatment will include hypochlorite disinfection and cation exchange softening. Consulting Engineer: Dennis E. Black, P.E., Dennis E. Black Engineering, Inc., 2400 Philadelphia Ave., Chambersburg, PA 17201. Application received March 31, 1999.*

Permit No. 3699502. Public water supply, **East Donegal Twp. Municipal Authority**, East Donegal Township, **Lancaster County**. *Responsible Official: Thomas S. Ladue, P.E., Director of Municipal Services, Goodkind & O'Dea, Inc., P. O. Box 82, Maytown, PA 17550. Type of Facility: This application is for the addition of Well No. 2 as a source of supply, expansion of the existing treatment building for the addition of another ion exchange unit for nitrate treatment, changing the disinfection system and addition of transmission main to pipe Well No. 2 to the existing treatment building. Construction of a pump house for Well No. 2 will also be completed. Consulting Engineer: Thomas S. Ladue, P.E., Director of Municipal Services, Goodkind & O'Dea, Inc., P. O. Box 340, Carlisle, PA 17013. Application received March 3, 1999.*

Permit No. 0699504. Citizens Utilities Water Co. of PA, Amity Township, **Berks County**. *Responsible Official: Brian J. Hassinger, General Manager, 4 Wellington Blvd., P. O. Box 6342, Wyomissing, PA 19610-6342. Type of Facility: Booster pump station for Greenbriar Estates Subdivision. Consulting Engineer: Ralph S. Bucci, 408 Laurel Lane, Wallingford, PA 19086. Application received March 31, 1999.*

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

A. 6299501. Public water supply. **Wilderness Mobile Home Park**, Zimmerman Hill Road, Warren, PA 16365. This proposal involves the permitting of a new well as backup and future expansion of the park in Pleasant Township, **Warren County**.

A. 2599503. Public water supply. **Lakeview Estate Personal Care Home**, 12430 East Lake Road, North East, PA 16428. This proposal involves the permitting of an existing groundwater supply in North East 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 a site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations 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.

Metroplex Corporate Center, Plymouth Township, **Montgomery County**. Kimberly L. Ward, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soils contaminated with asbestos. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on December 10, 1998. This is a corrected copy of the *Pennsylvania Bulletin* notice published February 6, 1999.

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

Bet-Tech International, Inc./Former LTV Works, Parcel S-2 (Part of Industrial Tract), City of Aliquippa, **Beaver County**. Bet-Tech International, Inc./Former LTV Works, Parcel S-2 (Part of Industrial Tract), 1150 Broadhead Road, Monaca, PA 15061-2500, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with heavy metals, PAHs and PHCs. The applicant proposes to remediate the site to meet the special industrial area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on April of 1999.

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

Pontillo Landfill, W. 16th St. and Pittsburgh Avenue, **Erie County**, City of Erie, has submitted a Notice of Intent to Remediate groundwater and soil. The site has been found to be contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health and site-specific standard in a special industrial area. The Notice of Intent to Remediate was published in the *Erie Times News* on April 12, 1999.

SOLID AND HAZARDOUS WASTE

RESIDUAL WASTE PROCESSING FACILITIES

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

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

A. 300491. EME Homer City Generation L. P., 18101 Von Karman Avenue, Suite 1700, Irvine, CA 92612-1046. EME Homer City Generation, L. P., 1750 Power Plant Road, Homer City, PA 15748-9558. Application for a residual waste disposal site permit amendment in **Indiana County**, Blacklick and Center Townships was received in the regional office on April 9, 1999.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Regional Office: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2516.

Permit I. D. 100022. Chrin Brothers Sanitary Landfill, Chrin Brothers, Inc., 635 Industrial Drive, Easton, PA 18042. A major permit modification for the development of an overlay area for closure areas 1, 2 and 3 of this municipal waste landfill, located in Williams Township, **Northampton County**. All proposed activities will occur within the previously permitted 108 acres of the landfill. The application was received in the Regional Office on November 16, 1998; and was determined to be administratively complete as of December 1, 1998.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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.

06-313-004E: IFS Industries, Inc. (P. O. Box 1053, Reading, PA 19603), for an adhesives manufacturing operation controlled by a fabric collector in Reading, **Berks County**.

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

14-303-007A: Glenn O. Hawbaker, Inc. (450 East College Avenue, Bellefonte, PA 16823), for operation of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Spring Township, **Centre County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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

10-313-028A: Indspec Chemical Corp. (133 Main Street, Petrolia, PA 16050), for operation of resorcinol bagging flaking and packaging in Petrolia, **Butler County**.

25-315-006A: International Paper Co. (1540 East Lake Road, Erie, PA 16533), for operation of a bleach plant in Erie, **Erie County**.

33-309-017A: Owens-Brockway Glass Container (Route 219, E & R Building, Brockway, PA 15824), for operation of surface treatment glass containers in Crenshaw, Snyder Township, **Jefferson County**.

PA-37-264A: Ellwood Quality Steels Co. (700 Moravia Street, New Castle, PA 16101), for operation of a ladle furnace in New Castle, **Lawrence County**.

37-309-046: Essroc Cement Corp. (2nd Street, Bessemer, PA 16112), for operation of tire-derived fuel systems in Bessemer Borough, **Lawrence County**.

PA-42-187A: Resting Acres Pet Cemetery, Inc. (1353 South Avenue, Bradford, PA 16701), for operation of a crematory in Broward Township, **McKean County**.

PA-61-016B: Pennzoil-Quaker State Co. (2 Main Street, Rouseville, PA 16344), for operation of a wastewater drain system plant in Cornplanter Township, **Venango County**.

PA-61-016C: Pennzoil-Quaker State Co. (2 Main Street, Rouseville, PA 16344), for operation of a wax filter house steamer vacuum in Cornplanter Township, **Venango County**.

61-399-007D: A. G. Industries, Inc. (671 Colbert Avenue, Oil City, PA 16301), for operation of hard chromium electroplating tanks in Oil City, **Venango County**.

City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 823-7584.

S95-035: International Paper (2100 East Bayberry Road, Philadelphia, PA 19116), for a synthetic minor operating permit for operation of a flexographic printing facility in **Philadelphia County**.

S95-072: M. A. Bruder & Sons, Inc. (52nd and Grays Avenue, Philadelphia, PA 19143), for a synthetic minor operating permit for operation of manufacturing paint for retail and commercial sales. Air emission sources include boilers, ball mills, let-down tanks, blend tanks and mixers controlled by baghouses in **Philadelphia County**.

S95-074: Veterans Affairs Medical Center and Nursing Home Care Unit (University and Woodland Avenues, Philadelphia, PA 19104), for a synthetic minor operating permit for operation of a hospital and nursing home. Air emission sources include boilers (three are rated at 29.4 MMBTU/hr), hot water heaters, emergency generators and ethylene oxide sterilizers in **Philadelphia County**.

S97-013: Laurel Linen Service (4601 West Girard Avenue, Philadelphia, PA 19131), for a synthetic minor operating permit for operation of a commercial laundry/linen supplier. Air emission source is a 16.7 MMBTU/hr boiler in **Philadelphia County**.

S96-024: Saint Joseph's University (5930 City Line Avenue, Philadelphia, PA 19131), for a synthetic minor operating permit for operation of a university providing education. Air emission sources include boilers (two rated at 13.4 MMBTU/hr and one rated at 20.7 MMBTU/hr), hot water heaters and emergency generators in **Philadelphia County**.

S95-070: Henshell Corp. (2922 N. 19th Street, Philadelphia, PA 19132), for a synthetic minor operating permit for operation of electrocoating and powder coating finishes to plastic and metal parts, primarily for the automotive and construction fastener industries. Air emission sources include boilers, a heater, coating process, ovens and pyrolysis cleaning furnace in **Philadelphia County**.

V95-076: Newman and Co., Inc. (6101 Tacony Street, Philadelphia, PA 19135), for a Title V operating permit for operation of a 118 MMBTU/hr boiler in **Philadelphia County**.

V95-090: Park Towne Place Apartments (2200 Ben Franklin Parkway, Philadelphia, PA 19130), for a Title V operating permit for operation of an apartment complex which includes two 20.8 MMBTU/hr boilers in **Philadelphia County**.

V96-011: Lawrence-McFadden Co. (7430 State Road, Philadelphia, PA 19136), for a Title V operating permit for operation of manufacturing industrial wood finish for kitchen cabinets, musical instruments, household and office furniture, wooden caskets and some special metal finishes. Air emission sources include boilers, solvent storage tanks and mixers in **Philadelphia County**.

PLAN APPROVALS

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

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

06-1069G: East Penn Mfg. Co., Inc. (P. O. Box 147, Lyon Station, PA 19536-0147), for construction of various lead/acid battery manufacturing sources controlled by a fabric collector in Richmond Township, **Berks County**. The sources are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources.

06-3074: Super Service Painting & Sandblasting (2350 Camp Swatara Road, Myerstown, PA 17067), for installation of a new sandblasting operation in Bethel Township, **Berks County**.

22-317-012A: Hershey Foods, Inc. (25 West Chocolate Avenue, Hershey, PA 17033), for modification of the sugar conveying system in Derry Township, **Dauphin County**.

67-320-022D: Fry Communications, Inc. (800 West Church Road, Mechanicsburg, PA 17055), for installation of a heatset printing press with control at their Building No. 5 (Plant No. 3) in Manchester Township, **York County**.

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

PA-16-134A: Car Mate Trailers, Inc. (Route 66, Leeper, PA 16233), for minor modification of Operating Permit 16-318-006A to increase VOC emission limit from 10 tons/year to 20 tons/year based on production levels (11,700 units/year) in Farmington, **Clarion County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity

within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Coal Applications Received

56960111. Transfer from **Laura D. Coal, Inc. to Big J Mining, Inc.** (1842 Main Street, Hastings, PA 16646), commencement, operation and restoration of bituminous strip mine in Quemahoning and Stonycreek Townships, **Somerset County**, affecting 90.0 acres, receiving stream unnamed tributaries to and Stonycreek River. Application received April 9, 1999.

11940102. Permit Renewal, **E. P. Bender Coal Company, Inc.** (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip-auger-coal refuse disposal mine in Reade Township, **Cambria County**, affecting 133.0 acres, receiving stream unnamed tributaries to Powell Run; Powell Run; and unnamed tributary to Clearfield Creek. Application received April 12, 1999.

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

03960108. Dutch Run Coal, Inc. (A02-366, Shelocta, PA 15774). Application received to change the land use from forestland and strip mined area to pastureland/land occasionally cut for hay at an existing bituminous surface/auger mining site located in Plumcreek Township, **Armstrong County**, affecting 39.6 acres. Receiving streams: unnamed tributary to Crooked Creek. Application received April 14, 1999.

03890106. Walter L. Houser Coal Company, Inc. (R. R. 9, Box 434, Kittanning, PA 16201). Renewal application received for continued reclamation of a bituminous strip auger mine located in Kittanning Township, **Armstrong County**, affecting 134 acres. Receiving streams: two unnamed tributaries to Mill Run and Mill Run and then Cowanshanock Creek. Renewal application received April 13, 1999.

26890103R. Durant Excavating Company (18 North Ross Street, Masontown, PA 15461-1764). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Nicholson Township, **Fayette County**. Receiving stream: unnamed tributary to Cats Run. Renewal application received April 14, 1999.

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

41940101. Fisher Mining Company (460 Market Street, Williamsport, PA 17701), major revision to an existing bituminous surface mine permit for a change in permit acreage from 616.0 to 640.0 acres, Pine Township, **Clearfield County**. Receiving streams: Buckeye Run,

Otter Run, Little Pine Creek, Pine Creek, West Branch Susquehanna River, Chesapeake Bay. Application received March 26, 1999.

17940116. Moravian Run Reclamation Co., Inc. (605 Sheridan Drive, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Al Hamilton Contracting Company, Penn Township, **Clearfield County** affecting 247.0 acres. Receiving streams Poplar Run to Bell Run to West Branch Susquehanna River. Application received March 31, 1999.

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

33990907. Dale Hollobaugh (R. D. 1, Box 31, Penfield, PA 15849). Commencement, operation and restoration of an incidental coal extraction operation in Washington Township, **Jefferson County** affecting 15 acres. Receiving stream: Wolf Run. Application to include a landuse change from forestland and unmanaged natural habitat to commercial/industrial on lands of Steve A. and Jendi A. Gertz and Virginia Moore and Gloria Austin. Application received April 1, 1999.

16940107. RFI Energy, Inc. (555 Philadelphia Street, Indiana, PA 15701). Transfer of an existing bituminous surface strip operation in Perry Township, **Clarion County** affecting 224 acres. Receiving streams: Five unnamed tributaries to Cherry Run. Transfer from C & K Coal Company. Application received April 9, 1999.

33940101. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous strip and auger operation in Oliver Township, **Jefferson County** affecting 175.0 acres. Receiving streams: unnamed tributary to Hadden Run, Hadden Run, Clutch Run, unnamed tributary to Little Sandy Creek, Little Sandy Creek. Application for reclamation only. Application received April 9, 1999.

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

49861311T. A. L. Coal Co. (672 Bear Valley Avenue, Shamokin, PA 17872), transfer of an existing anthracite underground mine operation from Sheldon Derck in Zerbe Township, **Northumberland County** affecting 1.4 acres. Receiving stream—none. Application received April 5, 1999.

54793009R3. Coal Contractors (1991), Inc. (Gowen Mine, Fern Glen, PA 18241), renewal of an existing anthracite surface mine operation in Beaver, Black Creek and North Union Townships, **Columbia, Luzerne and Schuylkill Counties** affecting 991.3 acres. Receiving stream—Black Creek. Application received April 6, 1999.

54830107C3. Selkirk Mining Company (200 East Norwegian Street, Pottsville, PA 17901), correction to an existing anthracite surface mine operation to include fly ash disposal in Branch and Reilly Townships, **Schuylkill County** affecting 2,207.0 acres. Receiving stream—West Branch Schuylkill River. Application received April 8, 1999.

54900101C3. Blackwood, Inc. (P. O. Box 639, Wind Gap, PA 18091), correction to an existing anthracite surface mine operation in Reilly, Branch and Tremont Townships, **Schuylkill County** affecting 1,847.6 acres. Receiving stream—Panther and Swatara Creeks. Application received April 14, 1999.

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

Noncoal Applications Received

4877SM10. Lakeland Sand & Gravel, Inc. (7013 Atlantic Lake Road, Hartstown, PA 16131). Transfer of an

existing sand and gravel operation in East Fallowfield Township, **Crawford County**, affecting 10 acres. Receiving streams: unnamed run to Pymatuning Swamp to Crooked Creek to the Shenango River. Transfer from Joseph Arendash. Application received April 8, 1999.

3075SM6. Atlantic States Materials of PA, Inc. (P. O. Box 269, Mercer, PA 16137). Revision to an existing sand and gravel operation in Worth Township and West Liberty Borough, **Butler County** affecting 114.5 acres. Receiving streams: Hogue Run, Black Run and Slippery Rock Creek. Revision to include a postmining land use change to leave a lake on lands of Atlantic States Materials of PA, Inc. Application received March 30, 1999.

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

28990301. Fayetteville Contractors, Inc. (3185 Lincoln Way East, P. O. Box FCI, Fayetteville, PA 17222), commencement, operation and restoration of a quarry operation in Antrim Township, **Franklin County** affecting 20.88 acres, receiving stream—Muddy Run. Application received April 6, 1999.

48990301. IMS Waylite, Inc. (Box 5165, Easton Road, Bethlehem, PA 18015), commencement, operation and restoration of a quarry operation in the City of Bethlehem, **Northampton County** affecting 57.0 acres, receiving stream—none. Application received April 14, 1999.

48990302. IMS Waylite, Inc. (Box 5165, Easton Road, Bethlehem, PA 18015), commencement, operation and restoration of a quarry operation in the City of Bethlehem, **Northampton County** affecting 25.0 acres, receiving stream—none. Application received April 14, 1999.

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

Industrial Minerals NPDES Permit Renewal Applications Received

56940302. Keystone Lime Company (P. O. Box 278, Springs, PA 15562), renewal of NPDES Permit No. PA0212822, Elk Lick Township, **Somerset County**, receiving streams High Point Lake to Glade Run; Enos Run. NPDES renewal application received April 9, 1999.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

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

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

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

E23-380. Encroachment. **Darby Borough**, 821 Summit Street, Darby, PA 19023. To construct and maintain utility supports for a FEMA sponsored project which will provide appurtenant household utility floodproofing for individual dwellings. This work will be performed for homes along the 100—1400 block of Chestnut Street situated in the 100-year floodplain of Darby Creek (TSF-MF) (Lansdowne, PA Quadrangle N: 8.5 inches; W: 2.5 inches) in Darby Borough, **Delaware County**.

E15-616. Encroachment. **General Armistead, L. P.**, 137 Commons Court, Chadds Ford, PA 19317. To construct and maintain a bridge having a clear span of 12.52 feet and an average underclearance of 3.13 feet across Lionville Run (CWF) to provide access to the rear portion of a commercial site. Work also includes minor grading in the floodway and removing an existing footbridge. This site is located 1,000 feet southeast from intersection of Route 100 and Fairview Road (Downingtown, PA Quadrangle N: 6.9 inches; W: 1.15 inches) in West Whiteland Township, **Chester County**.

E46-836. Encroachment. **PA Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To construct and maintain a slip ramp consisting of on-ramp (B) from west bound Turnpike (I-276) to a signalized intersection at Virginia Drive, opposite Office Center Drive and off-ramp (A) from the same intersection to the west bound Turnpike. This site is located at the existing Fort Washington Interchange of PA Turnpike (Ambler, PA Quadrangle beginning at N: 2 inches; W: 7.5 inches and ending at N: 2.7 inches; W: 5.8 inches) in Upper Dublin Township, **Montgomery County**. Work consists of:

1. To fill 0.07 acre of wetlands (PFO) for the construction of west bound on-ramp (B) at the station 814+00 of the PA Turnpike;
2. To extend the existing 6-foot by 4-foot box culvert in and along an unnamed tributary to Pine Run (TSF) beneath Turnpike Station 828+58 by installing a 70 linear foot extension of 6-foot by 4-foot box culvert at the downstream end to facilitate construction of the on-ramp (B);
3. To extend the existing 24-inch CMP storm sewer beneath Turnpike Station 835+25 by installing an additional 120 linear feet of 24-inch pipe at the downstream end for the construction of the on-ramp (B);
4. To fill 0.07 acre of wetlands (PEM) for the construction of the west bound on-ramp (B) at Station 52+00 and temporary impact 0.08 acre (PEM) wetland;
5. To relocate approximately 460 linear feet of an unnamed tributary to Pine Run (TSF) along the east side of off-ramp (A) from Station 22+00 to Station 27+30;
6. To install approximately 100 linear feet of 18-foot by 7-foot box culvert, with a 1 foot depressed bottom in and

along Pine Run, beneath new Ramps A and B at the Station 27+35 near the intersection of Virginia Drive;

7. To construct 60 linear feet of on-ramp (B) and off-ramp (A) within the 100 year floodplain of Pine Run from Station 26+00 to the intersection of Virginia Drive.

E46-841. Encroachment. **Upper Dublin Township**, 801 Loch Alsh Ave., Fort Washington, PA 19034. To improve, widen and maintain Virginia Drive and the intersection of Virginia Drive and Office Center Drive within the 100-year floodplain of Pine Run (TSF) in conjunction with construction of a slip ramp for PA Turnpike at the existing Fort Washington interchange (Ambler, PA Quadrangle beginning at N: 2.2 inches; W: 7.4 inches and ending at N: 2.8 inches; W: 6.3 inches) in Upper Dublin Township, **Montgomery County**. Work consists of:

1. Extending a 42-inch by 72-inch squashed C.M.P. pipe in and along an unnamed tributary to Pine Run beneath Virginia Drive at Station 504+84 by installing a 16 linear foot extension of 42-inch by 72-inch C.M.P. at the downstream end of the aforementioned culvert.

2. Widening Virginia Drive and Office Center Drive within the 100-year floodplain of Pine Run.

E51-176. Encroachment. **City of Philadelphia Capital Program Office**, 1515 Arch Street, 11th Floor, One Parkway Building, Philadelphia, PA 19102. To modify, operate and maintain approximately 2,700 linear feet of the Manayunk Canal (WWF) situated within the 100-year floodplain of the Schuylkill River. The proposed Phase II Manayunk Canal Reconstruction Project consists of the following activities:

1. To remove an existing deteriorated timber and stone retaining wall along the southern bank of the canal and to install a steel sheet piling wall;

2. To repair and reconstruct three sections of approximately 800 feet of existing stone and concrete retaining wall along the northern bank and 270 feet along the southern bank of the canal;

3. To reconstruct the existing 1,100 foot long timber boardwalk and bulkhead along the northern side of the canal between Gay Street and Green Lane, and east and west of the intersection of Green Lane and Main Street;

4. To remove sediment from the bottom of the canal in the vicinity of Green Lane Bridge.

This project also includes installation of a temporary Portadam cofferdam structure. The proposed site is located between the Green Lane Bridge and the intersection of Lock Street and Main Street (Germantown, PA Quadrangle N: 4.3 inches; W: 13.6 inches) in the City and **County of Philadelphia**.

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

E22-400. Encroachment. **Eugene and Sandra Mulitsch**, 2585 Morgan Hill Rd., Easton, PA 18042. To construct and maintain a bridge having a span of 16 feet and a clearance of 4 feet across the channel of Shippen Run at a point along Shippen Dam Road (Millersburg, PA Quadrangle N: 9.9 inches; W: 11.6 inches) for the purpose of providing access to a home in Upper Paxton Township, **Dauphin County**.

E38-124. Encroachment. **Lebanon Valley College**, Robert Hamilton, 101 N. College Ave., Annville, PA 17003. To relocate approximately 420 feet of a tributary to the

Quittapahilla Creek for construction of a stormwater management retention pond at the Lebanon Valley College. The purpose of the project is to expand athletic facilities and to provide additional parking located on the north side of the campus (Palmyra, PA Quadrangle N: 15.4 inches; W: 1.75 inches) in Annville Township, **Lebanon County**. The permittee is required to provide 0.25 acre of wetland mitigation on site and 840 feet of off-site stream enhancement on the Quittapahilla Creek.

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

E32-401. Encroachment. **Steven A. White**, 1793 1/2 Getty Avenue, Indiana, PA 15701. To construct and maintain a single span bridge having a normal span of 24.0 feet and an underclearance of 3.0 feet across Cheese Run (CWF) for the purpose of providing access to a proposed residential dwelling. The project is located on the southwest side of T-412, approximately 800 feet west of Trim Tree Road (T-430) (Ernest, PA Quadrangle N: 4.25 inches; W: 14.0 inches) in Armstrong Township, **Westmoreland County**.

E26-254. Encroachment. **Roy F. Gazzam**, 4009 Edge Road, Brentwood, PA 15227-3411. To construct and maintain a single 12.9-foot x 8.3-foot structural plate pipe-arch culvert in Crabapple Run (WWF) for the purpose of providing access to a residence. The project is located on R. R. 669, approximately 0.44 mile west of its intersection with S. R. 0051 (Fayette City, PA Quadrangle N: 5.1 inches; W: 4.0 inches) in Franklin Township, **Fayette County**.

E65-721. Encroachment. **Westmoreland County Industrial Development Corporation**, 601 Courthouse Square, 2 North Main Street, Greensburg, PA 15601. To place and maintain fill in 0.86 acre of PEM wetlands and 0.9 acre of PEM replacement wetlands. This project is associated with the development of a 50 acre parcel in an existing industrial park. The project is in the watershed of an unnamed tributary to the Youghiogheny River (WWF) (Smithton, PA Quadrangle N: 9.3 inches; W: 17.0 inches) in South Huntingdon Township, **Westmoreland County**.

E65-722. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a precast box culvert having a single span of 4.27 M and an underclearance of 1.45 M (invert depressed 0.3 M) in an unnamed tributary to McGee Run. The structure is located on S. R. 217, Section 01R at a point approximately 3 miles north of Kingston (Derry, PA Quadrangle N: 14.0 inches; W: 7.00 inches) in Derry Borough, **Westmoreland County**.

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

E10-279. Encroachment. **Jeffrey L. Domhoff**, 105 Ziegler Street, Zelienople, PA 16063. To construct and maintain a two span steel I-beam and wooden deck bridge with each span measuring 20 feet wide with a maximum underclearance of 7 feet across Semiconon Run (CWF) for private residential access. The project is located across Semiconon Run approximately 3,400 feet southwest of the intersection of Dick Road (SR 3029) and Purvis Road (County Lane Road SR 3034) (Evans City, PA Quadrangle N: 20.1 inches; W: 3.8 inches) located in Connoquenessing Township, **Butler County**.

E10-298. Encroachment. **Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066-6499. To remove an existing culvert and to construct and maintain

approximately 280 feet of stream enclosure consisting of a 49-inch-wide by 33-inch-high CM pipe arch and a 24-inch-diameter HDPE pipe and excavation of approximately 80 feet of stream channel extending downstream of the proposed enclosure. This work is associated with the widening and drainage improvements along approximately 3,300 feet of Peters Road extending east from the Franklin Road (Mars, PA Quadrangle N: 14.5 inches; W: 9.4 inches) located in Cranberry Township, **Butler County**.

E10-299. Encroachment. **Butler County**, P. O. Box 1208, Butler, PA 16003. To remove the existing structure and to construct and maintain a steel plate girder bridge with a single clear span of 115 feet and a minimum underclearance of 15.5 feet on Mercer Road across Connoquenessing Creek (WWF). The bridge is located on Mercer Road across Connoquenessing Creek approximately 4,000 feet south of the intersection of Mercer Road and SR 0019 (Evans City, PA Quadrangle N: 9.8 inches; W: 17.2 inches) located in Harmony Borough and Jackson Township, **Butler County**.

E61-223. Encroachment. **Venango County**, 1174 Elk Street, Franklin, PA 16323. To remove the existing bridge (McCann Bridge) and to construct and maintain a precast reinforced concrete adjacent box beam bridge having a clear, normal span of 12.327 meters and a minimum underclearance of 2.428 meters on T-318 (Nogle Road) across Little Sandy Creek (CWF, trout stocked and wild trout). This project is located on T-318 (Nogle Road) across Little Sandy Creek approximately 153 meters north of the intersection of T-318 (Nogle Road) and SR 3024 (Utica, PA Quadrangle N: 1.6 inches; W: 9.5 inches) located in French Creek Township, **Venango County**.

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER (Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel

Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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.

Permit No. 4099401. Sewerage. **Can Do, Inc.**, 1 South Church Street, Hazleton, PA 18201-6200. Permit to construct and operate a sewage pumping station and a sanitary sewer collection and conveyance system for Humboldt Industrial Park West, located in East Union Township, **Schuylkill County**, and Hazle Township, **Luzerne County**.

NPDES Permit No. PA-0070092. Sewerage. **John M. Yetter, t/a Evergreen Village Mobile Home Park**, R. R. 5, Box 5308, East Stroudsburg, PA 18301, is authorized to discharge from a facility located in Upper Mt. Bethel Township, **Northampton County**, to an unnamed Tributary of Allegheny Creek.

NPDES Permit No. PA-0060674. Sewerage. **The Guided Tours Camp Lee Mar, Inc.**, Route 590, Lackawaxen, PA 18435, is authorized to discharge from a facility located in Lackawaxen Township, **Pike County**, to an unnamed tributary to Lord's Creek.

NPDES Permit No. PA-0063223. Sewerage. **Martha J. Vetter**, P. O. Box 152, Damascus, PA 18415, is authorized to discharge from a facility located in Damascus Township, **Wayne County**, to Delaware River.

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

NPDES Permit No. PA0055913. Industrial waste. **Corco Chemical Corporation**, Tyburn Road and Cedar Lane, Fairless Hills, PA 19030.

The following notice reflects changes to the notice published in the March 6, 1999, *Pennsylvania Bulletin*:

The proposed effluent limits for Outfall 002, based on an average flow of 115,000 gallons per day are revised as follows using more effluent analysis data:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Tetrachloroethylene	monitor	monitor	
Trichloroethylene	monitor	monitor	
Total Iron	monitor	monitor	
Total Manganese	monitor	monitor	
Total Zinc	monitor	monitor	
Total Aluminum	monitor	monitor	
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

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

NPDES Permit No. PAG043609. Sewerage. **William D. Baker**, 2305 Pinchot Road, Saxton, PA 16678, is authorized to discharge from a facility located in Liberty Township, **Bedford County** to an unnamed tributary to the Juniata River.

NPDES Permit No. PA0021539. Sewerage. **Borough of Williamsburg**, 305 East Second Street, Williamsburg, PA 16693-1041, is authorized to discharge from a facility located in Catherine Township, **Blair County** to the receiving waters named Frankstown Branch.

NPDES Permit No. PA0026280. Sewerage. **Borough of Lewistown**, Two East Third Street, Lewistown, PA 17044, is authorized to discharge from a facility located in Lewistown Borough, **Mifflin County** to the receiving waters named Juniata River.

NPDES Permit No. PA0085367. Sewerage. **Sill's Family Campground**, P. O. Box 566, Adamstown, PA 19501-0566, is authorized to discharge from a facility located in Brecknock Township, **Lancaster County** to the receiving waters named Little Muddy Creek.

Permit No. 2198411. Sewerage. **Borough of Shippensburg**, 60 West Burd Street, Shippensburg, PA 17257. This permit approves the modification of sludge dewatering facility in Southhampton Township, **Cumberland County**.

Permit No. 0687428 (99-1). Sewerage. **Berks Properties, Inc.**, 2620 Egypt Road, Norristown, PA 19403. This permit approves the modification of sewage treatment facilities in Hereford Township, **Berks County**.

Permit No. 2299401. Sewerage. **Derry Township Municipal Authority**, P. O. Box 447, Hershey, PA 17033-0447. This permit approves the modification of sewage treatment facilities in Derry Township, **Dauphin County**.

Permit No. 2198410. Sewerage. **Mr. and Mrs. Herbert Roth**, 8 West Hatchery Road, Newville, PA 17241. This permit approves the construction of sewage treatment facilities in North Newton Township, **Cumberland County**.

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

NPDES Permit No. PA0022195. Sewerage. **Catawissa Borough**, P. O. Box 44, Catawissa, PA 17820-0044. Renewal granted to Catawissa Borough to discharge treated sewage from facility located at Catawissa Borough, **Columbia County**.

NPDES Permit No. PA0110272. Sewerage. **Cogan Valley Farms**, 480 Route 973 West, Cogan Station, PA 17728. Renewal granted to Cogan Valley Farms to discharge treated sewage from facility located at Hepburn Township, **Lycoming County**.

NPDES Permit No. PA0208566. Industrial waste. **BTR Inc.**, P. O. Box 355, Milton, PA 17847. Applicant granted permission to discharge from facility (Milton 32 Truckstop) located at Turbot Township, **Northumberland County**.

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

NPDES Permit No. PAS206108. Industrial waste. **Crown Cork & Seal Company, Inc.**, 1840 Baldrige Street, Connellsville, PA 15425, is authorized to discharge from a facility located at South Connellsville, **Fayette County** to receiving waters named Youghiogheny River.

NPDES Permit No. PA0096083. Sewerage. **Connellsville Area School District**, 125 North Seventh Street, Connellsville, PA 15425, is authorized to discharge from a facility located at Dunbar Junior High West STP, Dunbar Township, **Fayette County** to receiving waters named Opossum Run.

Permit No. 5672401-A1. Sewerage, **The Upper Stonycreek Joint Municipal Authority**, P. O. Box 24, Hooversville, PA 15936. Construction of treatment plant upgrade and expansion and pump station improvements located in Quemahoning Township, **Somerset County** to serve Hooversville Area.

Permit No. 6583401-A3. Sewerage, **The Hempfield Township Municipal Authority**. Construction of belt filter press replacement located in Hempfield Township, **Westmoreland County**, to serve New Stanton Water Pollution Control Plant.

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

WQM Permit No. 3399401. Sewerage. **Sykesville Borough Council**, 21 East Main Street, Sykesville, PA 15865. This project is for the construction and operation of a wastewater collection and treatment facility in Sykesville Borough, Winslow Township and Henderson Township, **Jefferson County**.

WQM Permit No. 2598417. Sewerage. **Scenic Heights Subdivision SFTF, East**, John Afton, 7616 Knoyle Road, Erie, PA 16510. This project is for the construction and operation of a small flow treatment facility located in Venango Township, **Erie County**.

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

Southwest Regional Office: Regional Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4024.

NPDES Permit No. PA0218073. Industrial, **Belden and Blake Corporation**, 22811 Titusville Road, Pleasantville, PA 16341. Approval granted to discharge treated industrial waste from a facility in East Huntingdon Township, **Westmoreland County** into Jacobs Creek.

INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G355	James Mark P. O. Box 861 New London, PA 19360	East Nottingham Township Chester County	Big Elk Creek
PAS10-T079	Galbone Brothers Development 1030 West Germantown Pike P. O. Box 287 Fairview Village, PA 19409	Skippack Township Montgomery County	Unnamed Tributary to Skippack Creek

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>
PAS10Q008-R	Kay Builders 5440 Hamilton Blvd. Wescosville, PA 18106	Lehigh County Lower Macungie Township	Little Lehigh Creek

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PAS-10-M028-R. Individual NPDES. **Quincy Methodist Home**, P. O. Box 217, Quincy, PA 17247-0217. To implement an erosion and sedimentation control plan for the construction of Quincy Nursing Home on 170 acres in Quincy Township, **Franklin County**. The project is located in Quincy Village (Waynesboro, PA Quadrangle N: 9.8 inches; W: 11.5 inches). Drainage will be to Little Antietam Creek.

PAS-10-O-016-R. Individual NPDES. **Jalyn Developers**, 148 Brick Church Road, Leola, PA 17540. To implement an erosion and sedimentation control plan for Glen Oaks Residential Subdivision on 130.7 acres in Salisbury Township, **Lancaster County**. The project is located on the east side of Gault Road and south of Northeimer Road. Drainage will be to Pequea Creek.

PAS-10-O-077. Individual NPDES. **Clarence R. Wenger**, 1011 Woodland Drive, Quarryville, PA 17566. To implement an erosion and sedimentation control plan for the Furniss Hill Farms residential subdivision on 43.35 acres in Fulton Township, **Lancaster County**. The project is located along both sides of Furniss Road (SR 3004), and on the east side of Westbrook Road (T-462) (Wakefield, PA Quadrangle N: 5.5 inches; W: 8.5 inches). Drainage will be to a tributary of Puddle Duck 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

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

- PAG-8 General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
- PAG-9 General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

General Permit Type—PAG-2

Facility Location

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Schuylkill Township Chester County	PAR10-G301	Thomas Cosgrove and Mary Selan 1030 Township Line Road Phoenixville, PA 19460	French Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Oxford Township Chester County	PAR10-G305	Peoples Bank of Oxford P. O. Box 500 Oxford, PA 19363	Leeert Run and Hayes Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Caln Township Chester County	PAR10-G310	Downingtown Market Associates, LP 323-234 North 22nd Street Philadelphia, PA 19103	Parke Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Thornbury Township Chester County	PAR10-G318	Thorncroft Woods Development, Inc. 4 Raven Drive Chadds Ford, PA 19317	Unnamed Tributary to East Branch Chester Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Bethel Township Delaware County	PAR10-J152	Gilmon Development 510 Philadelphia Pike Wilmington, DE	South Branch Naamons Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Merion Township Montgomery County	PAR10-T531	Brandywine Operating Partnership LP 14 Campus Blvd., Suite 100 Newtown Square, PA 19073	Trout Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Northampton County Bethlehem Township	PAR10U085-1	Victoria Calantoni Nancy Run Estates Family Limited Partnership 6065 William Penn Highway Easton, PA 18045	Lehigh River (U.N.T.)	Northampton Cons. Dist. (610) 746-1971
Luzerne County Wright Township	PAR10R181	Anthony Biago (Summit Meadow Estates) 456 South Main Rd. Mountaintop, PA 18707	Big Wapwallopen Creek	Luzerne Cons. Dist. (570) 674-7991
Bern Township Berks County	PAR-10-C260	Easy Does It Community Center Easy Does It Inc. 647 Walnut Street Reading, PA 19601	UNT Plum Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Middlesex Township North Middleton Township Cumberland County	PAR-10-H196	Pamay Development Co. Inc. 5140 Trindle Road Mechanicsburg, PA 17055	Conodoguinet Creek	Cumberland County CD 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 40-7812
Derry Township Dauphin County	PAR-10-I170	Shaffer Gelder Dev. Co. 1345 E. Chocolate Ave. P. O. Box 710 Hershey, PA 17033	Swatara Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lower Paxton Township Dauphin County	PAR-10-I192	Dauphin Homes, Inc. 5851 Union Deposit Road Harrisburg, PA 17111	Beaver Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Swatara Township Dauphin County	PAR-10-I179	Capitol Ridge Dev. Corp. 220 N. 72nd Street Harrisburg, PA 17111	Beaver Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAR-10-I181	Houck Properties 7464 Linglestown Road Harrisburg, PA 17112	Beaver Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lackawanna County Clarks Summit Borough	PAR232238	Ato Findley, Inc. 11320 Watertown Plank Rd. Wauwatosa, WI 53226	Reynolds Pond	Northeast Office 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lackawanna County Taylor Borough	PAR232221	Taylor Chemical, Inc. Lackawanna County 10 Stauffer Ind. Park Taylor, PA 18517	Keyser Creek to Lackawanna River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Luzerne County Wright Township	PAR802207	Boise Locomotive P. O. Box 27 Crestwood Ind. Park Mountain Top, PA 18707	N/A	Northeast Office 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Northampton County Easton City	PAR602213	Jacob Stein Easton Iron & Metal Co., Inc. 1100 Bushkill Drive Easton, PA 18042-1437	Delaware River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Schuylkill County Ringtown Borough	PAR212220	Ringtown Wilbert Vault Works, Inc. P. O. Box 215 Ringtown, PA 17967-0215	Little Catawissa Creek	Northeast Office 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

General Permit Type—PAG 7

<i>Facility Location County and Municipality (If Applicable)</i>	<i>General Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
	PAG079902	Wheelabrator Hagerstown 1030 Frederick Street Hagerstown, MD 21740	BWQP (717) 787-8184

*General Permit Type—PAG 8**Facility Location
County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream
or Body of Water**Contact Office and
Telephone No.*Manor Township
Lancaster County

PAG-08-3533

Millersville Borough WWTP
10 Colonial Avenue
Millersville, PA 17551

N/A

Lancaster County CD
1383 Arcadia Road
Room 6
Lancaster, PA 17601
(717) 299-5361Union Township
Lebanon County

PAG-08-3531

Northern Lebanon County
Auth.
P. O. Box 434
Jonestown, PA 17038

N/A

Lebanon County CD
2120 Cornwall Rd.,
Suite 5
Lebanon, PA 17042
(717) 272-3908, Ext. 3*General Permit Type—PAG 9**Facility Location
County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream
or Body of Water**Contact Office and
Telephone No.*Monroe Township
Cumberland County

PAG-09-3520

Williams Grove Amusement
Park and Speedway
One Park Avenue
Mechanicsburg, PA 17055

N/A

Cumberland County CD
43 Brookwood Avenue,
Suite 4
Carlisle, PA 17013
(717) 240-7812**SEWAGE FACILITIES ACT
PLAN APPROVAL****Plan approvals granted under the Pennsylvania
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Regional Office: Water Management Program Manager,
Southcentral Region, 909 Elmerton Ave., Harrisburg, PA
17110.*

**Liverpool Borough, Perry County, P. O. Box M,
Liverpool, PA 17405.** The approved plan provided for
expansion and upgrade of an existing sewage treatment
plant to .150 mgd capacity. The upgrade will be to
sequencing batch reactor technology. Following expansion
of the STP, public sewers will be extended to the South
Market Street area of the Borough. The Department's
review of the sewage facilities update revision has not
identified any significant environmental impacts resulting
from this proposal. Any required NPDES permits or
WQM permits must be obtained in the name of the
municipality or authority as appropriate.

**Elizabeth Township, Lancaster County, 423 South
View Dr., Lititz, PA 17543.** The approval plan amend-
ment provides for a de-nitrification unit maintenance
ordinance that will apply to all de-nitrification technology
in the municipality. The Department's review of the
sewage facilities update revision has not identified any
significant environmental impacts resulting from this
proposal.

**Penn Township, Lancaster County, 97 North
Penryn Rd., Manheim, PA 17545.** The approved plan
amendment provides for a de-nitrification unit mainte-
nance ordinance that will apply to all de-nitrification
technology in the municipality. The Department's review
of the sewage facilities update revision has not identified
any significant environmental impacts resulting from this
proposal.

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

**West Salem Township, Mercer County, West Salem
Township Board of Supervisors, 610 Vernon Road,
Greenville, PA 16125.** This approved project proposes
construction of a new collection and conveyance system.
Treatment will be provided by the Greenville Sanitary
Authority Wastewater Treatment Plant.

The Department's review of the sewage facilities update
revision has not identified any significant environmental
impacts resulting from this proposal.

SAFE DRINKING WATER**Actions taken under the Pennsylvania Safe Drink-
ing Water Act (35 P. S. §§ 721.1—721.17).***Southeast Regional Office: Sanitarian Regional Man-
ager, Lee Park, Suite 6010, 555 North Lane,
Conshohocken, PA 19428-2233, (610) 832-6130.*

Permit No. 1599504. Public water supply. **Borough of
Oxford, P. O. Box 380, Oxford, PA 19363-0380.** A permit
has been issued for the construction of an air stripper
tower to remove tetrachloroethylene from Wells No. 7 and
No. 8 in the Borough of Oxford, **Chester County.**

*Type of Facility: Public Water Supply System**Consulting Engineer: Spotts, Stevens and McCoy, Inc.,
345 N. Wyomissing Boulevard, Reading, PA 19610-0307**Permit to Construct Issued: April 9, 1999**Northeast Regional Office: Sanitarian Regional Man-
ager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717)
826-2511.*

Permit No. 4596508. Public water supply. **Pennsylva-
nia American Water Company, 800 West Hersheypark
Drive, Hershey, PA 17033.** This proposal involves the
construction of PWS facilities to treat water from Well
No. 1, previously developed by Coolbaugh Township and
connecting it to customers previously served by the
Tobyhanna Water Company, Fairview Water Company
National Utilities, Inc., at Pine Hill and Summit Point. It
is located in Coolbaugh Township, **Monroe County.**
Construction permit issued on March 16, 1999.

Permit No. 1398503. Public water supply. **Beaver Run Water Assoc. (a.k.a. Holiday Pocono subdivision).** Diane Harbin, Sec., P. O. Box 265, Albrightsville, PA 18210. This proposal involves the construction of two wells with control buildings, pH/alkalinity adjustment, disinfection, finished water storage and distribution piping. It is located in Kidder Township, **Carbon County**. Construction permit issued on April 6, 1999.

Permit No. 6498501. Public water supply. **Fox Ledge, Inc.,** Al Alessi, President, P. O. Box 89, Mt. Pleasant, PA 18453. This proposal involves the addition of a 40,000 gallon storage tank, cartridge filter, UV—disinfection and bottling line. It is located in Mount Pleasant Township, **Wayne County**. Construction permit issued on March 31, 1999.

Minor Amendment to Auburn Municipal Authority. Public water supply. Eric Nagle, Chairperson, 135 Orchard Street, Auburn, PA 17922. This proposal involves modification to the water treatment plant. It is located in the Borough of Auburn, **Schuylkill County**. Construction permit issued on April 1, 1999.

Operations Permit issued on February 8, 1999, to **PAWC—Hickory System,** Delaware Township, **Pike County**.

Operations Permit issued on March 22, 1999, to **Upper Saucon Township,** Upper Saucon Township, **Lehigh County**.

Operations Permit issued on March 12, 1999, to **Hi-View Terrace Mobile Home Park,** Jefferson Township, **Lackawanna County**.

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

Permit No. 7220949. Public water supply. **Analytical Laboratory Services, Inc.,** Lower Swatara Township, **Dauphin County.** *Responsible Official:* Raymond J. Martrano, Laboratory Manager, 34 Dogwood Lane, Middletown, PA 17057. *Type of Facility:* Installation lead and copper corrosion control utilizing orthophosphate, and the use of UV lights for disinfection. *Permit to Operate Issued:* April 7, 1999.

Permit No. 2298503. Public water supply. **Elizabethville Area Authority,** Washington Township, **Dauphin County.** *Responsible Official:* Andrew W. Hills, Chairperson, P. O. Box 271, Elizabethville, PA 17023. *Type of Facility:* Installation of Well No. 5 as a new source of supply. *Consulting Engineer:* Kent P. Bachmann, Glace Associates, Inc. *Permit to Operate Issued:* April 5, 1999.

Permit No. 3060059. Public water supply. **Reading Area Water Authority,** City of Reading, **Berks County.** *Responsible Official:* Anthony Consentino. *Type of Facility:* Sludge handling facilities at the Maiden Creek Filtration Plant. *Consulting Engineer:* Entect Engineering, Inc., Danial Castillani, P. E. *Permit to Operate Issued:* March 16, 1999.

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

Permit No. MA. The Department issued a construction permit to **Quehanna-Covington-Karthus Area Authority,** P. O. Box 104, Frenchville, PA 16836-0104, Karthus Township, **Clearfield County**. The permit was issued for construction/installation of a Hammonds tablet chlorinator to provide disinfection treatment of the water from Well No. 2.

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

Permit No. 2599502. Public water supply. **Greene Township,** 9333 Tate Road, Erie, PA 16509, has been issued a permit for Aqua Mag treatment in Horseshoe Subdivision in Greene Township, **Erie County**.

Type of Facility: Community Water Supply

Consulting Engineer: Mark Corey, P.E., Mark Corey & Associates, 5845 Jordan Road, Erie, PA 16510

Permit to Construct Issued: April 13, 1999

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Settlement Under the Hazardous Sites Cleanup Act

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a proposed settlement relating to the cleanup of the Herald Products HSCA Site in Pennel Borough, PA. The proposed settlement involves a Consent Decree in the Court of Common Pleas of Bucks County, between the Department and Edward Shults, who is a potentially responsible party as the owner of the Site during a release of hazardous substances at the Site.

Contamination identified by the Department at the Site included xylene, ethylbenzene and other alkybenzenes. The remedial action conducted by the Department was completed in December of 1994, and included in situ soil-vapor extraction. Under the terms of the proposed Consent Decree, Edward Shults will reimburse a portion of the costs incurred by the Department in connection with the Site.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Department will provide for a 60-day public comment period on the proposed Consent Decree from the date of publication of this notice. The proposed Consent Decree may be examined from 8 a.m. to 4 p.m. at the Department's office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, by contacting Matthew Miller at (610) 832-5950 or Paul Rettinger at (610) 832-6300 during normal business hours. Persons may submit written comments to Matthew Miller at the previous address. The Department will provide a response to significant written comments received during the public comment period, and the proposed Consent Decree authorizes the Department to withhold or withdraw its consent in the event that the Department determines, based on comments received during the public comment period, that the Consent Decree is inappropriate, improper or not in the public interest.

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 the Land Recycling Program

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

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

The Department has acted upon the following plans and reports:

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

Brandywine Realty II, Concord Township, Delaware County. Carl Bones, Pennoni Associates, Inc., One Drexel Plaza, 3001 Market Street, Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The Final Report demonstrated attainment of background standards and was approved by the Department on March 20, 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, P. O. Box 421, Reading, PA has submitted a final report concerning the remediation of site soils and groundwater contaminated with solvents, BTEX, PHCs and PAHs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on April 15, 1999.

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

Cecilia Kearns Residence, East Conemaugh Borough, Cambria County. Cecilia Kearns Residence, 114 Third Street, East Conemaugh, PA 15909 and David R. Crowther, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, have submitted a final report concerning remediation of site soil contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on April 9, 1999.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

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

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

Douglas Brothers, Inc., R. R. 1, Box 42, Athens, PA 18810; License No. **PA-AH 0617**; license issued April 13, 1999.

EQ Industrial Services, Inc., 3650 Carpenter Road, Ypsilanti, MI 48197; License No. **PA-AH 0615**; license issued March 9, 1999.

North American Environmental Services, Inc., 1240 Saratoga Road, Ballston Spa, NY 12020; License No. **PA-AH 0616**; license issued March 31, 1999.

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

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

Adcom Express, Inc., 17650 Duvan Drive, Tinley Park, IL 60477; License No. **PA-AH S158**; renewal license issued March 9, 1999.

Beelman Truck Co., P. O. Box 305, St. Libory, IL 62282; License No. **PA-AH 0363**; renewal license issued April 16, 1999.

Central States Environmental Services, 609 Airport Road, Centralia, IL 62801; License No. **PA-AH S186**; renewal license issued April 8, 1999.

Envirco Transportation Inc., 61½ Railroad Street, Canfield, OH 44406; License No. **PA-AH 0361**; renewal license issued April 7, 1999.

Fenn-Vac, Inc., P. O. Box 62679, North Charleston, SC 29419; License No. **PA-AH 0542**; renewal license issued March 26, 1999.

Franklin Environmental Services, Inc., 185 Industrial Road, Wrentham, MA 02093-0617; License No. **PA-AH 0224**; renewal license issued March 31, 1999.

Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606; License No. **PA-AH 0360**; renewal license issued March 10, 1999.

Joseph Moving and Storage Co., P. O. Box 5, Woodland, PA 16881; License No. **PA-AH 0390**; renewal license issued March 12, 1999.

Keystone Environmental Services, Inc., 1100 South Pottsville Pike, Shoemakersville, PA 19555; License No. **PA-AH 0236**; renewal license issued March 11, 1999.

LWD Trucking, Inc., P. O. Box 327, Calvert City, KY 42029; License No. **PA-AH 0569**; renewal license issued April 2, 1999.

M. C. Tank Transport, Inc., 10134 Mosteller Lane, West Chester, OH 45069; License No. **PA-AH 0489**; renewal license issued March 4, 1999.

Med-Trac, Inc., 715 William Pitt Way, Pittsburgh, PA 15238; License No. **PA-AH 0561**; renewal license issued March 4, 1999.

Pennzoil-Quaker State Company, 2 Main Street, Rouseville, PA 16344; License No. **PA-AH 0484**; renewal license issued March 31, 1999.

Petroclean, Inc., P. O. Box 92, Carnegie, PA 15106; License No. **PA-AH 0109**; renewal license issued March 31, 1999.

Reifsneider Transportation, Inc., 223 Fellowship Road, Eagle, PA 19480; License No. **PA-AH 0486**; renewal license issued April 2, 1999.

Republic Environmental Systems, 21 Church Road, Hatfield, PA 19440; License No. **PA-AH 0317**; renewal license issued April 8, 1999.

Sani Mobile Environment Inc., 2630 Industrial Boulevard, Chambly, PQ J3L 4V2; License No. **PA-AH 0335**; renewal license issued April 8, 1999.

Wade Salvage Inc., t/a Wade Environment, 382 Jackson Road, Atco, NJ 08004; License No. **PA-AH S246**; renewal license issued March 4, 1999.

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

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

Atlantic Recovery Services, Inc., 8 Tree Lane, Levittown, PA 19054; License No. **PA-AH 0559**; license expired on March 31, 1999.

C&W Environmental Services, Inc., 317 Enterprise Street, Ocoee, FL 34761; License No. **PA-AH 0557**; license expired on March 31, 1999.

Steel City Environmental Services, Inc., 210 Washington Avenue, Dravosburg, PA 15034; License No. **PA-AH 0389**; license expired on March 31, 1999.

Tri-State Waste Disposal Co., Inc., 72 Lawrence Road, Lafayette, NJ 07848; License No. **PA-AH S209**; license expired on February 28, 1999.

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

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

M&M Chemical & Equipment Co., Inc., 1229 Valley Drive, Attalla, AL 35954; License No. **PA-AH 0163**; license terminated April 7, 1999.

Oldover Corporation, P. O. Box 228, Ashland, VA 23005; License No. **PA-AH 0125**; license terminated April 7, 1999.

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

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

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

NSH Network, Inc., DBA Resource Management Council Services, 888 Veteran Memorial Highway, Suite 100, Hauppauge, NY 11788; License No. **PA-HC 0197**; renewal license issued April 6, 1999.

S-J Transportation, Co., P. O. Box 169, Woodstown, NJ 08098; License No. **PA-AH0559**; renewal license issued April 7, 1999.

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

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

Safety Medical Systems, Inc., 43 Hercules Drive, Colchester, VT 05446; License No. **PA-HC 0189**; license expired April 6, 1999.

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

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

Medical Express & General Courier Service, Inc., 1078 Banksville Road, Pittsburgh, PA 15216; License No. **PA-HC 0056**; license terminated February 15, 1999.

AIR QUALITY

OPERATING PERMITS

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

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

GP1-12-01: Emporium Hardwoods, Inc. (HC3, Box 1, Emporium, PA 15834), on March 3, 1999, to construct and operate a 21 million BTU/hour natural gas-fired boiler equipped with a low NOx burner under the General Plan Approval and General Operating Permit for gas and

no. 2 oil-fired combustion units (BAQ-GPA/GP-1) in Emporium Borough, **Cameron County**.

GP5-17-07A: Somerset Oil and Gas Co., LLC (2039 South Sixth Street, Indiana, PA 15701), on April 13, 1999, to construct and operate a 186 horsepower natural gas-fired engine under the General Plan Approval and General Operating Permit for natural gas production facilities (BAQ-GPA/GP-5) at the South Station in Brady Township, **Clearfield County**.

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

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

49-304-004A: Somerset Consolidated Industries, Inc., Watsonstown Foundry Division (P. O. Box 126, Watsonstown, PA 17777), on February 18, 1999, to remove a restriction on ductile iron production and require all ductile iron to be produced with a tundish ladle in Watsonstown Borough, **Northumberland County**.

14-310-011B: Hanson Aggregates East (P. O. Box 513, Jamesville, NY 13078), on April 15, 1999, for operation of a coarse material washer and associated conveyor in a stone crushing plant and to correct erroneous equipment identification at the Curtin Gap Quarry in Marion Township, **Centre County**.

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

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

NMOP-59-00009: Mansfield University (Mansfield, PA 16933), issued April 19, 1999, for boilers, heaters and emergency generators in Mansfield Borough, **Tioga County**.

City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 823-7584.

V95-020: Allied Tube & Conduit Corp. (11350 Norcom Road, Philadelphia, PA 19154), Title V issued April 16, 1999, for operation of a tube and conduit manufacturing facility in **Philadelphia County**.

V95-028: The Budd Co. (2450 Hunting Park Avenue, Philadelphia, PA 19129), Title V issued April 16, 1999, for operation of two <100 MMBTU/hr boilers in **Philadelphia County**.

V95-080: Mercy Hospital of Philadelphia (501 South 54th Street, Philadelphia, PA 19143), Title V issued April 16, 1999, for operation of three 11.7 MMBTU/hr. boilers in **Philadelphia County**.

V97-011: Regal Corrugated Box Co. (Adams Avenue and Ashland Street, Philadelphia, PA 19124), Title V issued April 16, 1999, for operation of a corrugated box manufacturing facility which includes two ≤500 HP boilers in **Philadelphia 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.

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

22-210-005D: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), issued April 7, 1999, for installation of a stone crushing plant controlled by two fabric filters and a wet suppression system in South Hanover Township, **Dauphin County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

22-210-010D: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), issued April 7, 1999, for modification of the stone crushing plant in Lower Swatara Township, **Dauphin County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

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

PA-42-111B: Ethan Allen Mfg. Corp., Eldred Division (Route 1, Eldred, PA 16731), issued April 8, 1999, for operation of a paint booth in Eldred, **McKean County**.

PA-33-002A: Owens-Brockway Glass Container, Inc. (Route 219 North, Brockway, PA 15824), issued April 9, 1999, for modifications to glass melting furnace A in Snyder Township, **Jefferson County**.

62-312-014A: United Refining Co. (15 Bradley Street, Warren, PA 16365), issued April 12, 1999, for installation of a vapor combustion unit in Warren, **Warren 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.

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

06-1023: Maier's Bakery (640 Park Avenue, Reading, PA 19611), issued February 11, 1999, to authorize temporary operation for the bread bakery catalytic oxidizer, covered under this Plan Approval until June 10, 1999, in Reading, **Berks County**.

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

PA-61-185A: Heath Oil Co. (P. O. Box 1128, Oil City, PA 16301), issued April 30, 1999, for two portable oil refineries in Barkeyville, **Venango County**.

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

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

08-316-013A: Masonite Corp., Subsidiary of International Paper (P. O. Box 311, Towanda, PA 18848), on April 8, 1999, to extend the deadline for the performance of stack testing on a hardboard press (Line II press) an additional 60 days in Wysox Township, **Bradford County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

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; issued April 8, 1999.

32880108. Permit Renewal, **M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of bituminous strip mine in Brushvalley Township, **Indiana County**, affecting 133.2 acres, receiving stream unnamed tributary to Brush Creek; unnamed tributary to Yellow Creek. Application received February 19, 1999; issued April 15, 1999.

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

30880104R. Patriot Mining Co., Inc. (Route 12, Box 245, Morgantown, WV 26505). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Greene Township, **Greene County**, affecting 67.2 acres. Receiving streams: unnamed tributary to Whitely Creek to the Monongahela River. Application received: October 9, 1998. Renewal issued: April 15, 1999.

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

17980110. Junior Coal Contracting, Inc. (R. R. 3, Box 225A, Philipsburg, PA 16866), commencement, operation and restoration of a bituminous surface mine permit in Decatur Township, **Clearfield County**, affecting 73.6 acres. Receiving streams: Albert Run to Little Laurel Run to Laurel Run to Moshannon Creek to the West Branch of the Susquehanna River. Application received May 8, 1998. Permit issued April 13, 1999.

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

16830114. C & K Coal Company (P. O. Box 69, Clarion, PA 16214). Renewal of an existing bituminous strip, tipple refuse disposal and coal ash placement operation in Toby Township, **Clarion County** affecting 704.0 acres. This renewal is issued for reclamation only. Receiving streams: Six unnamed tributaries to Cherry Run. Application received: February 5, 1999. Permit Issued: April 8, 1999.

43840105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip, auger and tipple refuse disposal operation in Pine and Mercer Townships, **Mercer and Butler Counties**. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Swamp Run. Application received: February 24, 1999. Permit Issued: April 8, 1999.

33930113. R & L Coal Corp. (P. O. Box 26, Punxsutawney, PA 15767). Renewal of an existing bituminous strip operation in Pine Creek Township, **Jefferson County** affecting 23.9 acres. This renewal is issued for reclamation only. Receiving streams: Cable Run and unnamed tributaries to Cable Run. Application received: March 5, 1999. Permit Issued: April 8, 1999.

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

54970105. Anthraco, Ltd. (Box 266, Gilberton, PA 17934), commencement, operation and restoration of an anthracite surface mine operation in Mahanoy Township, **Schuylkill County** affecting 1,039.8 acres, receiving stream—none.

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

Small Noncoal (Industrial Mineral) Permits Issued

08980817. Charles E. Johnson (R. R. 1, Box 250-A, Towanda, PA 18848), commencement, operation and restoration of a small industrial minerals (bluestone) permit in Pike Township, **Bradford County** affecting 1 acre. Receiving streams: William Creek, tributary to Gaylord Creek. Application received January 12, 1999. Permit issued April 13, 1999.

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

58980818. John D. Lepre (R. R. 1, Box 310, Kingsley, PA 18826), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued April 15, 1999.

ABANDONED MINE RECLAMATION

Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476

Bond Forfeiture Contract Awarded: BF 382-101.1 Manor Township, **Armstrong County**. AMLR Project, William J. McIntyre Coal Company, Inc., Manor Township, Armstrong County. *Contractor: J&J Snyder, Inc. Amount: \$140,424.40. Date of Award: February 17, 1999.*

Bond Forfeiture Contract Awarded: BF 402-101.1. Nicholson Township, **Fayette County**. AMLR, Genovese Coal Company, Nicholson Township, Fayette County. *Contractor: Earthmovers Unlimited, Inc. Amount: \$648,843. Date of Award: February 17, 1999.*

Bond Forfeiture Contract Awarded: BF 421-101.1. Murrysville Borough and Washington Township, **Westmoreland County**. AMLR, Frank Kowalski, Murrysville

Borough and Washington Township, Westmoreland County. *Contractor: Hutchison Excavating. Amount: \$84,358. Date of Award: February 9, 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 Hearing Board within 30 days of receipt of the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

E05-216-R-A1. Encroachment. **Monroe Township**, P. O. Box 38, Clearville, PA 15535. To amend Permit No. E05-216-R to construct and maintain a 6-foot diameter corrugated metal pipe (CMP) culvert in the channel of an unnamed tributary to Elk Lick Creek on T-352 located about 0.4 mile from its intersection with T-351 (Clearville, PA Quadrangle N: 3.5 inches; W: 11.05 inches) in Monroe Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E05-272. Encroachment. **New Enterprise Stone & Lime Co.**, P. O. Box 77, New Enterprise, PA 16664. To remove the existing building and to construct and maintain piers to support a 24-foot by 60-foot office within the right bank's 100-year floodway of Three Springs Run located just upstream of Church Street Bridge (SR 1015) in New Enterprise Village (New Enterprise, PA Quadrangle N: 8.15 inches; W: 4.7 inches) in South Woodbury Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects."

E06-434-R. Encroachment. **MIRO, Inc.**, P. O. Box 180, Swarthmore, PA 19081. Reissuance of E06-434 to place fill in 0.225 acre of wetlands for roadways in the Antietam Creek Valley Subdivision located west of Gibraltar Road (TR 434) approximately 2,200 feet north of SR 422 (Birdsboro, PA Quadrangle N: 11.3 inches; W: 14.5 inches) in Exeter Township, **Berks County**. The permittee is required to provide 0.303 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

E06-521. Encroachment. **PA Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To impact 0.78 acre of wetlands during the reconstruction of Route 78 and to rehabilitate and maintain two existing bridges across Crosskill Creek and a tributary to Crosskill Creek at points at Route 78 (Bethel, PA Quadrangle N: 15.4 inches; W: 15.9 inches and N: 16.4 inches; W: 13.0 inches) in Bethel Township, **Berks County**. The permittee is required to provide a minimum of 0.78 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

E07-306. Encroachment. **Sheetz, Incorporated**, Wehwood Store, 5700 6th Ave., Altoona, PA 16602. To construct and maintain a 68" × 106", 203 foot long, elliptical reinforced concrete pipe stream enclosure addition to an existing stream enclosure in an unnamed tributary to Spring Run (WWF) for the purpose of developing a commercial property located on the northeast corner of the intersection of 25th Avenue and Juniata Gap Road (SR 4017) (Altoona, PA Quadrangle N: 6.23 inches; W: 3.75 inches) in Altoona City, **Blair County**. This permit also includes 401 Water Quality Certification.

E22-397. Encroachment. **Shaffer-Gelder Development Co.**, Fred Shaffer, 1345 E. Chocolate Ave., Hershey, PA 17033. To relocate approximately 800 feet of the channel of a tributary to Swatara Creek (WWF) at a point along Stoverdale Road (Middletown, PA Quadrangle N: 22.0 inches; W: 12.4 inches) for the purpose of improving flow characteristics in Derry Township, **Dauphin County**. This permit also includes 401 Water Quality Certification.

E31-150. Encroachment. **Huntingdon County Commissioners**, 223 Penn Street, Huntingdon, PA 16652. To remove an existing bridge and to construct and maintain a single span prestressed concrete spread box beam bridge having a clear span of 54.79 feet and a minimum underclearance of about 9.74 feet across Three Springs Creek (CWF) located on Township Road T-341 at Station 2+56.36 and known as Watkins Bridge (County Bridge No. 6) (Orbisonia, PA Quadrangle N: 13.3 inches; W: 11.7 inches) in Clay Township, **Huntingdon County**. This permit also includes 401 Water Quality Certification.

E36-666. Encroachment. **Clarence Wenger**, 1011 Woodland Drive, Quarryville, PA 17566. To excavate an impoundment area within the floodway for construction of a storm water collection basin in and along a tributary to Puddle Duck Creek (HQ). The construction of an outfall endwall from a storm sewer into the tributary below Furniss Road is also authorized by this permit. The Furniss Hills Farm residential development is located along both sides of Furniss Road (SR 3005) and on the east side of Westbrook Road (T-462) (Wakefield, PA Quadrangle N: 5.5 inches; W: 8.5 inches) in Fulton Township, **Lancaster County**. Issuance of this permit constitutes approval of the Environmental Assessment for the non-jurisdictional storm water management embankment proposed at the project site. This permit was issued under

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

E67-561. Encroachment. **Modern Trash Removal of York, Inc.**, 4400 Mountain Pisgah Road, York, PA 17402. To (1) relocate 2,300 linear feet of Tributary No. 5 to Kreutz Creek by constructing and maintaining 3,225 linear feet of replacement channel and associated habitat area to be located southwest of the intersection of Riddle Road and East Prospect Road, (2) line Tributary No. 5 with HDPE liner on the eastern side of the stream and R6 riprap on either bank and bottom of the stream for a distance of 320 linear feet just upstream of Riddle Road, (3) construct and maintain a triple 5 foot by 5 foot box culvert approximately 2,100 feet south of SR 0124 to convey the relocated Tributary No. 5 beneath Riddle Road. Just below the triple box culvert, a 2,868 foot long meandering stream will be constructed consisting of a series of riffles and pools, (4) place 400 square feet of R6 riprap within Kreutz Creek at the new confluence of Tributary No. 5, (5) place 80 square feet of riprap in an unnamed tributary to Kreutz Creek at a point located southeast of the intersection of SR 1024 and East Prospect Road to construct the Pond H outfall, and (6) encroach on 0.2 acre of wetlands by creation of the new Tributary No. 5 (Red Lion, PA Quadrangle N: 15.5 inches; W: 14.0 inches) in Windsor and Lower Windsor Townships, **York County**. The permittee agrees to construct 0.73 acre of wetlands in a habitat area located southwest of the new confluence of Tributary No. 5 and Kreutz Creek. This permit also includes 401 Water Quality Certification.

E67-632. Encroachment. **Rick Paules**, 6042 River Drive, York, PA 17406. To maintain previously placed fill measuring 200 feet long by 60 feet wide by 3 feet deep (average depth near floodway fringe) and to place additional fill 105 feet × 20 feet for access ramp in the floodway of the Susquehanna River located on North River Drive approximately 1 mile north of the Accomac Inn (Columbia West, PA Quadrangle N: 8.5 inches; W: 11.5 inches) in Hellam Township, **York County**. This permit also includes 401 Water Quality Certification.

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

E13-115. Encroachment. **Pennsylvania Department of Transportation, District 5-0**, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing structure and to construct and maintain a spread box beam bridge having a normal span of 75.1 feet with an underclearance of 18 feet across Aquashicola Creek to replace the existing structurally inadequate bridge. The project is located at the S. R. 0248 bridge over Aquashicola Creek (Palmerston, PA Quadrangle N: 7.8 inches; W: 15.5 inches) in Lower Towamensing Township, **Carbon County**.

E40-512. Encroachment. **City of Wilkes-Barre**, 40 East Market Street, Wilkes-Barre, PA 18711. To repair and maintain an existing retaining/flood wall along the left bank of Solomon Creek, with work consisting of the removal and replacement of a 105-linear-foot section of wall. The replaced section will be a reinforced concrete cantilever wall with concrete-formed simulated stone facing. The project includes a 6-inch PVC stormwater outfall along the new wall section. The project is located immediately upstream of the intersection of South Franklin Street and Brook Street (Wilkes-Barre West, PA Quadrangle N: 19.6 inches; W: 4.5 inches), in the City of Wilkes-Barre, **Luzerne County**.

E45-364. Encroachment. **Robert and Anja Smith**, P. O. Box 270, Spring House, PA 19477. To place fill in 0.10 acre of wetlands adjacent to Lake Naomi for the purpose of constructing a home located at Lot 25, Unit 5, Section 4 on the north side of Lakeview Drive, approximately 250 feet northwest of the intersection of Lakeview Drive and Hemlock Circle (Pocono Pines, PA Quadrangle N: 21.5 inches; W: 10.4 inches), in Tobyhanna Township, **Monroe County**. This project was previously authorized by Permit No. E45-129. The permittee provided for 0.10 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

E54-238A. Encroachment. **Lake Hauto Club**, 140 Maple Terrace, Nesquehoning, PA 18240-2128. To (1) restore and maintain two existing beaches in Lake Hauto, with work consisting of dredging accumulated sediment and placing approximately 4 inches of sand, at Eastwood Beach (approximately 110 feet × 50 feet) and Oakwood Beach (approximately 210 feet × 60 feet); (2) dredge approximately 50 cubic yards of accumulated sediment to restore boating access to three properties at the west end of the lake; (3) construct and maintain two docks, each extending 140 feet from the shoreline, near Eastwood Beach and Crescent Beach; and (4) construct and maintain four dry hydrant intake structures (three in Lake Hauto and one in a body of water known as Birch Pools, located approximately 1,500 feet north of Lake Hauto). The project is located along the northern shoreline of Lake Hauto, north of S. R. 0054 (Tamaqua, PA Quadrangle N: 16.5 inches; W: 6.0 inches), in Rush Township, **Schuylkill County** and Nesquehoning Borough, **Carbon County**. The work authorized herein constitutes an amendment to Permit No. E54-238, which was issued on November 7, 1997.

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 Mahonney 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 & Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E04-232. Encroachment. **County of Beaver**, Department of Engineering, 469 Constitution Boulevard, New Brighton, PA 15066-3105. To remove the existing bridge (County Bridge No. 31) and to construct and maintain a new bridge having a span of 24.0 feet with a minimum underclearance of 7.5 feet across the channel of North Fork of Kings Creek, and to realign the channel of said stream for a distance of approximately 58.0 feet upstream and 50.0 feet downstream from the bridge site. The bridge is located on Mack Hollow Road, approximately 60 feet east from the intersection of Mack Hollow Road and Sutherin Road (Weirton, WV-PA-Ohio Quadrangle N: 20.9 inches; W: 1.5 inches) in Hanover Township, **Beaver 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.

E16-107. Encroachment. Waterfront Boatworks, P. O. Box 472, East Brady, PA 16028. To construct and maintain a 20-inch-diameter outfall pipe and associated fill and riprap outlet protection along the left bank of the Allegheny River at River Mile 69.1 as an extension of an existing stormwater outfall pipe and erosion protection at the Waterfront Boatworks facility along S. R. 0068 (East Brady, PA Quadrangle N: 20.3 inches; W: 16.3 inches) in East Brady Borough, **Clarion County**.

E25-579. Encroachment. PA Department of Transportation, District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a prestressed concrete spread box beam bridge having a clear, normal span of 50 feet and an underclearance of 9 feet across East Branch LeBoeuf Creek on S. R. 1001, Segment 0140, Offset 2769 approximately 1 mile west of S. R. 1005 at Weeds Corners (Hammett, PA Quadrangle N: 6.8 inches; W: 9.3 inches) in Greene Township, **Erie County**.

E62-341. Encroachment. Sheffield Township, 20 Leather Street, Sheffield, PA 16347. To install and maintain a 6-inch-diameter dry fire hydrant water intake structure in and along the right bank of Fourmile Run on Four Mile Road approximately 0.5 mile east of S. R. 0006 (Sheffield, PA Quadrangle N: 18.5 inches; W: 6.2 inches) in Sheffield Township, **Warren County**.

DAM SAFETY

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)).

Permits Issued and Actions on 401 Certification

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D67-528. Dam. Modern Trash Removal of York, Inc. (R. R. 9, Box 317, York, PA 17402). To construct, operate and maintain a sediment dam (Pond G) at Modern Landfill located in Lower Windsor and Windsor Townships, **York County**.

SPECIAL NOTICES

Request for Proposal

Union County, Pennsylvania is currently revising its Municipal Solid Waste Management Plan in accordance with the requirements of the Municipal Waste Planning, Recycling, and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) (Act 101). The County of Union is issuing this Request for Proposal (RFP) in order to obtain information which will form the basis for selecting a qualified vendor(s) to provide long term disposal capacity for county generated municipal solid waste (MSW), to include construction and demolition waste (C/D) and sewage sludge generated within the County. This RFP is issued to meet the requirements of Act 101, which mandates the utilization of a fair and competitive procurement process.

For a non-refundable fee of \$100 a copy of the RFP may be obtained from the Union County Planning Department, 1610 Industrial Boulevard, Suite 100, Lewisburg, PA 17837 or by calling (570) 522-1370. Proposals must be enclosed in a sealed envelope, clearly labeled as the "Proposal for Municipal Solid Waste Disposal Capacity" and be received by the Union County Chief Clerk by 4:30 p.m. prevailing time on Friday, May 28, 1999. Sealed and clearly labeled Proposals shall be submitted to Diana L. Robinson, Chief Clerk, Union County Commissioners Office, Union County Courthouse, 103 South Second Street, Lewisburg, PA 17837.

The sealed proposal will be publicly opened on Tuesday, June 1, 1999 at 10 a.m. at the regularly scheduled meeting of the Union County Board of Commissioners.

[Pa.B. Doc. No. 99-711. Filed for public inspection April 30, 1999, 9:00 a.m.]

Availability of Guidance

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

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

Ordering Paper Copies of DEP Guidance

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

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

Changes to Guidance Documents

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

Draft Guidance

DEP ID: 012-0800-001 Title: Pennsylvania Department of Environmental Protection Quality Management Plan. Description: This is the policy document for implementation of quality management in the Department. Comment Period Closes: May 30, 1999. Anticipated Effective Date: June 30, 1999. Contact: Floyd Kefford at (717) 705-2434, or questions and comments can be E-mailed to Kefford.Floyd@dep.state.pa.us.

Final Guidance—Minor Revision

DEP ID: 275-2101-003 Title: Air Quality Permit Exemptions Description: This document defines determinations made regarding permitting exemptions as provided in the

permitting regulations. Effective Date: April 10, 1999.
Contact: Goutam Mookerjee at (717) 787-4325.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-712. Filed for public inspection April 30, 1999, 9:00 a.m.]

and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute & Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-714. Filed for public inspection April 30, 1999, 9:00 a.m.]

Special Notice of Meeting Date Change

The Nonpoint Source Liaison Workgroup meeting scheduled for May 5 has been changed to May 25, 1999. The meeting will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building. Contact: Fran Koch, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, at (717) 783-2289 or e-mail Koch.Frances@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-713. Filed for public inspection April 30, 1999, 9:00 a.m.]

Application of Moss Rehabilitation Hospital for Exception to 29 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Moss Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1(b) which require compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities. Moss Rehabilitation Hospital specifically requests exemption from the following standards contained in this publication: 10.15(c) that requires at least one island type bathtub in each nursing unit in its proposed unit to be located in the Sacred Heart Hospital in Allentown.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail Address: LVIAHEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-715. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Allied Services John Heinz Institute of Rehabilitation Medicine for Exception to 28 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allied Services John Heinz Institute of Rehabilitation Medicine, Wilkes Barre, PA has requested an exception to the requirements of 28 Pa. Code § 153.1(b), referencing the "Guidelines for Design and Construction of Hospital and Health Care Facilities," 1996-97 edition. The petitioner is requesting a waiver from the requirements for rehabilitation facilities under Chapter 10 of this publication, specifically, Section 10.15.C Patient Bathing Facilities, which requires at least one island-type bathtub be provided in each nursing unit. The petitioner indicates that the facility has two existing tub rooms, one on each floor of the nursing department, which have not been used since the building was opened in 1982. The facility is requesting an exception to remove one of the tub rooms, for conversion to office space.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute & Ambulatory Care, Room 530 Health & Welfare Building, Harrisburg, PA 17120, (717)783-8980, Fax (717)772-2163, e-mail address: LVIA@HEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department

Application of St. Clair Hospital for Exception to 28 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Clair Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1(b) which require compliance with the standards contained in the following publication: Guidelines for Design and Con-

struction of Hospital and Healthcare Facilities. St. Clair Hospital specifically requests exemption from the following standards contained in this publication:

10.15.A1—An exception to room area as follows:

a. 2 Bedroom #5401/5402 and 2 Bedroom #5403/5404: 229 square feet in lieu of 250 square feet.

b. 2 Bedroom #5405/5406 and 2 Bedroom #5407/5408: 237 square feet in lieu of 250 square feet.

10.15.A5—An exception to not provide hand washing facilities in the four 2 bedrooms. Hand washing facilities are provided in the Patient Toilet Rooms.

10.15.B1, 10.15.B3 and 10.15.B5: An exception to permit sharing of the Nurse Station/Charting area, the Dictation area and the Satellite Nurse Station/Charting area with the TCC.

10.15.B2—An exception to permit sharing of the existing Conference/Coordinator/Nurse Office.

10.15.B4—An exception to not provide a hand washing fixture at the Nurse Station. Hand washing fixtures are located in the Medication Room, Nourishment Room and Corridors.

10.15.B6, 10.15.B7—An exception to permit sharing of the existing Staff Lockers/Lounge and Staff Toilet Room with the TCC.

10.15.B8—An exception to use an existing Exam Room on Nursing Unit #5E (see Key Plan on Drawing A-2 for location), which is on the same floor as the proposed IRU.

10.15.B9—An exception to permit sharing of the existing Clean Utility Room with the TCC.

10.15.B10—An exception to permit sharing of the existing Soiled Utility Room with the TCC.

10.15.B11—An exception to permit sharing of the existing Medication Room with the TCC.

10.15.B12—An exception to permit sharing of the existing Clean Linen Room with the TCC.

10.15.B13—An exception to permit sharing of the existing Nourishment Room and Ice Maker with the TCC.

10.15.B14—An exception to permit sharing of the existing Equipment Storage Room with the TCC.

10.15.B16—An exception to permit sharing of the existing Multipurpose (Dining/Recreation) Rooms with the TCC.

10.15.C—An exception to permit sharing of the existing Wheelchair Shower and the existing Tub/Wheelchair Toilet/Training Toilet/Hair washing Room with the TCC. The 10 IRU beds require 1.25 bathing fixtures (1 for 8 beds) and the 13 TCC beds require 0.87 bathing fixtures (1 for 15 beds). A total of 2 existing bathing fixtures will be shared.

10.15.E—An exception to not provide an Isolation Room as in integral part of the IRU. Patients requiring isolation will be placed in isolation Room in another nursing unit and not be admitted to the IRU.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: LVIAHEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed above.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-716. Filed for public inspection April 30, 1999, 9:00 a.m.]

Application of St. Francis Hospital of New Castle for Exception to 28 Pa. Code § 107.25(b)(8)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that St. Francis Hospital of New Castle has requested an exception to the requirements of 28 Pa. Code § 107.25(b)(8). It requests that it be permitted to have medical staff executive committee meetings six times a year instead of at least ten times a year.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: LVIAHEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-717. Filed for public inspection April 30, 1999, 9:00 a.m.]

Application of West Shore Endoscopy Center for Exception to 28 Pa. Code § 571.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that West Shore Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 571.1, referencing the "Guidelines for Design and Construction of Hospital and Health Care Facilities," 1996-97 edition.

West Shore Endoscopy Center specifically requests exemption from the following standards contained in this publication:

Section 9.5.F2—The petitioner is requesting an exception for the minimum operating room size of 360 square feet for an expansion of an existing endoscopic practice, and requests that two new endoscopic procedure rooms be constructed at approximately 168 square feet in area.

Section 9.5.F5. D, E—The petitioner is requesting an exception to provide a decontamination room in place of the required soiled workroom and fluid waste disposal facilities.

Section 9.5.F5.F—The petitioner is requesting an exception for the anesthesia storage facilities, since the endoscopic procedures performed only requires conscious sedation of patients.

Section 9.5.H1.A—The petitioner is requesting an exception from the requirement to provide 8 foot wide corridors in the clinical areas, and proposes 6 foot wide corridors in these areas. The petitioner is also requesting an exception to provide 4 foot wide corridors in other areas of the expansion, instead of the 6 foot wide corridors required.

The exceptions are requested based upon the physician's experience in his present endoscopic procedure facility which has been in operation since 1993. During this period of operation, only four cases out of 12,775 required additional medical intervention.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute and Ambulatory Care, Room 530 Health and Welfare Building, Harrisburg, PA 17120, (717)783-8980, Fax (717)772-2163, e-mail address: LVIA@HEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717)783-8980, V/TT: (717)783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-718. Filed for public inspection April 30, 1999, 9:00 a.m.]

Availability of Draft Maternal and Child Health Services Block Grant Application for Federal Fiscal Year 2000

The Department of Health is making copies available of the draft Maternal and Child Health Services Block

Grant Application for Federal Fiscal Year 2000, under 42 U.S.C.A. § 705(a)(5)(F). This application is the Commonwealth's draft request to the United States Department of Health and Human Services for block grant funding for Maternal and Child Health services.

The draft Block Grant Application describing proposed services, program goals and objectives and activities can be obtained on the Department of Health's web site at <http://www.health.state.pa.us/php/> or by contacting the Department of Health, Bureau of Family Health, Room 733 Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, (717) 787-7192. V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

Written comments will be accepted and should be sent to the above address, and must be received no later than 4 p.m., Wednesday, June 9, 1999.

Persons with a disability who require an alternative format of the above-mentioned application or who desire to comment in alternative format (such as, large print, audio tape, Braille), should also contact the Bureau of Family Health at the above-referenced address or phone numbers.

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-719. Filed for public inspection April 30, 1999, 9:00 a.m.]

Availability of Federal Fiscal Year 2000 Draft Application for Funding for Abstinence Education and Related Services

The Department of Health is making copies available of its draft Abstinence Based Education and Related Services Grant Application for Federal Fiscal Year 2000. This application is the Commonwealth's draft request to the United States Department of Health and Human Services for funds to operate an abstinence education and related services plan and program as set out in 42 U.S.C.A. § 705(a)(5)(F) and 710(c)(2).

The application describing proposed services, program goals and objectives and activities can be obtained on the Department of Health web site at <http://www.health.state.pa.us/php/> or by contacting the Department of Health, Division of Maternal and Child Health, Bureau of Family Health, 725 Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, (717) 783-8451, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

Written comments will be accepted and should be sent to the above address, and must be received no later than 4 p.m., Friday, June 21, 1999.

Persons with a disability who require an alternative format or who desire to comment in alternative format (such as, large print, audio tape, Braille), should also contact the Division of Maternal and Child Health at the address or telephone numbers listed.

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-720. Filed for public inspection April 30, 1999, 9:00 a.m.]

Public Meeting of Governor's Council on Physical Fitness and Sports

The Department of Health intends to hold a public meeting of the Governor's Council on Physical Fitness and Sports. The meeting will be held on Friday, May 7, 1999, from 9:30 a.m. until 10:30 a.m. in Room 39, East Wing, Capitol Building, Harrisburg, PA.

Persons requiring additional information, and persons with a disability who desire to attend the meeting and require an auxiliary aide service or other accommodation to do so, should contact Emilie M. Tierney, Director, Bureau of Chronic Diseases and Injury Prevention, or Brian Wyant, Division of Chronic Disease Intervention, Room 933 Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, (717) 787-6214, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

This meeting is subject to cancellation without notice.

GARY L. GURIAN,
Acting Secretary

[Pa.B. Doc. No. 99-721. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income and Resource Limits for Spouse Living in the Community When the Other Spouse is Institutionalized

The Department of Public Welfare (Department) increased the income and resource limits described at 55 Pa. Code §§ 181.452(c)(2)(iv), 178.124(a)(3)(i) and (ii) effective January 1, 1999, as required by 42 U.S.C.A. § 1396r-5.

The regulations at 55 Pa. Code §§ 181.452(c)(2)(iv), 178.124(a)(3)(i) and (ii) establish the basis for determining the Monthly Community Spouse Maintenance Need Amount and the maximum and standard Community Spouse Resource Standard for the Categorically Needy Nonmoney Payment Medical Assistance (NMP-MA) and Medically Needy Only Medical Assistance (MNO-MA) Programs. These standards are required to be published in the *Pennsylvania Bulletin* annually and are available to the public upon request at the county assistance offices.

Effective January 1, 1999, the amounts are:

Maximum Community Spouse Resource Standard	\$81,960
Standard Community Spouse Resource Standard	\$16,392
Maximum Monthly Community Spouse Maintenance Need Amount	\$ 2,049

FEATHER O. HOUSTON,
Secretary

[Pa.B. Doc. No. 99-722. Filed for public inspection April 30, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Mercer County
Project Reference No. 08430AG2340

The Department of Transportation will retain an engineering firm to provide preliminary engineering, environmental studies, final design and services during construction for S.R. 4006, Section B00 (Porter Road Bridge) in West Salem Township, and S.R. 4006, Section B01 (Quaker Bridge) in Hempfield Township, Mercer County. The total estimated construction cost of both projects is \$4.4 million.

This will be a six (6) part agreement: Part I, S.R. 4006, Section B01, preliminary engineering; Part II, S.R. 4006, Section B01, final design; Part III, S.R. 4006, Section B01, services during construction; Part IV, S.R. 4006, Section B00, preliminary engineering; Part V, S.R. 4006, Section B00, final design; Part VI, S.R. 4006, Section B00, services during construction.

The selected firm will be required to provide the following engineering and design services for S.R. 4006, Section B01 and S.R. 4006, Section B00: field surveys; environmental clearance; Step 9 field view; H&H report; erosion and sedimentation control plan; type, size, and location report; foundation report; PUC coordination, (S.R. 4006, Section B01 only); utility and right-of-way clearances; roadway and structure design; plans, specifications, and estimates.

Services during construction for both S.R. 4006, Section B01 and S.R. 4006, Section B00 will consist of shop drawing review, technical assistance during construction, and alternate design review.

Letters of interest will be evaluated at the Engineering District 1-0 Office with emphasis on the following factors:

- Proven ability to meet project schedules and control costs.
- Experience and competence of project manager and key personnel.
- Innovations and flexibility in thinking, particularly with respect to the needs of the local community.
- Past performance record on similar projects.
- Past performance record of listed sub-consultants.
- Availability of listed staff.

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 non-complex. The letter of interest shall be limited to 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
Attention: Mr. Michael L. McMullen, 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 twentieth day following the date of this Notice.

Engineering District 1-0 will announce the firms that have been shortlisted at an open public meeting to be held in the District Office. All firms that have submitted a letter of interest will be notified of the time and date. Specify two (2) contact persons in the letter of interest.

Any technical questions concerning the requirements for this project should be directed to: Mr. David W. Ruhlman, P.E., at (814) 437-4311 or Mr. Michael L. McMullen, P.E., at (814) 437-4331.

**Lycoming County
Project Reference No. 08430AG2341**

The Department of Transportation will retain an engineering firm to perform preliminary engineering, environmental studies, final design and services during construction for the replacement of a bridge carrying S.R. 2071, Section 001 over Muncy Creek in Wolf Township in Lycoming County. The project consists of rehabilitating or replacing an existing historic truss bridge. The estimated construction cost for this project is \$1.0 million.

The engineering firm will be required to perform field surveys; environmental studies to include archaeological studies and agency coordination as necessary; utilities; horizontal and vertical geometry; geological studies; core borings; type, size and location; drainage; preliminary field view; safety review; line, grade, and typical sections; erosion and sedimentation control plan; hydrologic and hydraulic report; waterway encroachment permit application; preliminary right-of way plan; public involvement; design field view submission; foundation design; construction plans, specifications and estimates. Work also shall include shop drawing review and approval, and engineering construction services during construction. The project shall be engineered using metric units.

The Department will establish an order of ranking of a minimum of three (3) firms 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 establishment of ranking.

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

- a. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on structure engineering projects. The specific experience of individuals who constitute the firm shall be considered.
- b. Specialized experience and technical competence of firm.
- c. Resumes of key personnel and listing of proposed sub-consultants.
- d. Relative size of firm to size of project to be completed under this contract.

e. Demonstrated capacity for innovative engineering to resolve complex problems.

This project reference assignment is considered complex. The letter of interest shall be limited to 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. Paul E. Heise, P.E., District Engineer
Engineering District 3-0
715 Jordan Avenue
Montoursville, PA 17754

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.

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

The District will announce the firms that have been shortlisted at an open public meeting scheduled for June 16, 1999 at 10:00 A.M. at the Engineering District 3-0 office at 715 Jordan Avenue, Montoursville, PA. All candidates that submitted a letter of interest will be notified if this date changes. Specify a contact person in the letter of interest.

Any technical questions concerning the requirements for this project should be directed to: Mr. Gary R. Williams, District 3-0, at (570) 368-4391.

**Columbia, Lycoming, Montour, Northumberland,
Snyder, Sullivan, Tioga, Union and
Bradford Counties
Project Reference No. 08430AG2342**

The Department of Transportation will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 3-0, that is Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga, Union and Bradford Counties. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of one million (\$1,000,000) dollars.

It is anticipated that a maximum supplementary construction inspection staff of twenty-five (25) inspectors will be required for this assignment.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized expe-

rience in the Maintenance and Protection of Traffic, soils, structures, concrete and asphalt paving, drainage, wetlands, CPM schedule monitoring and plant inspection.

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

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

d. Number of available inspectors in each payroll classification.

e. Ability to provide CPM scheduling.

f. Past performance.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	10 (6)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	2 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	10 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (2)

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 number(s) in parenthesis above also indicate the number of inspectors in each classification (except Technical Assistant) that must be certified by the Northeast Center of Excellence for Pavement Technology (NECEPT)

as a Field Technician for TCM-1, TCIS and CTI and as a Plant Technician for TCI-M. Certified for Technical Assistants is not required.

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-Materials)	\$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; provide inspection of work being performed under highway occupancy permits, at material producing plants, and of utility construction and perform other duties as may be required. *Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.*

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and/or TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant does not need to be identified in the letter of interest.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	12
TCI-M	3
TCI	12

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to 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. Paul E. Heise, P.E., District Engineer
Engineering District 3-0
715 Jordan Avenue
Montoursville, PA 17754

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. John P. Ryan, P.E., District 3-0, at (570) 368-4233.

**Erie County
Project Reference No. 08430AG2343**

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

It is anticipated that a maximum supplementary construction inspection staff of twenty-five (25) inspectors will be required for this assignment.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- b. Understanding of Department requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified inspectors in each payroll classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction 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)	4 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (9)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	5 (3)

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

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

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

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

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; at least two (2) inspectors listed are to be nuclear gauge certified and one (1) to be C.D.S. certified; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 2 Nuclear Densometer Gauges/License
- 1 Vehicle for the Transportation of Nuclear Gauge
- 5 Cellular Phones
- 5 35mm Cameras (including film and developing)
- 2 Survey Equipment, (rod, level, tapes, etc.)

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	1
TCIS	4
TCI	18

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to 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. David W. Ruhlman, P.E., District 1-0, at (814) 437-4311.

**Adams, Cumberland, Dauphin and York Counties
Project Reference No. 08430AG2344**

The Department of Transportation will retain an engineering firm to provide construction management support and services and supplementary construction inspection staff of approximately twenty (20) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 0015, Section 009, York and Adams Counties Local Name: Range Road, York County to Ridge Road, Adams County This project involves roadway resurface, drainage updates, guide rail improvements and two (2) bridge rehabilitations. (Night Shift Work)

2. S.R. 0015, Section A12, Cumberland County Local Name: U.S. 15 and Lisburn Road between York County line and PA-114 This project involves complete reconstruction of the Lisburn Road Interchange, excavation, pavement, drainage, guide rail/barrier walls, signalization and structures. (Night Shift Work)

3. S.R. 3016, Section 002, Dauphin County Local Name: Harvey Taylor Bridge over the Susquehanna River This project involves bridge rehabilitation - addition of two (2) bike lanes. Placement of structural steel and painting. (Night Shift Work)

The anticipated duration of construction is thirty (30) months.

The required services for construction management support will include the following:

Analyze contractor's CPM schedules and monitor progress during construction; review, make recommendations and prepare correspondence for signatures on specific utility, structure, roadway and other related facilities problems during the construction phase; attend preconstruction meetings; review and evaluate value engineering efforts submitted to the Department for all elements of construction; monitor and track all submissions including shop drawings for timely responses from appropriate agencies or individuals; review any design or construction change responses; coordinate and participate in community relations including personal contacts and community meetings; assist Department in public relations and press releases; review and prepare responses on potential claims and assist in claim negotiations; furnish change order evaluation assistance and expedite and assist in routine problem solving for field construction.

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

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

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, construction documentation procedures, "CDS" operations, structures and painting of structural steel.

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

c. Number of N.E.C.E.P.T. certified inspectors, with the exception of TCM-1 and TA personnel, as indicated below:

First Year	50%
Second Year	75%
Third Year	100%

d. Number of available inspectors in each payroll classification.

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

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (0)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	11 (8)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	5 (0)

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

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

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

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

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

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

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

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

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

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

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

- 2 Nuclear Densometer Gauges/License
- 3 Paint Test Kits
- 2 Vehicles for the Transportation of Nuclear Gauges
- 10 Cellular Phones
- 6 Camera (type 3-Digital 35mm and 3-std. 35mm)
- 21 Pagers

This project reference assignment is considered complex. The letter of interest shall be limited to 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. Barry G. Hoffman, P.E., District Engineer
Engineering District 8-0
2140 Herr Street
Harrisburg, PA 17103-1699
Attention: Construction Unit

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.

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

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and/or 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>
TCM-1	2
TCIS	4
TCI	14

No resumes are required for the TA Classification.

Any technical questions concerning the requirements for this project should be directed to: Mr. Richard K. Waddell, District 8-0, at (717) 787-5054.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

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

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

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

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

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

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

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

from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

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

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

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-723. Filed for public inspection April 30, 1999, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**Birdsboro and Birdsboro Municipal Authority v.
DEP; EHB Doc. No. 99-071-C**

Birdsboro and Birdsboro Municipal Authority have appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Robeson and Union Townships, Berks County.

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

The appeal is filed with the Environmental Hearing Board (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. 99-724. Filed for public inspection April 30, 1999, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Dates

The Health Care Cost Containment Council (Council) has scheduled the following meetings for May: Wednesday May 5, 1999 Data Systems Committee at 10 a.m.; Education Committee 1:30 p.m. The committee meetings will be held in the Council's Conference Room at 225 Market Street, Suite 400, Harrisburg, PA, May 6, 1999, Council meeting at 10 a.m. The Council meeting will be held at the Radisson Penn Harris Hotel and Convention Center, 1150 Camp Hill Bypass, Camp Hill, PA 17011. Please check the Convention Center Bulletin Board for the conference room number. The public is invited to attend. If you need accommodation due to a disability and want to attend the meetings, please contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, or call (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 99-725. Filed for public inspection April 30, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

*Final-Form
Submission
Deadline*

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
10-155	Department of Health Public Swimming and Bathing Places (29 Pa.B. 820 (February 13, 1999))	4/15/99	3/15/01
10-143	Department of Health Emergency Medical Services (29 Pa.B. 903 (February 13, 1999))	4/15/99	3/15/01

*Department of Health Regulation No. 10-155
Public Swimming and Bathing Places
April 15, 1999*

We have reviewed this proposed regulation from the Department of Health (Department) and submit for consideration the following objections and recommendations. Section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specifies 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 statutory authority, legislative intent, protection of the public health, reasonableness and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 18.1 Definitions—Statutory Authority and Legislative Intent

The Department incorporated the statutory definition of "recreational swimming establishment," but has added a sentence not contained in the statute. This additional sentence provides that "When a facility otherwise excluded by this definition provides access to the general public and charges a fee for admission, it shall be considered a recreational swimming establishment." This language is contrary to the language and intent of Act 75 of 1998 (act).

The Department added the language to encompass facilities, such as hotels and motels, which may allow the general public to use the facility for a fee. This is contrary to the intent of the General Assembly because it will include facilities, such as hotels and motels, which the act specifically excluded.

The Department should delete the last sentence in the definition of recreational swimming establishment to be consistent with the act.

2. Section 18.42(a) Certified Lifeguards—Clarity

Subsection (a) provides the criteria that the Department will use to determine who will qualify as a lifeguard certifying authority. Each facility must determine that its lifeguards have completed a certification program which matches these criteria. Facilities may have difficulty making this comparison or may not interpret the criteria in the same manner as the Department. Therefore, annually the Department should publish a list of those organizations that qualify as a lifeguard certifying authority.

Subsection (a)(8) provides that a lifeguard certifying authority must use instructors that have completed an approved lifeguard instructors' certification program. The regulation does not indicate what an approved lifeguard instructors' certification program is or who approves these programs; it should. Alternatively, the Department could

publish an annual notice in the *Pennsylvania Bulletin* listing the approved lifeguard instructors' certification programs.

3. Section 18.42(b) Required Number of Lifeguards—Legislative Intent, Protection of the Public Health, Reasonableness and Clarity

What is adequate lifeguard coverage?

Section 4.1(b) of the act provides that "The Department shall promulgate regulations to determine the number of lifeguards required at a recreational swimming establishment using objective criteria that takes into consideration industry standards." The regulation does not completely meet the intent of this provision. Instead, subsection (b) provides only vague criteria of what is considered adequate lifeguard coverage.

Commentators also questioned the lack of definitive standards for adequate lifeguard coverage. The Pennsylvania Recreation and Park Society believes the regulation should specify the required number of lifeguards for a particular pool contingent on the size of the facility, participants on site, support staff and scheduled activities. We concur. Although it may not be feasible to include specific numbers in the regulation, the Department can include more definitive criteria to determine adequate lifeguard coverage.

Department review of lifeguard coverage plan

The regulation also does not meet the legislative intent of the act because the Department will not be reviewing the lifeguard coverage plan. Section 8 of the act amended the Public Bathing Law to allow inspection of facilities to determine if a facility has an adequate number of certified lifeguards. Section 8 specifically provides that such examinations and investigations can be used to determine "whether the provisions of this act and the rules and regulations of the department are being complied with or are being violated."

Senators Mowery and Hughes, Majority and Minority Chairs of the Senate Public Health and Welfare Committee, expressed concern that the Department will not be approving the lifeguard coverage plan. They commented that the act required more involvement by the Department.

To address these concerns, the regulation could include a process for approving the lifeguard coverage plan. For currently permitted facilities, this may be accomplished as part of the annual inspection. For new facilities, this can be completed as part of the permitting process. The regulation should specify the following:

- A resolution process for the Department and facility to address any deficiencies in the lifeguard coverage plan.
- A process for a facility to amend its plan due to a change in operation.
- The Department's criteria for closing a facility.
- A resubmission process following Department disapproval.

4. Timeframe for Compliance—Reasonableness

The regulation does not indicate when recreational swimming establishments must begin employing certified lifeguards and have a completed lifeguard coverage plan. The final regulation should specify a reasonable time period after final publication for facilities to meet the new requirements.

5. Advance Notice of Final Rulemaking

If the Department amends the rulemaking to include more specific standards on adequate lifeguard coverage and a process for approval of a plan, it should consider issuing an advance notice of final rulemaking. An advance notice will give those establishments subject to the rulemaking an opportunity to review and comment on the new standards.

Department of Health Regulation No. 10-143
Emergency Medical Services
April 15, 1999

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

1. Section 1001.2. Definitions—Reasonableness and Clarity

"Ambulance call report"

"Ambulance call report" is defined as a summary of ambulance responses and transports that "shall contain information specified in a format provided by the Department." The last sentence of the definition is a substantive requirement. Substantive requirements in definitions are not enforceable. Therefore, this sentence would be more appropriately placed in § 1001.41 (Data and information requirements for ambulance services).

"Board certification"

This definition limits "board certification" to physicians certified by the American Board of Medical Specialties (ABMS) and American Osteopathic Association (AOA). Several commentators, including Representative Leo J. Trich and the Pennsylvania Academy of Family Physicians, expressed the concern that this definition may unduly limit the number of physicians who can qualify as medical command physicians. In addition, some commentators indicated that physicians who do not have ABMS or AOA certification, but currently hold medical command positions, may no longer be qualified for these positions when the proposed regulation is adopted. The Depart-

ment should justify the need and reasonableness of limiting "board certification" to ABMS or AOA certification.

"Medical Command Base Station Course"

This definition refers to a course that "provides an overview of the medical command system and base station direction." Although there is a definition for the term "medical command," there is no definition for the term "base station." Because the term "base station" is used in the regulation, the Department should define the term.

"Medical coordination"

In Subparagraph (iv), the term "medical" was deleted in front of the word "treatment" in the *Pennsylvania Bulletin*. The Department's draft reads: "*Transfer and [M]medical treatment protocols.*" Because the term "medical treatment protocols" is included as a separate definition, the word "medical" should be retained.

"Prehospital personnel"

The definition lists the two terms "prehospital registered nurses" and "health professional physicians" separately. They are combined into one term by the definition of "health professional" in the Emergency Medical Services Act (act) and this regulation. Rather than include both terms, the definition of "prehospital personnel" should simply list the term "health professional."

"Receiving facility"

Commentators questioned the need for including the term "cardiac" and suggested that the term "medical" was all that was necessary. Others suggested the terms "medical and psychiatric" be added to the list of terms describing the types of emergencies that a physician is trained to manage at a receiving facility. At a minimum, the term "medical" should be included. The Department should carefully review the commentators' concerns and revise the definition to insure that it accurately describes a "receiving facility."

"Service area"

The definition states a "service area" is an "area in which an ambulance service routinely provides services." In the Preamble, the Department explains the definition is added to clarify which political subdivisions an ambulance service must notify when it is going out of business. Any political subdivision that relies on the ambulance service would need notice, regardless of how "routinely" services were provided. Accordingly, the Department should delete the word "routinely" from the definition.

2. Section 1001.4. Exceptions—Reasonableness and Clarity

In the Preamble, the Department refers to this section and uses the phrase "standards equal to or greater than those employed by the private certifying bodies." However, the phrase "standards equal to or greater than" does not appear in this section of the regulation. The Department should explain what standards and procedures will be used for granting exceptions to certification requirements. Since the phrase, "standards equal to or greater than," is not in § 1001.4, it is unclear how this criterion will be used. The Department should describe this process and clarify this section.

The regulation adds a new § 1001.4(f), which states that the Department may grant an exception if "the substantive requirements of subsection (a) are satisfied." The Department should identify the "substantive require-

ments” referred to in subsection (a) and explain the process for determining whether they are satisfied. Additionally, the Department should either explain what is a “justifiable reason” or delete the phrase “for justifiable reason” from the first sentence in subsection (a).

3. Section 1001.5. Investigations—Reasonableness, Need for Rule and Clarity

This section is being revised to read: “The Department may investigate any person, entity or activity for compliance with the provisions of the act or this part.” In contrast, section 5(b)(13) of the act (35 P. S. § 6925(b)(13)) states that the Department shall have the authority to: “Investigate complaints related to the delivery of services by trauma centers and forward the results of the investigation to the accrediting entity with a recommendation for action.” The Department should explain its intent for this section and should identify its authority and power to investigate matters related to the act.

4. Section 1001.24. Application for contract—Clarity

Section 1001.24(2) and (3) requires applicants for funding to include information about their “organizational structure.” Since the term is used in paragraph (2), paragraph (3) may be redundant and unnecessary. Either the term “organizational structure” should be deleted from paragraph (2) or paragraph (3) should be deleted.

5. Section 1001.25. Technical assistance—Clarity.

The purpose of the last sentence in subsection (a) is unclear. It reads: “Special consideration shall be given to contractors in rural areas.” The Department should revise the sentence to clarify its purpose, or delete it.

6. Section 1001.41. Data and information requirements for ambulance services—Reasonableness, Feasibility and Clarity.

The proposed regulation deletes a list of specific items to be included in the “ambulance call report.” The preamble and the definition of this term states that the required information will be in a format provided by the Department. However, the regulation does not indicate how ambulance services will obtain this format. The regulation should specify where ambulance services may obtain copies of the required contents and format for the ambulance call report.

Several ambulance services questioned the need for ambulance staff to complete and submit a full ambulance call report within 24 hours of concluding service. This new requirement is in § 1001.41(d). The Department should explain the need for the 24-hour requirement and whether there may be exceptions to the rule.

Commentators questioned the process for submitting the ambulance call report. Some questioned the cost of submitting it by e-mail. Others asked if it was acceptable to fax the completed call report. We note that the submittal or delivery process must also be compatible with the specific receiving facility. Therefore, the regulation should identify all of the acceptable methods for submitting and transmitting the data.

7. Section 1001.65. Cooperation—Clarity

This section is one long sentence. It should be separated into at least two sentences. The first sentence could end after the words: “quality improvement programs.” The next sentence would state that EMS personnel and entities “will provide data, reports and access to records as requested. . . .”

8. Section 1001.123. Responsibilities—Clarity

This section lists the responsibilities of regional EMS councils. Section 100.123(20) reads: “Performing other duties deemed appropriate by the Department.” This subsection should end with the phrase: “regarding the responsibilities of regional EMS councils.”

9. Section 1001.161. Research—Reasonableness and Feasibility

This section is being revised to give the Department the sole authority to control both the flow of clinic investigation proposals as well as their final approval. The Department should explain why it needs to review proposals for merit before it refers proposals to the Board of Directors of the Pennsylvania Emergency Health Services Council and regional EMS councils.

10. Section 1003.1. Commonwealth Emergency Medical Director—Clarity

Subsection (a)(5) lacks clarity due to its length and the subjects covered. Existing subsection (a)(5) covers only the responsibility for medical protocols. The language added to subsection (a)(5) expands the responsibilities to include transfer protocols and additional medical criteria. The regulation would be clearer if medical responsibilities and transfer responsibilities were in separate paragraphs.

11. Section 1003.2. Regional EMS medical director—Clarity

Subsection (a)(1) and (3)—(6) state the regional EMS medical director’s duty is to “assist” the regional EMS council. The word “assist” does not designate a specific duty or function to the EMS medical director. For example, in subsection (a)(1) it is not clear how the EMS medical director would fulfill the duty to assist the regional EMS council to approve or reject an application. The duty to assist could range from simply being available to answer questions to making an actual recommendation on each application for the EMS council to consider. Subsection (a)(1) and (3)—(6) should be clearer regarding the duty of the EMS medical director.

12. Section 1003.3. Medical command facility medical director—Clarity

The amendment to § 1003.3(b)(1)(ii) substantially duplicates § 1003.4(b)(2). Existing § 1003.3(b)(1)(i) requires a medical command facility medical director to be a medical command physician. The minimum qualifications for a medical command physician are found in § 1003.4(b). Section 1003.3(b)(1)(ii) should be amended to only specify qualifications in addition to the minimum qualifications for a medical command physician.

13. Section 1003.4. Medical command physician—Need and Clarity

Subsection (b) Minimum qualifications.

The regulation is not clear regarding the process and standards the Department will use to qualify medical command physicians who do not have board certification in emergency medicine. The Department explained that physicians without board certification, as defined in § 1001.2, may qualify as medical command physicians through § 1003.4(b)(2). We note that § 1001.4 Exceptions does not appear to be the process by which the Department grants exceptions to board certification for medical command physicians.

Subsection (b)(2) concludes with the phrase “or other programs determined by the Department to meet or exceed the standards of those programs.” It is not clear what other “programs” would meet or exceed the stan-

dards of board certification in emergency medicine. For example, would the Department consider physicians qualified based on their experience in emergency medicine rather than board certification? Would the Department grandfather currently approved medical command physicians who do not have board certification? The Department should explain the following:

- a) The process whereby a physician may qualify without board certification.
- b) What other programs or experience the Department anticipates will meet or exceed the standards of board certification in emergency medicine.
- c) The effect of the regulation on existing medical command physicians and those who require medical command physician status for their positions who are not board certified.
- d) The effect on EMS systems that currently employ medical command physicians who are not board certified.

Finally, subsection (b)(2) is not clear in two regards. First, it is not clear which specific programs may be met or exceeded. The alternative in paragraph (b)(2) could be interpreted to apply only to individual course requirements, only to board certification in emergency medicine, or both. Second, the regulation is also not clear concerning which courses only need to be taken once rather than every 2 years. The Department should amend subsection (b)(2) to clarify its intent.

Subsection (c) Approval of medical command physician.

Paragraphs (2) and (3) provide parameters for the regional EMS council to use in evaluating the approval of medical command physicians. It is not clear why the regional EMS council's parameters are included in the provisions for medical command physicians. The Department should move paragraphs (2) and (3) to the provisions for regional EMS councils in Subchapters F and G.

Paragraph (2) requires the physician to meet the qualifications in subsection (b), or to complete "voluntary medical command certification program administered by the Department." The regulation is not clear concerning how this voluntary certification is a substitute for the six specific qualifications listed in subsection (b). The Department should explain which qualifications in subsection (b) could be acquired through the "voluntary medical command certification program administered by the Department."

Paragraph (3) requires the physician to "establish" that he is working under the auspices of a medical command facility. It is not clear how a physician would satisfy this requirement. The Department should amend the regulation to state how it would be determined whether the physician is in compliance.

Subsection (c)(3)(i) provides a waiver from Department recognition. The waiver is determined by the regional EMS council. The Department should explain why it is appropriate for the regional EMS council to make determinations on equivalencies for Department recognition.

Subsection (d) Notice requirements.

Paragraphs (1) and (2) set forth requirements for medical command facilities and regional EMS councils, not the medical command physician. The Department should move paragraphs (1) and (2) to the appropriate provisions under § 1009.1, or Subchapter F or G.

14. Section 1003.5. ALS service medical director—Clarity

The phrase "Providing guidance to the ALS ambulance with respect to" in § 1003.5(a)(1)(ii) is not needed. It duplicates the introduction of the list in subsection (a)(1). The phrase also lacks clarity because it uses the designation of "ALS ambulance" rather than the defined term "ALS ambulance service." Accordingly, the Department should delete this phrase from § 1003.5(a)(1)(ii).

15. Section 1003.21. Ambulance attendant—Clarity

Section 1003.21 references advanced first aid sponsored by the American Red Cross. One commentator stated that the American Red Cross does not offer an advanced first aid course. The Department should review § 1003.21 to assure its requirements are consistent with the courses that are available.

16. Section 1003.22. First responder—Clarity

The specific intent of subsection (e)(4) is not clear. It appears to state that some courses are offered which may not be counted as continuing education credits or may not be used to expand the scope of the first responder's duties. The Department should amend subsection (e)(4) to clarify its intent.

17. Section 1003.23. EMT—Clarity

Subsection (e)(2) only allows an EMT to transport a patient with an intravenous catheter without medication running. One commentator stated that subsection (e)(2) may be overly restrictive. Many outpatients are using patient controlled devices, or are using devices monitored by visiting nurses in the home. The commentator suggests adding an exception to allow transport when the medication is part of the patient's normal outpatient treatment plan. The Department should explain how outpatient medication will be administered in this situation.

The specific intent of subsection (e)(3) is not clear. It appears to state that some courses are offered which may not be counted as continuing education credits or may not be used to expand the scope of the EMT's duties. The Department should amend subsection (e)(3) to clarify its intent.

18. Section 1003.24. EMT-paramedic—Clarity

Annex A and the preamble of the proposed regulation both indicate that subsection (c) Transition of EMT-paramedic I and EMT-paramedic II certification to EMT-paramedic is to be deleted. However, a bracket to indicate the deletion of subsection (c) was omitted in the regulation. The Department should ensure the proper placement of brackets for the deletion of subsection (c) in the final-form rulemaking.

The specific intent of subsection (d)(19) is not clear. It appears to state that some courses are offered which may not be counted as continuing education credits or may not be used to expand the scope of the EMT-paramedic's duties. The Department should amend subsection (d)(19) to clarify its intent.

19. Section 1003.25b. Prehospital registered nurse—Clarity

Subsection (c) *Scope of practice*, as amended, will include "... other ALS services authorized by Professional Nursing Law. . . ." We were unable to locate any reference to Advanced Life Support (ALS) services in the Professional Nursing Law. The existing regulation allows any service authorized by the Professional Nurses Law. It is not clear what services would be authorized under the

amended language of "other ALS services authorized by Professional Nursing Law." The Department should delete the acronym ALS from subsection (c), or explain how it applies.

20. Section 1003.28. Medical command personnel—Clarity

The first two sentences of subsection (b)(3) and the last sentence of subsection (c)(2) lack clarity due to their length. These subsections would be clearer if they were broken into shorter sentences, or where appropriate, a list of requirements. The Department should amend subsections (b)(3) and (2) to clarify its intent.

21. Section 1003.29. Continuing education requirements—Clarity

Subsections (a)(1) and (b)(1) require that during the first full certification period, half of the continuing education credits must be in medical and trauma education. It is not clear whether this requirement only applies to the first certification period, or whether this is a requirement for all recertifications. The Department should clarify the intent of the language in subsections (a)(1) and (b)(1).

22. Section 1003.31. Credit for continuing education—Clarity

The term "prehospital practitioner" is used throughout § 1003.31. The term "prehospital practitioner" lacks clarity because it is not defined in § 1001.2. However, § 1001.2 does have a definition of "prehospital personnel." The Department should delete the term "prehospital practitioner" from § 1003.31 and replace it with the defined term "prehospital personnel."

23. Section 1005.1. General Provisions—Clarity

The first word "No" in the second sentence of § 1005.1(a) is bracketed for deletion in the *Pennsylvania Bulletin*. This deletion is problematic because nothing is proposed to replace the first word. This error needs to be corrected by replacing "No" with the word "A." A similar change is needed for consistency in subsection 1007.1(a) relating to general provisions for licensing of air ambulance services.

In addition, the word "exempted" in the last phrase of subsection 1005.1(a) is also deleted in the *Pennsylvania Bulletin*. In the Department's draft, the word is retained in the phrase: "or is exempted from these prohibitions under the act." This phrasing is also consistent with the last words in § 1007.1(a). The word "exempted" needs to be restored or the end of the subsection will be unclear.

24. Section 1005.6. Out-of-State providers—Reasonableness and Clarity

This section states that "ambulance services located or headquartered outside of this Commonwealth that regularly engages in the business of providing emergency medical care and transportation of patients from within this Commonwealth. . ." are required to be inspected and licensed by the Department. First, the word "engages" should be "engage" to agree with the plural noun. Second, the term "regularly" is vague. The Department should explain whether all out-of-state providers who provide service in Pennsylvania are required to be inspected and licensed by the Department.

25. Section 1005.10(d). Personnel requirements—Economic Impact, Reasonableness and Clarity

Section 1005.10(d)(1)(iii) requires staff to commit to being available at specified times. Volunteer services may not be able to meet a "duty roster" that requires staff to "commit" to being available at specific times. Commenta-

tors suggest that the Department use an outcome-based or performance standard. If adequate service is being provided, the Department should explain why volunteers should be required to make specific commitments.

26. Section 1005.10(i). Accident, injury and fatality reporting—Reasonableness and Clarity

Section 1005.10(i) requires reporting of an "injury . . . that results in medical treatment at a facility." It is not clear what degree of injury would require reporting. These facilities may treat the individuals for very minor injuries. The Department should revise 1005.10(i) to state what degree of injury must be reported.

27. Section 1009.1. Operational criteria—Clarity

Paragraph (12) requires the medical command facility to maintain communication records and tapes. However, one commentator questioned how long the records and tapes must be kept. The Department should provide guidance for the length of time records are to be maintained under paragraph (12).

28. Section 1009.2. Recognition process—Need and Clarity

There appears to be a typographical error in subsection (a). The word "medical" appears twice in succession.

29. Chapter 1011. Accreditation of training institutes—Clarity

Section 1001.2 deletes the definition of "BLS training institute" and adds the definition of "EMS training institute." However, the language in Chapter 1011 repeatedly uses the phrase ALS and BLS training institute, but does not use the new phrase "EMS training institute." The term, "EMS training institute" should be used consistently.

30. Section 1011.1. BLS and ALS training institutes—Clarity

The subparagraph designations under paragraph (b)(1) have a typographical error. The second subparagraph should be (ii), not (iii).

In subsection (f)(4) the regulation references a "Prehospital Practitioner Manual." Section 1001.2 defines a "Prehospital Personnel Training Manual." The Department should revise the reference in subsection (f)(4) to "Prehospital Personnel Training Manual," or explain if another manual is referenced.

Subsections (g) and (h) provide for clinical and field preceptors at ALS training institutes. One commentator suggested using clinical and field preceptors at BLS training institutes. Is there a specific reason the Department did not include the use of clinical and field preceptors at BLS training institutes?

31. Section 1013.3. Special event EMS personnel and capability requirements—Need and Clarity

One commentator expressed a need to coordinate Chapter 1013 Special Event EMS with other Commonwealth of Pennsylvania documents including the "Commonwealth Emergency Operations Plan," the "Special Event Emergency Action Plan Guide" and the "Planning Guidance for Mass Fatalities Incidents." The Department should explain how it intends to coordinate the requirements in this regulation with other Commonwealth of Pennsylvania documents. Where the Department's requirements vary from other Commonwealth of Pennsylvania documents, the Department should explain the need to vary.

32. Section 1013.8. Special event report—Need

Section 1013.8 requires the person or organization who filed a special event EMS plan to also file a special event report. The Department should explain the need for this report. The Department should also consider requiring a report only if EMS services were needed at the event.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-726. Filed for public inspection April 30, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Jerry D. Dunlap Insurance Agency under Act 143; Prudential Property and Casualty Insurance Company; Doc. No. AT99-04-019

A pre-review telephone conference initiated by the Administrative Hearings Office shall be conducted on May 20, 1999, at 10 a.m. A date for the review shall be determined, if necessary, at the pre-review telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before May 6, 1999, with the Docket Clerk, Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Answers to petitions to intervene, if any, shall be filed on or before May 13, 1999.

The parties are advised that under 40 P. S. § 24 any information or documents exchanged under this order are absolutely privileged and may not be disclosed to any outside party. Failure to maintain the confidentiality of such information or documents may result in enforcement action or other civil penalty.

The agency contract at issue shall remain in force and effect pending the issuance of a Decision in this matter.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-727. Filed for public inspection April 30, 1999, 9:00 a.m.]

Alleged Violation of Insurance Laws

Emanuel L. Sarris, Sr.; Doc. No. SC99-04-016

Notice is given of the Order to Show Cause issued on April 16, 1999, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: The Insurance Department Act of 1921, P. L. 789, as amended, 40 P. S. §§ 234(a) and 279 and 31 Pa. Code §§ 37.46(5), 37.47 and 37.48.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative

Agency Law); General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251; Special Rules of Administrative Practice and Procedure, 31 Pa. Code §§ 56.1—56.3 and other relevant procedural provisions of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-728. Filed for public inspection April 30, 1999, 9:00 a.m.]

Insurance Services Office, Inc.; Homeowners Rate Filing

On April 19, 1999, the Insurance Department received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for homeowners insurance.

The rating organization requests an overall 9.5% decrease to be effective September 1, 1999.

Unless formal administrative action is taken prior to June 18, 1999, the subject filing may be deemed approved by operation of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-729. Filed for public inspection April 30, 1999, 9:00 a.m.]

Insurance Services Office, Inc.; Personal Auto Advisory Prospective Loss Cost Revision; Rate Filing

On April 19, 1999, the Insurance Department received from Insurance Services Office, Inc. a loss cost level change for private passenger automobile insurance.

The rating organization requests an overall 10.6% decrease to be effective October 1, 1999.

Unless formal administrative action is taken prior to June 18, 1999, the subject filing may be deemed approved by operation of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-730. Filed for public inspection April 30, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Gary M. de Berry; file no. 99-303-70526; Erie Insurance Exchange; doc. no. PI99-04-013; May 18, 1999, at 11 a.m.;

Appeal of Sherri and Stanley Jerominski; file no. 99-181-01564; Nationwide Mutual Insurance Co.; doc. no. P99-04-014; May 19, 1999, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is

required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-731. Filed for public inspection April 30, 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 Milivoj Marinkovic; file no. 99-303-70573; Insurance Placement Facility of PA; doc. no. PI99-04-017; May 25, 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. 99-732. Filed for public inspection April 30, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Cost Center # 8314, Investigations—Pittsburgh, Three Parkway Center, 875 Greentree Rd., Suite 108, Pittsburgh, PA 15220-0807.

Lease Expiration Date: September 30, 2000

Lease office space for the Licensing Division of the PA Liquor Control Board. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 to 1,500 net useable square feet of new or existing office space within 1 mile of the intersection of Route 22 and 48 in Monroeville. Adequate free parking must be available.

Proposals due: May 21, 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: Joseph Molhoek, (412) 565-5130

Northumberland County, Wine & Spirits Shoppe # 4903, 602 Market Street, Sunbury, PA 17801-2340.

Lease Expiration Date: August 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,400 to 3,000 net useable square feet of new or existing retail commercial space within the City of Sunbury.

Proposals due: May 21, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Ronald Hancher, (717) 657-4228

Sullivan County, Wine & Spirits Shoppe # 5701, 121 W. Main Street, Dushore, PA 18614-0301.

Lease Expiration Date: May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,450 to 2,500 net useable square feet of new or existing retail commercial space within the Borough of Dushore.

Proposals due: May 21, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Ronald Hancher, (717) 657-4228

Lycoming County, Wine & Spirits Shoppe # 4108, 78 N. Main Street, Hughesville, PA 17737-1506.

Lease Expiration Date: May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,600 to 2,400 net useable square feet of new or existing retail commercial space within the Borough of Hughesville.

Proposals due: May 21, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Ronald Hancher, (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 99-733. Filed for public inspection April 30, 1999, 9:00 a.m.]

MILK MARKETING BOARD

Notice of Hearing and Presubmission Schedule; All Milk Marketing Areas

Notice is hereby given under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700k-10.1), that the Milk Marketing Board (Board) will conduct a public hearing for all milk marketing areas on June 2, 1999, commencing at 9 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

Purposes of the hearing

The hearing has two purposes: (1) To receive evidence concerning adjusting the resale price structure in connection with Federal order consolidation; and (2) To receive evidence concerning current standards for butterfat ranges found on the Board's price sheets and in official general orders for the various milk marketing areas, as compared with standards issued by the United States Department of Agriculture.

Entries of appearance

The staff of the Board is deemed to be a party to this hearing and their attorneys are deemed to have entered their appearances. Other persons that may be affected by the Board order addressing the purposes of the hearing may be included on the Board's list of parties by:

1. Having their counsel file with the Board, on or before May 7, 1999, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, on or before May 7, 1999, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

Witnesses, exhibits, presentation of evidence

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. On or before May 21, 1999, each party shall file with the Board seven copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. On or before May 28, 1999, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests for data from Board staff

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office on or before May 14, 1999.

Board's filing address

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

If individuals require this information in an alternative format, call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 99-734. Filed for public inspection April 30, 1999, 9:00 a.m.]

Notice of Hearing and Presubmission Schedule; Milk Marketing Area No. 6

Notice is hereby given under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700k-10.1), that the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 6 on July 7, 1999, commencing at 9 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA. If necessary, the hearing will be continued on July 8.

Purpose and scope of the hearing

The purpose of the hearing is to receive evidence concerning minimum prices milk dealers shall pay to producers for various classes of milk; minimum prices milk dealers shall charge for milk, including prices to be charged to wholesale customers such as stores, restaurants and institutions; discounts; and minimum prices to be charged to consumers for milk sold for consumption off the premises. Evidence will also be received concerning the various types, classifications and containers of fluid milk and milk products; in-store handling costs; reasonable profit margins for milk dealers and stores; and adoption of a cost replacement system, including whether in-store handling costs should be part of that system.

Entries of appearance

The Area 6 Milk Dealers Association, which petitioned for the hearing, is deemed to be a party, as is the staff of the Board, and their attorneys are deemed to have entered their appearances. Other persons that may be affected by the Board order fixing prices in Area No. 6 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, on or before May 10, 1999, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, on or before May 10, 1999, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

Witnesses, exhibits, presentation of evidence

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. On or before June 25, 1999, each party shall file with the Board seven copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. On or before July 2, 1999, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests for data from Board staff

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office on or before May 14, 1999.

Board's filing address

The filing address for the Board is Pennsylvania Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

If individuals require this information in an alternate format, call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 99-735. Filed for public inspection April 30, 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

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 24, 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-00115806. Hose Co. No. 6, Kittanning (P. O. Box 462, Kittanning, Armstrong County, PA 16201), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the borough of Kittanning, Armstrong County, and within an airline distance of 60 statute miles of the limits thereof, and from points in said territory to points in Pennsylvania, and vice versa.

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

A-00112415, Folder 3. Armando Ocando, t/d/b/a All Star Limousines (2307 Harrow Road, Pittsburgh, Allegheny County, PA 15241)—additional right—persons in group and party service, between points in the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland, and from points in said counties, to points in Pennsylvania, and return; subject to the following condition: that the service be limited to the transportation of persons attending weddings, proms, concerts, school dances, sports events and nights-on-the-town.

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-00108826, Folder 1, Am-A. System of Services, Inc., t/d/b/a SOS Taxi (28 Georgetown Lane, Beaver, Beaver County, PA 15009), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the county of Beaver: *so as to permit* the transportation of persons upon call or demand in the boroughs of Leetsdale, Edgeworth, Sewickley, Sewickley Heights and Bell Acres; and the township of Leet, all located in Allegheny County.

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

A-00111425, F. 2, Am-B. Daniel R. Koebler, t/d/b/a Crown Limousine Service (701 East Main Street, Grove City, Mercer County, PA 16127)—inter alia, persons in limousine service, between points in the townships of Liberty, Pine and Wolf Creek, and the borough of Grove City, Mercer County, and from points in said townships and borough, to points in Pennsylvania: *so as to permit* the transportation of persons in limousine service between points in county of Butler, and from points in the said county, to points in Pennsylvania, and return; which is to be a transfer of all of the operating rights of Deanna Kyle, t/d/b/a Classic Transportation, under the certificate issued at A-00114366, subject to the same limitations and conditions.

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

A-00110867, F. 1, Am-A. James Moving Company, Inc. (1709 Beryl Drive, Pittsburgh, Allegheny County, PA 15227), a corporation of the Commonwealth of Pennsylvania—household goods in use between points in the borough of Sewickley, Allegheny County, and within 25 miles by the usually traveled highways of the limits of said

borough: *So as to permit* (1) the transportation of household goods in use from points in the city of McKeesport, Allegheny County, and within a radius of 3 miles thereof, to points within 25 miles by the usually traveled highways of the limits of said city, and vice versa, and (2) from points in the borough of Homestead, Allegheny County, and within 5 miles by the usually traveled highways of the limits of said borough, to other points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized Elizabeth Fawcett, t/d/b/a Boaz Trucking and Biddlestone Transfer, under the certificate issued at A-00102008, F. 2, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

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

A-00115801. Prince Limousine, Inc. (1905 Lafayette Road, Gladwyne, Montgomery County, PA 19035), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the city and county of Philadelphia, and from points in said city and county, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00110623, to ABC Limo, Inc., subject to the same limitations and conditions. *Attorney:* John J. Gallagher, P.C., Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

A-00115798. Welco Transportation, Inc., t/d/b/a Adventure Limousine (320 South Roberts Road, P. O. Box 635, Dunkirk, Chautauqua County, New York 14048), a corporation of the State of New York—persons in limousine service, between points in McKean County, and from points in said county, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00111571, to Brian Joseph Vecellio, t/d/b/a First Class Limousine, subject to the same limitations and conditions.

Application of the following for the approval of the transfer of stock as described under each application.

A-00110198, F. 5000. Mid-County Transportation Services Inc. (32 Blaine Street, Lansdale, Montgomery County, PA 19446), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 100 shares of issued and outstanding shares of stock held by the estate of Shirley Ann Reese, deceased by James Reese, Jr., Executor, to Norristown Transportation Company, Inc. William R. Wanger, 1250 South Broad Street, Lansdale, PA 19446.

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-00115797. Lorna A. Gimble, t/d/b/a Daybreak Tours & Charters (17 Oak Street, Wilkes-Barre, Luzerne County, PA 18702)—brokerage license—to arrange for the transportation of persons and their baggage, between points in Pennsylvania.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer as described under each application.

A-00115810. Neil E. Haylett, t/d/b/a Haylett Storage & Services (338 Grant Street, Franklin, Venango County, PA 16323)—household goods in use from points in the county of Venango, to other points in Pennsylvania, and vice versa; which is to be a transfer of part of the rights authorized Engles Trucking Service, Inc., (formerly Timothy R. Engles, t/d/b/a Engles Family Moving), under the certificate issued at A-00109827, subject to the same limitations and conditions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-736. Filed for public inspection April 30, 1999, 9:00 a.m.]

Water Service Without Hearing

A-212285F0061. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply public water service in the nature of public fire service, to a portion of Skippack Township, Montgomery 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 17, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company.

Through and By Counsel: Velma A. Redmond, Esquire, Susan D. Simms, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-737. Filed for public inspection April 30, 1999, 9:00 a.m.]

Water Service Without Hearing

A-210085. Roaring Brook Estates Water Co., Inc. Application of Roaring Brook Estates Water Co., Inc., for approval of the right to offer, render, furnish or supply new water service to the public in Roaring Brook Township, Lackawanna 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 17, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Roaring Brook Estates Water Co., Inc.

Through and By Counsel: Carlos Martin, President, Roaring Brook Estates Water Co., Inc., 108 Donny Drive, Moscow PA 18444.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-738. Filed for public inspection April 30, 1999, 9:00 a.m.]

**Water Service
Without Hearing**

A-210390F5000, A-210013F0012, and A-210390F2000. United Waterworks, Inc., United Water Pennsylvania, Inc. and Center Square Water Company. Joint Application of United Waterworks, Inc. United Water Pennsylvania, Inc., and Center Square Water Company for all approvals required under the Public Utility Code for (1) the transfer, by sale, from Diane Ross to United Waterworks, Inc., of all the issued and outstanding shares of capital stock of Center Square Water Company, and the merger of Center Square Water Company with and into United Water Pennsylvania, Inc., docketed at A-210390F5000; and (2) the right of United Water Pennsylvania, Inc., to begin to offer or furnish water service in additional portions of Upper Allen and Monroe Townships, Cumberland County, and portions of Carroll Township, Cumberland County, PA, docketed at A-210013F0012; and (3) the abandonment by Center Square Water Company of all water service to the public, docketed at A-210390F2000.

This joint application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before May 17, 1999, under 52 Pa. Code (relating to public utilities).

Applicants: United Waterworks, Inc., United Pennsylvania, Inc.

Through and By Counsel: John J. Gallagher, Esquire, LeBoeuf, Lamb, Greene & MacRae L.L.P., P. O. Box 12105, Harrisburg, PA 17108-2105 and Center Square Water Company.

Through and By Counsel: Robert Spitzer, Esquire, P. O. Box 12087, Harrisburg, PA 17108-2087.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-739. Filed for public inspection April 30, 1999, 9:00 a.m.]

STATE BOARD OF NURSING

**Commonwealth of Pennsylvania v. Sally Jones
Epps, R.N.**

Notice to Sally Jones Epps, R.N.

By order of the State Board of Nursing, under 1 Pa. Code § 33.31, Pa.R.C.P. No. 430, Sally Jones Epps, R.N., is hereby given notice as follows:

On July 31, 1998, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, instituted against you, with respect to your license to practice professional nursing, as a registered nurse, a formal administrative disciplinary action before the State Board of Nursing upon the filing and issuance of an order to show cause alleging that you have violated certain provisions of the professional nursing law. A copy of the order to show cause at Docket No. 0507-51-98, File No. 98-51-02714 is on file with and available through the prothonotary at the address indicated as follows. Read this

document carefully. You may lose licenses, certificates, registrations or permits which may be important to your practice of your profession, trade or occupation. Also you may be subject to the levying of civil penalties of up to \$1,000 per violation.

If you wish to defend against the allegations in this order to show cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the order to show cause. All proceedings are conducted in accordance with the Administrative Agency Law and the General Rules of Administrative Practice and Procedure. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. If you do not have an attorney or cannot afford one, contact the office set forth as follows to find out where you can get legal help:

Lawyer Referral Service
Dauphin County Bar Association
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

You are directed to respond by filing an answer in writing within 30 days of the date of the order to show cause. An original and three copies must be submitted. Also, you must send a separate copy of the answer, and any other pleadings or documents, to the prosecuting attorney named in this document. If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with and questions and any other inquiries should be directed to: Deanna S. Walton, Prothonotary, Bureau of Professional and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

CHRISTINE ALICHNIE, Ph.D., R.N.,
Chairperson

[Pa.B. Doc. No. 99-740. Filed for public inspection April 30, 1999, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17108:

May 3, 1999	Tamara Willingham (Disability Benefits)	1:30 p.m.
May 12, 1999	Lorrie L. Sifter	1 p.m.

NOTICES

2355

May 3, 1999 Tamara Willingham 1:30 p.m.
 (Purchase Service Credit
 w/Kutztown University)
 May 17, 1999 Roslyn V. Harris 1:30 p.m.
 (Disability Benefits)
 May 26, 1999 Jack T. Polk 1 p.m.
 (Purchase Service Credit
 w/Shippensburg University)
 June 2, 1999 George Titler (dec'd) 1 p.m.
 (Death Benefit)
 June 23, 1999 K. Lee Derr 1 p.m.
 (Purchase Service Credit
 w/Penn State University)
 Sept. 1, 1999 Gloria D. Briggs 1 p.m.
 (Change Effective Date Of
 Retirement)
 Sept. 8, 1999 Richard Welsh (dec'd) 1 p.m.
 (Change Member's Option)
 Sept. 22, 1999 Francis J. Hudak 1 p.m.

May 3, 1999 Tamara Willingham 1:30 p.m.
 (Purchase Service Credit
 w/Penn State University)
 Sept. 29, 1999 Frances Owczarz (dec'd) 1 p.m.
 (Contesting Designation of
 Beneficiary)
 Oct. 6, 1999 Della M. Marsh 1 p.m.
 (Multiple Service)

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 99-741. Filed for public inspection April 30, 1999, 9:00 a.m.]