

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 260a]

Hazardous Waste

[Correction]

An error occurred in the Department's hazardous waste amendments published at 29 Pa.B. 2367, 2385 (May 1, 1999). The date in § 260a.30(2) (relating to variances from classification as a solid waste) was listed incorrectly).

The correct version of § 260a.30(2) appears in Annex A, with ellipses referring to the existing text of the regulation.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VII. HAZARDOUS WASTE MANAGEMENT

CHAPTER 260a. HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

§ 260a.30. Variances from classification as a solid waste.

The coproduct transition scheme is as follows:

* * * * *

(2) To qualify under paragraph (1), a person producing, selling, transferring, possessing or using a material as a coproduct not exempt from regulation under other provisions of this article shall submit by August 13, 1999, a written notification to the Department that the exemption in paragraph (1) applies to the person's activity.

[Pa.B. Doc. No. 99-744. Filed for public inspection April 30, 1999, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 139]

Deer Damage Areas

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 9, 1999, meeting, adopted the following changes:

Add § 139.16 (relating to deer damage areas) which provides regulatory language for the enrollment and participation of certain landowners in the Deer Damage Areas Program as designated by the Executive Director.

This amendment is adopted under the authority of 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

1. Introduction

To more effectively manage the wildlife resources of this Commonwealth, the Commission at its January 12, 1999, meeting proposed, and at its April 9, 1999, meeting finally adopted adding § 139.16. The adopted section establishes conditions and procedures for designating deer damage areas where antlerless deer may be taken during the antlered deer season. Currently, the authorization to take an antlerless deer during the antlerless deer season on designated deer damage areas is established as part of the seasons and bag limits, § 139.4 (relating to seasons and bag limits for the license year), with no formal procedures for designating these areas. The provision, which was adopted under authority contained in section 2102 of the code (relating to regulations), would remedy this defect.

2. Purpose and Authority

Some years ago, the Commission authorized as part of the seasons and bag limits the taking of an antlerless deer during antlered deer season with the appropriate license on areas suffering severe agricultural damage. Requirements and procedures to be followed to establish deer damage areas were never promulgated as regulations. Since the program has been accepted by the agricultural and hunting communities, the current adoption remedies this situation.

Section 2102 of the code authorizes the Commission to promulgate regulations relating to seasons and bag limits and game and wildlife. This section provides the authority for the current adoption.

3. Regulatory Requirements

The adopted regulation formally establishes qualifications and procedures which have been informally followed for some time. The main requirement for land to be designated as a deer damage area is that it be enrolled in the Commission cooperative farm game program or safety zone program.

4. Persons Affected

Landowners or lessees of farmland and hunters who wish to hunt on this land would be affected by this adoption.

5. Comment and Response Summary

No written comments were received with regard to the adopted provision.

6. Cost and Paperwork Requirements

Application to be designated as a deer damage area can be made either in writing or by telephone. Signs furnished by the Commission shall be posted on lands so designated. Because of low volume, the Commission anticipates that the cost of application and signs will be fairly small.

7. Effective Dates

The adopted regulation will be effective on publication of final adoption in the *Pennsylvania Bulletin* and will remain in effect until modified or rescinded by the Commission.

8. Contact Person

For further information or to comment on the adopted regulation contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative regulation adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the regulation of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by adding § 139.16 to read as set forth at 29 Pa.B. 1397 (March 13, 1999).

(b) The Executive Director of the Commission shall submit this order and 29 Pa.B. 1397, and deposit them with the Legislative Reference Bureau as required by law.

(c) This order adding § 139.16 shall become effective upon final publication in the *Pennsylvania Bulletin*.

DONALD C. MADL,
Executive Director

Fiscal Note: Fiscal Note 48-107 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 99-782. Filed for public inspection May 14, 1999, 9:00 a.m.]

**[58 PA. CODE CH. 143]
Hunting and Furtaker Licenses**

[Correction]

An error appeared in 58 Pa. Code § 143.84 as it appeared at 29 Pa.B. 2458, 2459 (May 8, 1999). The correct version appears in Annex A.

Annex A

**TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 143. HUNTING AND FURTAKER
LICENSES**

**Subchapter E. FLINTLOCK (MUZZLELOADER)
DEER LICENSES**

§ 143.84. Application.

(a) Application may be made when purchasing a regular hunting license, or any time prior to August 31, upon presentation of the regular hunting license.

(b) A collector may, upon completing an application, purchase a muzzleloading firearm deer season license only after the close of the special flintlock season and is not bound by the procedures in this section.

[Pa.B. Doc. No. 99-750. Filed for public inspection May 7, 1999, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 175]

**Vehicle Equipment and Inspection; Postponement
of Effective Date for Recent Amendments**

The Department of Transportation, Bureau of Motor Vehicles, originally adopted amendments to Chapter 175 (relating to vehicle equipment and inspection) at 28 Pa.B. 5670 (November 14, 1998).

The effective date for these amendments is May 13, 1999. The Department of Transportation, at 29 Pa.B. 2460 (May 8, 1999), postponed indefinitely portions of the regulations relating to use and inspection of mirrors and bumpers on passenger cars and light trucks and mirrors, bumpers and exhaust systems on medium and heavy trucks.

Additionally, sections which will be postponed indefinitely are:

§ 175.105(b)(5)(ii) and (iii)

§ 175.110(d)(6)(viii)(B) and (C)

The effective date of the amendment to § 175.110(d)(7) which deleted the following language:

“It is not necessary to remove the wheel and front assembly if there is a removable braking plate that allows an examination of the brake system.”

All other provisions of the equipment and inspection regulations that were scheduled to go into effect on May 13, 1999, will continue to do so.

Interested persons are invited to submit written comments, suggestions or objections regarding the changes in effective dates to Thomas J. Zamboni, Vehicle Inspection Division, 1101 South Front Street, Harrisburg, PA 17104, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-783. Filed for public inspection May 14, 1999, 9:00 a.m.]