

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 May 25, 1999.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-20-99	Aris Trust Company State College Centre County <i>Correspondent:</i> John B. Lampi, Esq. Saul, Ewing, Remick & Saul, LLP Penn National Insurance Tower 2 North Second Street, 7th Floor Harrisburg, PA 17101	270 Walker Drive State College Centre County	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-3-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 1844 Bethlehem Pike Flourtown Montgomery County	Opened
5-15-99	Main Street Bank Reading Berks County	100 Exton Commons Exton Chester County	Opened
5-15-99	Main Street Bank Reading Berks County	742 E. Philadelphia Avenue Douglass Township Montgomery County	Opened
5-17-99	Firsttrust Savings Bank Flourtown Montgomery County	405 Oxford Valley Road Fairless Hills Bucks County	Opened
5-17-99	Sun Bank Selinsgrove Snyder County	Routes 15 and 45 Lewisburg Union County	Filed
5-18-99	Bank of Hanover and Trust Company Hanover York County	2215 East Market Street York York County	Filed
5-20-99	Harris Savings Bank Harrisburg Dauphin County	1515 DeKalb Pike Blue Bell Whitpain Township Montgomery County	Filed
5-21-99	First Liberty Bank & Trust Jermyn Lackawanna County	910 Commerce Blvd. Dickson City Lackawanna County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-21-99	First Liberty Bank & Trust Jermyn Lackawanna County	To: Route 435 Moscow Lackawanna County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> Route 502 Moscow Lackawanna County	

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-24-99	Summit Bank Bethlehem Northampton County	Hutchison Street & Second Avenue Martins Creek Northampton County	Filed

SAVINGS ASSOCIATIONS**Branch Relocations**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
5-17-99	Citizens Savings Association Mt. Pocono Monroe County	<i>To:</i> 335 Willow Avenue (Route 6) Honesdale Wayne County <i>From:</i> 815 Main Street Honesdale Wayne County	Effective

CREDIT UNIONS

No Activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 99-893. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Lands between DCNR, Bureau of Forestry and George E. Logue, Inc.

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry, and George E. Logue, Inc. of Montoursville, PA, are proposing to negotiate an exchange of lands in Lycoming County, PA.

The Bureau of Forestry is proposing to acquire from George E. Logue, Inc. a total of 658 acres of land in three separate parcels. The first is a tract of 400 acres in McNett Township on the headwaters of Lycoming Creek and bounded on three sides by the Tiadaghton State Forest. The second is a tract of 90 acres at Jersey Mills, McHenry Township, bounded by the Tiadaghton State Forest and the Pine Creek Trail. The third is a tract of 168 acres in Gamble Township near the mount of Wallis Run bounded on the west by the Tiadaghton State Forest and on the east by SR 1003.

In return, the Bureau of Forestry proposes to convey to George E. Logue, Inc. 250 acres of the Tiadaghton State Forest in Armstrong Township. This parcel will encompass an existing quarry site along Pa. Rt. 554 south of the Borough of South Williamsport.

The Bureau of Forestry has conducted the necessary Environmental Reviews and Assessments for all the tracts involved. No significant environmental concerns were identified.

As is the policy of the Department, the public is hereby notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect commencing June 7, 1999 and ending July 6, 1999. Oral or written comments or questions concerning this proposed exchange may be addressed to: Dr. James R. Grace, State Forester, Pennsylvania Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552; (717) 787-2703. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department of Conservation and Natural Resources may schedule a public informational meeting.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 99-894. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Grove City College for Approval of the Amendment of Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Grove City College for a Certificate of Authority approving the institution's amendments to its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code § 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-7572 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Dr. Evans at (717) 787-7572 to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-895. Filed for public inspection June 4, 1999, 9:00 a.m.]

Availability of 1999-2000 New Choices/New Options Competitive Funds

Applications for FY 1999-2000 New Choices/New Options State appropriated competitive funds are invited.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-896. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

Following the 30-day comment period, the 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.

1. Eligibility Requirements

SDs, AVTSs, IUs and accredited postsecondary institutions offering less than baccalaureate degree are eligible applicants.

2. Application Deadlines

Applications are due June 22, 1999 by 4 p.m.

3. Application Forms and Guidelines

Completion of applications requires the examination of two references: general and categorical funding guidelines. You may access these guidelines on the Internet at www.pde.psu.edu under vocational education. Printed copies of the guidelines 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 Florence Jean Wright at the Bureau of Vocational-Technical Education up to June 10, 1999. A response to questions will be made through the Pennsylvania Department of Education's PENN*LINK Bulletin Board on June 14, 1999. Anyone wishing a printed copy of the responses must do so in writing to Florence Jean Wright.

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the 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 0057754. Sewage, **Mirian R. Weisbein**, 1670 Cloverly Lane, Rydal, PA 19046.

This application is for issuance of an NPDES permit to discharge treated sewage from single family home in Abington Township, **Montgomery County**. This is a new discharge to an unnamed tributary to Meadow Brook Creek.

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

The proposed effluent limits for Outfall 001 based on an average flow of 600 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0057771. Sewage, **Mark Weigner**, 1035 North Tower Road, Quakertown, PA 18951.

This application is for issuance of an NPDES permit to discharge treated sewage from single family home in West Rockhill Township, **Bucks County**. This is new discharge to unnamed tributary to Butter Creek.

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

The proposed effluent limits for Outfall 001 based on an average flow of 500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

PA 0057762. Sewage, **James F. Wunder**, 529 East Lancaster Avenue, Shillington, PA 19607.

This application is for issuance of an NPDES permit to discharge treated sewage from Wunder SR sewage treatment plant in Milford Township, **Bucks County**. This is a new discharge to an unnamed tributary to Macoby Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

PA 0057746. Sewage, **Randy L. Brundage**, 2540 Ridge Road, Perkasio, PA 18944.

This application is for issuance of an NPDES permit to discharge treated sewage from Brundage STP in East Rockhill Township, **Bucks County**. This is a new discharge to unnamed tributary to Three Mile Run.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation. The proposed effluent limits for Outfall 001, based on an average flow of 500 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

Effective disinfection.

PA 0057657. Sewage, **Kendal Corporation**, P. O. Box 100, Kennett Square, PA 19348.

This application is for issuance of an NPDES permit to discharge treated sewage from the Kendall-Crosslands WWTP in Kennett Township, **Chester County**. This is a new discharge to an unnamed tributary to Bennetts Run.

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 0.125 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>
CBOD ₅	20		40
Suspended Solids	10		20
Ammonia (as N)	2.0		4.0
Phosphorus (as P) (4-1 to 4-30)	2.0		4.0
Total Copper	0.012	0.024	0.030
Total Zinc	0.08	0.16	0.20
Chlorodibromomethane	0.00075	0.00150	0.00188
Chloroform	0.011	0.022	0.028
Dichlorobromomethane	0.0006	0.0012	0.0015
Total Residual Chlorine	0.1		0.2
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		

Other Requirements:

1. The Discharge Authorized by this Permit Shall Only Occur Between November 1 and April 30.

PA 0057789. Sewage, **River Park Office Associates**, 555 North Lane, Suite 6101, Conshohocken, PA 19428.

This application is for issuance of an NPDES permit to discharge treated sewage from River Park sewage treatment plant serving office complex located in Whitemarsh Township, **Montgomery County**. This is a new 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 15,000 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)	20	40
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

PA 0063941. Industrial waste, SIC: 39, **Micropack Corp.**, 386 Washington Street, Wellesley, MA 02481.

This proposed action is for issuance of an NPDES permit to discharge treated process wastewater into Aquashicola Creek in Lower Towamensing Township, **Carbon County**.

The receiving stream is classified for the following uses: trout stocking fishery, 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 (PWS) considered during the evaluation is Northampton Water Supply on the Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of .0092 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
TDS			1,000
pH		6.0—9.0 su at all times	
TRC	1.2		2.8

The EPA waiver is in effect.

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

PA 0085731. SIC: 3089, Industrial waste, **Brentwood Industries, Inc.**, 610 Morgantown Road, Reading, PA 19611-2012.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Angelica Creek, in Reading City, **Berks County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 are:

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

The proposed effluent limits for Outfall 002 are:

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

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

The EPA waiver is in effect.

PA 0010511. SIC: 2032, Sewage, **Spring Glen Drive**, Ephrata, PA 17522.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of the Conestoga River, in Ephrata Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.025 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50	62
Total Suspended Solids	30	60	75
NH ₃ -N			
(5-1 to 10-31)	2.5	5.0	6.0
(11-1 to 4-30)	7.5	15.0	18.0
Total Phosphorus	2.0	4.0	5.0
Total Residual Chlorine	0.7	XXX	2.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

PA 0088081. SIC: 4952, Sewage, **Fairfield Homeowners Association**, 1059 Washington Road, Coatesville, PA 19320.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary to Hunters Run, in Buffalo Township, **Perry County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.012 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	3.5	7.0
(11-1 to 4-30)	10	monitor and report
Total Residual Chlorine	0.3	0.9
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0—9.0 inclusive	
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	13,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

PA 0028088. SIC: 4952, Sewage, **Brown Township Municipal Authority**, 7748 SR 655, Reedsville, PA 17048.

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

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

The proposed effluent limits for Outfall 001 for design flow of 0.600 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	monitor and report	XXX	monitor and report
Total Residual Chlorine			
(Interim)	monitor and report	XXX	monitor and report
(Final)	1.0	XXX	1.5
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0—9.0 inclusive		
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	26,000/100 ml as a geometric average		

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

The EPA waiver is in effect.

PA 0020621. SIC: 4952, Sewage, **Borough of Waynesboro**, 57 East Main Street, Waynesboro, PA 17268.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of East Branch Antietam Creek, in Waynesboro Borough, **Franklin County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water

supply intake considered during the evaluation was Brunswick Mayor and Council located in Brunswick, Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.6 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	4.5	XXX	9.0
(11-1 to 4-30)	13.5	XXX	27
Total Copper	0.053	XXX	0.132
Total Residual Chlorine	0.5	XXX	1.6
Total Nitrogen	XXX	XXX	monitor ⁽¹⁾
Total Phosphorus	XXX	XXX	monitor ⁽¹⁾
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

⁽¹⁾Maximum Daily

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

The EPA waiver is not in effect.

Northcentral Region: Environmental Program Manager; Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.

PA 0111945. Industrial waste, SIC: 3321, 3322, 3494 and 3498, **Ward Manufacturing, Inc.**, P. O. Box 9, Blossburg, PA 16912-0009.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Johnson Creek and the Tioga River in Blossburg Borough, **Tioga County**.

The receiving streams are classified for the following uses: cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the PA/NY border located on the Tioga River approximately 25 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 1.056 mgd to Johnson Creek are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	report	report	
Oil and Grease	15		30
pH (Std. Units)	minimum 6.0		report

The proposed effluent limits for Outfall 002 based on a design flow of 0.52 mgd to the Tioga River are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	report	report	
Oil and Grease	15		30
pH (Std. Units)	minimum 6.0		report

The proposed effluent limits for Outfall 003 based on a design flow of 0.43 mgd to Johnson Creek are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	report	report	
Oil and Grease	15		30
pH (Std. Units)	minimum 6.0		report

The EPA waiver is in effect.

PA 0112755. Sewerage, SIC: 4952, **Betty L. Williams**, R. D. 1, Box 308, Gaines, PA 16921.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary to Pine Creek in Gaines Township, **Tioga County**.

The receiving stream is classified for the following uses: high quality cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Jersey Shore Water Company located on Pine Creek approximately 60 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10		20
TSS	20		40
Free Cl ₂ Residual	report		
Fecal Coliforms		200 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0028606. Sewerage, SIC: 4952, **Delaware Township Municipal Authority**, P. O. Box 80, Dewart, PA 17730.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to West Branch Susquehanna River in Delaware Township, **Northumberland County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton approximately 8 river miles downstream.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Total Cl ₂ Residual	1.0		3.3
Fecal Coliforms		200 col/100 ml as a geometric mean	
(5-1 to 9-30)		2,000 col/100 ml as a geometric mean	
(10-1 to 4-30)		6.0—9.0 at all times	
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0110582. Sewerage, SIC: 4952, **Eastern Snyder County Regional Authority**, P. O. Box 330, Selinsgrove, PA 17870.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Susquehanna River in Penn Township, **Snyder County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Dauphin Consolidated Water Company located at Dauphin.

The proposed effluent limits for Outfall 001 based on a design flow of 2.8 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Acrolein		report daily maximum	
Total Cl ₂ Residual	0.50		1.6
Fecal Coliforms		200 col/100 ml as a geometric mean	
(5-1 to 9-30)		10,000 col/100 ml as a geometric mean	
(10-1 to 4-30)		6.0—9.0 at all times	
pH		6.0—9.0 at all times	

The EPA waiver is not in effect.

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

PA 0031330. Sewage, **Brownsville Area School District**, R. D. 1, Box 202, Grindstone, PA 15442.

This application is for renewal of an NPDES permit to discharge treated sewage from the Cox-Donahey Elementary School STP in Redstone Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Dunlap Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the California Water Company.

Outfall 001: existing discharge, design flow of .0088 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0031402. Sewage, **Brownsville Area School District**, R. D. 1, Box 202, Grindstone, PA 15442.

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

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of the Monongahela 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 Tri County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of .01 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
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
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0033332. Industrial waste, SIC: 3261, **Eljer Plumpingware, Inc.**, 1301 Eljer Way, Ford City, PA 16226.

This application is for renewal of an NPDES permit to discharge treated process water from Ford City Plant in Ford City Borough, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Cadogan Township Water Works, located at river mile 39.3, about 3.0 miles below the discharge point.

Outfalls 001—007, 010 and 012: existing discharge, variable flow to the Allegheny River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Discharge from these outfalls shall consist of uncontaminated stormwater runoff. Additionally, Outfalls 002, 003, 005, 006 and 012 are authorized to discharge bowl test water (potable water).

Other Conditions:

The EPA waiver is in effect.

Outfall 008: existing discharge, design flow of 0.026 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 008A: existing discharge, design flow of 0.0078 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Suspended Solids			30	60	
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: existing discharge, design flow of 0.00432 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 011: existing discharge, design flow of 0.0065 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 013: existing discharge, design flow of 0.0122 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 014: existing discharge, design flow of 0.0029 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

PA 0098400. Sewage, **Albert Gallatin Area School District**, 10 West Church Street, Masontown, PA 15461-1800.

This application is for renewal of an NPDES permit to discharge treated sewage from the Albert Gallatin South Junior High School and Friendship Hill Elementary School Sewage Treatment Plant in Springhill Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.0143 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	20			40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	15,000/100 ml as a geometric mean			
Total residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0204161. Sewage, **Valley School of Ligonier**, Box 616, Ligonier, PA 15658.

This application is for issuance of an NPDES permit to discharge treated sewage from the Valley School of Ligonier Sewage Treatment Plant in Ligonier Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Linn Run, which are classified as a high quality-cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Latrobe Municipal Water Authority on Loyalhanna Creek.

Outfall 001: new discharge, design flow of 0.00331 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	10.0			20
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0222887. Sewage, **Gateway Lodge**, Joseph and Linda Burney, Box 125, Route 36, Cooksburg, PA 16217.

This application is for a new NPDES Permit, to discharge treated sewage to an Unnamed Tributary to the Clarion River in Barnett Township, **Jefferson County**. This is a new discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western PA Water Company on the Clarion River located at Clarion, approximately 15 miles below point of discharge.

The proposed discharge limits for Outfall 001 based on a design flow of 0.006 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10		20
Total Suspended Solids	10		20
Ammonia-Nitrogen	3		6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
Total Residual Chlorine	1.4		3.3
Dissolved Oxygen	minimum of 3 mg/l at all times		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0003573. Industrial waste, SIC: 5074. **Schry Water Conditioning**, 128 Portersville Road, Ellwood City, PA 16117.

This application is for renewal of an NPDES Permit, to discharge backwash water to Connoquenessing Creek in Ellport Borough, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority on the Beaver River located at Eastvale, approximately 10 miles below the point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.0032 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	30	60	75
Iron	2	4	5
Aluminum	4	8	10
Manganese	1		2.5
Total Residual Chlorine	1		3.3
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0005304, Amendment No. 2. Industrial waste, SIC: 2911. **United Refining Company**.

This application is for amendment of an NPDES permit to discharge noncontact cooling water to Glade Run and the Allegheny River in the City of Warren, **Warren County**. These are new discharges.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 96 miles below point of discharge.

The proposed discharge limits for Outfall No. 005 based on a design flow of 3.0 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX		
TOC		5	
Chlorides	XXX		
Temperature	XXX		
TRC	XXX		
pH		6.0—9.0 at all times	

The proposed discharge limits for Outfall No. 006 based on a design flow of 2.2 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX		
TOC		5	
Chlorides	XXX		
Temperature	XXX		
TRC	XXX		
pH		6.0—9.0 at all times	

The EPA waiver is not in effect.

PA 0222763. Industrial waste, SIC: 3084. **Charter Plastics, Inc.**, 221 South Perry Street, P. O. Box 770, Titusville, PA 16354.

This application is for a new NPDES permit, to discharge contact cooling water, Group 2 stormwater to Oil Creek in Titusville, **Crawford County**. This is a new discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 60 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.184 mgd are:

NOTICES

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
BOD ₅		26	
Total Suspended Solids		19	
Oil and Grease	15	29	30
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0101826. Sewage. **Woodland Meadows Mobile Home Park**, P. O. Box 398, Valencia, PA 16059.

This application is for renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to the Little Connoquenessing Creek in Connoquenessing Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Harmony Borough Water Authority on the Little Connoquenessing Creek located at river mile 1.14 and is located approximately 9 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.02 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Ammonia-Nitrogen			
(5-1 to 10-31)	5		10
(11-1 to 4-30)	15		30
Phosphorus			
(4-1 to 10-31)	2		4
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4		3.3
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0209741. Sewage. **322 Reynolds Company LTD**, 9 Corporation Center, Brandview Heights, OH 44147.

This application is for renewal of an NPDES permit to discharge treated sewage to the unnamed tributary to Powdermill Run in French Creek Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, Venango County, approximately 10.5 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.0175 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	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	
Total Residual Chlorine	1.5	3.3
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0221325. Sewage. **T. D. Kelly Company**, Abbey Woods Development, P. O. Box 407, Zelienople, PA 16063-0407.

This application is for renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to Brush Creek in Jackson Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Municipal Authority on the Township of Sewickley on Beaver River located at river mile 7.56 and is located approximately 25.5 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.028 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3
(11-1 to 4-30)	4.5	9
Phosphorus		
(4-1 to 10-31)	2	4
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,200/100 ml as a geometric average	
Total Residual Chlorine	0.3	0.7
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

Applications—NPDES Minor Renewals

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

<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 0082708	Calamus Estates, Inc. 2543 Old Philadelphia Pike Bird-in-Hand, PA 17505	Lancaster Paradise Township	Calamus Run	TRC
PA 0086479	Dietrich's Milk Products LLC 100 McKinley Avenue Reading, PA 19605-2199	Berks Muhlenberg Township	Laurel Run	TRC
PA 0080586	Morton Buildings, Inc. 3370 York Road Gettysburg, PA 17325-8258	Adams Straban Township	UNT to Swift Run	TRC
PA 0024074	Shoemakersville Municipal Auth. 242 Main Street Shoemakersville, PA 19555	Berks Shoemakersville Borough	Schuylkill River	TRC
PA 0086002	George W. Thompson, Jr. 43 Valley Road, Birdsboro, PA 19508	Berks Amity Township	UNT to Monocacy Creek	TRC
PA 0081442	South Eastern School District P. O. Box 217 Fawn Grove, PA 17321	York Fawn Township	UNT to Falling Branch	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 amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

A. 2888407 99-1. Sewage, submitted by **Borough of Greencastle**, 60 North Washington Street, Greencastle, PA 17225 in Greencastle Borough, **Franklin County** to upgrade a wastewater treatment plant was received in the Southcentral Region on May 3, 1999.

A. 0699404. Sewage, submitted by **Frank Gussoni, III**, 7391 Grim's Mill Road, New Berlinville, PA 19545 in Colebrookdale Township, **Berks County** to construct a single family residence sewage treatment plant was received in the Southcentral Region on May 4, 1999.

A. 3685201 99-1. Industrial waste, submitted by **Valley Proteins, Inc.**, 693 Wide Hollow Road, East Earl, PA 17519 in East Earl Township, **Lancaster County** to upgrade a wastewater irrigation expansion project was received in the Southcentral Region on April 22, 1999.

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

A. 0299413. Sewerage, **Pleasant Hills Authority**, 410 East Bruceton Road, Pittsburgh, PA 15236. Application for the replacement and operation of an interceptor to serve East Bruceton Road located in Pleasant Hills Borough, **Allegheny County**.

A. 6569403-A1. Sewerage, **Gaudio, Al**, 1198 Rostraver Road, Belle Vernon, PA 15012. Application for the modification and operation of sewers and appurtenances and a sewage treatment plant to serve the Rostraver Estates Mobile Home Park located in Rostraver Township, **Westmoreland County**.

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

WQM Permit No. 6299407. Sewage. **Brokenstraw Valley Area Authority**, Box 155, Youngsville, PA 16371-0156. This project is for the construction and operation of a collection system to serve portions of Brokenstraw, Pittsfield and Pleasant Townships, **Warren County**.

WQM Permit No. 1099407. Sewage. **Fairwinds Manor Inc.**, 126 Iron Bridge Road, Sarver, PA 16055. This project is for the proposed renovation of an existing treatment facility to include the installation of a hydroaerobics extended aeration sewage treatment facility in Winfield Township, **Butler County**.

WQM Permit No. 379940. Sewage. **Sarah Heinz House**, 934 East Ohio Street, Pittsburgh, PA 15212. This project is for the update of an existing sewage treatment facility to serve a youth camp in Wayne Township, **Lawrence County**.

**INDIVIDUAL PERMITS
(PAS)**

NPDES Individual

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Common-

wealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

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

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

Following the 30-day comment period, the 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.

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

Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

NPDES Permit PAS10S077. Stormwater. **Bridge St. Apartments**, Central Stroud Limited Partnership, 2112 N. 15th St., Suite 101, Tampa, FL 33605, has applied to discharge stormwater from a construction activity located in Stroud Township, **Monroe County**, to Pocono Creek.

Northampton County Conservation District, District Manager, Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES Permit PAS10U113. Stormwater. **Mark Bisett**, Transcontinental Gas Pipeline Corp., 2800 Post Oak Blvd. (77056), P. O. Box 1396, Houston, TX 77251-1396, has applied to discharge stormwater from a construction activity located in Plainfield and Lower Mt. Bethel Townships, **Northampton County**, to Mud Run and Little Bushkill Creek.

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

NPDES Permit PAS10W075. Stormwater. **McGuffey School District**, P. O. Box 431, Claysville, PA 15323 has applied to discharge stormwater from a construction activity located in Buffalo Township, **Washington County** to an unnamed tributary to Buffalo Creek.

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

NPDES Permit PAS102513. Stormwater. **Larry Buehler**, P. O. Box 88, Ridgway, PA 15853, has applied to discharge stormwater from a construction activity located in Horton Township, **Elk County**, to Laurel Run.

SAFE DRINKING WATER

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

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

Permit No. 0199504. Public water supply. **Mt. View Mobile Home Park**, 203 Rife Rd., East Berlin, PA 17316, Reading Township, **Adams County**. *Responsible Official:* David Rimmel, 20 Erford Rd., Suite 215, Lemoyne, PA 17043. *Type of Facility:* Construction Permit Application for a proposed finished water storage tank, booster pump station and cartridge filtration for turbidity removal. *Consulting Engineer:* Janet R. McNally PE, William F. Hill & Assoc., Inc., 207 Baltimore St., Gettysburg, PA 17325. *Application received:* April 29, 1999.

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

A. 1999501. The Department has received a permit application from **Benton Municipal Water and Sewer Authority**, P. O. Box 516, Benton, PA 17814-0516 for construction of a filter system to replace 8000 LF 6" cast iron with 5" PVC and replace 100 3/4" copper service with ASTM 3408, 200 psi.

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

0391501-A2. Kittanning Suburban Joint Water Authority, R. R. 1, Box 2, Adrian, PA 16210-1972. Installation of a third high service pump at the Authority's water treatment plant serving East Franklin Township, **Armstrong County**.

0299503. Municipal Authority of the Township of Robinson, P. O. Box 15539, Pittsburgh, PA 15244. Application for recoating of the Route 60 one million gallon water tank in Robinson Township, **Allegheny County**.

0499501. Municipal Authority of the Borough of Conway, 1208 Third Avenue, Conway, PA 15027-1598. Construction of an iron water main along Conway-Wallrose Road, construction of a meter vault and booster chlorination system which will create an interconnection with the Ambridge Borough Water Authority serving Conway Borough, **Beaver County**.

0499502. Municipal Authority of the Borough of Conway, 1208 Third Avenue, Conway, PA 15027-1598. Application for operation of an existing system serving Conway Borough, **Beaver County**.

5699502. Confluence Borough Municipal Authority, P. O. Box 6, Confluence, PA 15424. Application for renovations to parts of the existing Citizen's Water Company serving Addison and Turkeyfoot Townships, and Confluence Borough, **Somerset 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 suspected 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 below and 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 below, 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, please contact the Environmental Cleanup Program Manager, in the Department of Environmental Protection 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.

Heritage Nissan, Newtown Township, **Delaware County**. Eric S. Poulson, Poulson & Associates, 5 Camby Chase, Media, PA 19063, has submitted a Notice of Intent to Remediate site soils contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *Delaware County Daily Times* on April 26, 1999.

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

National Forge Company, Brokenstraw Township, **Warren County**, One Front Street, Irvine, PA 16329, has submitted a Notice of Intent to Remediate Area of Concern-7 (surface stained soils), contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Warren Times Observer* on April 14, 1999.

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

Federal Laboratories Site, Area 15A, Saltsburg, **Indiana County**. TransTechnology Corporation, 150 Allen Road, Liberty Corner, NJ 07938 and Kelly R. McIntosh, Conestoga-Rovers and Associates, 2055 Niagara Falls Boulevard, Niagara Falls, NY 14304 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the site specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Greensburg Tribune Review* on June of 1999.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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. 100277. Westmoreland Waste LLC, 1428 Delberts Drive, Unit 2, Monongahela, PA 15063. Sanitary Landfill, 900 Tyrol Blvd., Belle Vernon, PA 15012. Application for a major permit modification to modify the permit boundary, for a landfill in Rostraver Township, **Westmoreland County** was received in the Regional Office on May 20, 1999.

AIR QUALITY

PLAN APPROVALS

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).

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

OP-15-0004: Reynolds Metals Co. (520 Lincoln Avenue, Downingtown, PA 19335) for approval of Facility VOC RACT in Downingtown Borough, **Chester County**.

OP-15-0089: West Goshen Sewage Treatment Plant (848 South Concord Road, West Chester, PA 19382) for approval of Facility VOC/NOx RACT in West Goshen Township, **Chester County**.

**REASONABLY AVAILABLE CONTROL
TECHNOLOGY**

(RACT)

**Proposed Revision to the State Implementation
Plan for Oxides of Nitrogen and Volatile Organic
Compounds; Public Hearing**

Approval of Reasonably Available Control Technology (RACT) plan for Andritz, Inc. in Muncy Borough, Lycoming County.

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a portion of a foundry facility owned and

operated by Andritz, Inc. in Muncy Borough, Lycoming County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT approval for the facility to comply with current regulations.

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

The following is a summary of the preliminary RACT determination for this operation:

Source

- "green sand molding line"
- "no-bake floor molding operation"
- natural gas/#2 oil-fired space heaters
- natural gas-fired boilers
- natural gas-fired ladle torches
- heat treatment area
- cold degreasers
- distillate oil storage tanks
- scrap dryer
- polyurethane foam packaging operation
- pattern shop
- surface coating operation cleanup activities
- 7 propane-fired emergency generators

The Department cannot at this time render a RACT determination for several additional volatile organic compound emission sources which exist at the respective facility (refiner plate molding line and core making operation).

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on

RACT limit or requirement

- the volatile organic compound emissions shall not exceed 41 tons in any 12 consecutive month period
- the volatile organic compound emissions shall not exceed 62 tons in any 12 consecutive month period
- the combined volatile organic compound emissions shall not exceed 3 pounds per hour, 15 pounds per day or 2.7 tons per year
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- the combined volatile organic compound emissions shall not exceed 3 pounds per hour, 15 pounds per day or 2.7 tons per year
- none of the generators shall operate more than 500 hours in any 12 consecutive month period

July 21, 1999 at 1 p.m. at the Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (570) 327-3659 at least 1 week in advance of the hearing to reserve a time to

present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (570) 327-3659 or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David W. Aldenderfer, Air Quality Environmental Program Manager, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by August 5, 1999.

Pertinent documents are available for review from 8 a.m. to 4 p.m. in the Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693.

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 below 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, manga-

nese, 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

32803048. Permit Renewal for Reclamation only. **Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728), for continued restoration of bituminous-auger strip mine in Cherryhill Township, **Indiana County**, affecting 437.0 acres. Receiving stream unnamed tributaries to Penn Run and Rose Run and to Penn Run and Rose Run, application received May 20, 1999.

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

03980107. **State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Washington Township, **Armstrong County**, proposed to affect 355.6 acres. Receiving streams: unnamed tributaries to Allegheny River to Allegheny River. Application received May 12, 1999.

26990102. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface mine location in Springfield Township, **Fayette County**, proposed to affect 370.0 acres. Receiving streams: unnamed tributaries to Resler Run to Resler Run to Indian Creek to Youghiogheny River and unnamed tributaries to Richter Run to Richter Run to Indian Creek to the Youghiogheny River. Application received May 14, 1999.

Knox District Office, P. O. Box 609, Knox, PA 16232.

33930112. **Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650). Renewal of an existing bituminous surface strip operation in Beaver Township, **Jefferson County**, affecting 211.2 acres. Receiving streams: Unnamed tributaries of Reitz Run and unnamed tributaries of Ferguson Run; All to Ferguson Run to Little Sandy Creek to Redbank Creek and unnamed tributaries of Beaver Run to Beaver Run to the Allegheny River. Application for reclamation only. Application received May 10, 1999.

33980104. Cookport Coal Co., Inc. (425 Market Street, Kittanning, PA 16201). Revision to an existing bituminous surface operation in Perry Township, **Jefferson County**, affecting 18.4 acres. Receiving streams: Unnamed tributary to McCracken Run to Big Run to Little Sandy Creek to Redbank Creek to the Allegheny River. Revision to add 7.2 acres to its existing permit. Application received May 12, 1999.

101887-33980104-E-1. Cookport Coal Co., Inc. (425 Market Street, Kittanning, PA 16201). Application for a stream encroachment to construct erosion and sedimentation control facilities within 100 feet of an unnamed tributary to McCracken Run in Perry Township, **Jefferson County**. Receiving streams: Unnamed tributary to McCracken Run to Big Run to Little Sandy Creek to Redbank Creek to the Allegheny River. Application received May 12, 1999.

16950101. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Revision to an existing bituminous surface strip operation in Clarion and Limestone Townships, **Clarion County** affecting 43.3 acres. Receiving streams: Two unnamed tributaries of Piney Creek to Piney Creek to the Clarion River to the Allegheny River. Revision to add mining of the Lower Kittanning coal seam. Application received May 14, 1999.

33990108. T.L.H. Coal Company (R. D. 1, Box 170, Rochester Mills, PA 15771). Commencement, operation and restoration of a bituminous surface strip operation in Young Township, **Jefferson County** affecting 49.5 acres. Receiving stream: Sawmill Run. Application to include a landuse change from "Woodland" to "Unmanaged Natural Habitat" on the lands of Brian S. and Tami C. Setree. Application received May 14, 1999.

101478-33990108-E-1. T.L.H. Coal Company (R. D. 1, Box 170, Rochester Mills, PA 15771). Application for a stream encroachment to construct erosion and sedimentation control facilities within 100 feet of unnamed tributary to Sawmill Run in Young Township, **Jefferson County**. Receiving streams: Sawmill Run. Application received May 14, 1999.

24990101. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15853). Commencement, operation and restoration of a bituminous surface strip and auger operation in Horton Township, **Elk County**, affecting 588.0 acres. Receiving streams: Unnamed tributaries of Mead Run and Mead Run, unnamed tributaries of Little Toby Creek and Little Toby Creek to Toby Creek to the Clarion River. Application received May 14, 1999.

24890101. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15853). Renewal of an existing bituminous surface strip, tippel refuse disposal and beneficial use of Lime Mud, Fly Ash/Bottom Ash Disposal operation Fox and Horton Townships, **Elk County**, affecting 377.0 acres. Receiving streams: Boderocco Run and Brandy Camp Creek to Little Toby Creek; Unnamed tributary to Little Toby Creek to Toby Creek to the Clarion River to the Allegheny River. Application received May 20, 1999.

10990101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip operation in Eau Claire Borough and Venango Township, **Butler County** affecting 41.3 acres. Receiving streams: South Fork Little Scrubgrass Creek and unnamed tributaries thereto. Application received May 19, 1999.

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

02851601. Aloe Coal Company (200 Neville Rd., Pittsburgh, PA 15225), to revise the permit for the Bald Knob Preparation Plant in Findlay Township, **Allegheny County** to add 18.1 permit acres, no additional discharges. Application received April 16, 1999.

56841306. Lion Mining Company (204 College Park Plaza, Johnstown, PA 15904), to revise the permit for the Grove #1/E Seam Mine in Jenner Township, **Somerset County** to revise the subsidence control plan boundary for the Upper Kittanning seam, no additional discharges. Application received April 30, 1999.

32841317. Helvetia Coal Company (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Lucerne No. 9 Mine in Conemaugh and Young Townships, **Indiana County** change in water handling for post mining land use, Marshall Run. Application received May 5, 1999.

32971301. Britt Energies, Inc. (P. O. Box 515, Indiana, PA 15701), to revise the permit for the Josephine No. 3 Mine in Center Township, **Indiana County** to add surface, underground and subsidence control plan acres, tributary to Laurel Run. Application received May 12, 1999.

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

54840102C. Harriman Coal Corporation (978 Gap Street, Valley View, PA 17983), correction to an existing anthracite surface mine operation to include a road variance and incidental boundary correction in Tremont Township, **Schuylkill County** affecting 115.0 acres, receiving stream: Rausch Creek. Application received May 4, 1999.

35840205T. Ransom Quarry Company, Inc. (P. O. Box 114, Ransom, PA 18653), transfer of an existing coal refuse reprocessing operation from George W. Bone, Jr. in Olyphant and Throop Boroughs, **Lackawanna County** affecting 161.0 acres, receiving stream: Lackawanna River. Application received May 10, 1999.

54840202R3. CLS Coal Company (P. O. Box 81, Port Carbon, PA 17965), renewal of a coal refuse reprocessing operation in Branch Township, **Schuylkill County** affecting 50.0 acres, receiving stream: West Creek. Application received May 17, 1999.

54830209R3. South Tamaqua Coal Pockets, Inc. (R. R. 3, Box 14, Tamaqua, PA 18252), renewal of a coal refuse reprocessing operation in West Penn Township, **Schuylkill County** affecting 37.0 acres. Receiving stream: Little Schuylkill. Application received May 20, 1999.

Knox District Office, P. O. Box 669, Knox, PA 16232.
Noncoal Applications Received

62990303. Allegheny Aggregate, Inc. (R. D. 2, Box 227, Pittsfield, PA 16340). Commencement, operation and restoration of a gravel operation in Pittsfield Township, **Warren County**, affecting 108.6 acres. Receiving streams: Miles Run to Little Brokenstraw Creek and Little Brokenstraw Creek. Application received May 14, 1999.

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

54990301. Keystone Quarry, Inc. (P. O. Box 249, Dunham Drive, Dunmore, PA 18512), commencement, operation and restoration of a quarry operation in Foster

Township, **Schuylkill County** affecting 137.5 acres, receiving stream: Swatara Creek. Application received May 11, 1999.

8175SM3A1C5. Warner Company (P. O. Box 457, Yellow Springs Road, Devault, PA 19432), renewal of NPDES Permit #PA0613797 in East Whiteland and Tredyffrin Townships, **Chester County**, receiving stream: unnamed tributary to Valley Creek. Application received May 12, 1999.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

E13-118. Encroachment. **Kovatch Enterprises, Inc.**, One Industrial Complex, Nesquehoning, PA 18240. To construct and maintain two bridges as follows: (1) a prestressed concrete bridge, having a span of 40 feet with an average underclearance of 4.5 feet across Broad Run (Fourth Hollow Run (HQ-CWF)) associated with the construction of Park Drive (Nesquehoning, PA Quadrangle N: 19.8 inches; W: 14.8 inches), and (2) a prestressed concrete bridge having a span of 36 feet with an average underclearance of 3.7 feet across Deep Run (Third Hollow Run (EV)) (Nesquehoning, PA Quadrangle N: 20.3 inches; W: 13.5 inches). The project is part of the proposed Green Acres Industrial Park and is located on the north side of S. R. 0054, approximately 20 miles west of its intersection with S. R. 0209 in Nesquehoning Borough, **Carbon County** (Philadelphia District, U. S. Army Corps of Engineers).

E35-314. Encroachment. **City of Carbondale**, City Hall, Carbondale, PA 18407. To remove the existing

deteriorated structure and to construct and maintain a prestressed adjacent box beam bridge having a normal span of 50 feet, 3 inches and a minimum underclearance of 8 feet, 4 inches, across the Lackawanna River (TSF). The project is located on the 6th Street Bridge over the Lackawanna River (Carbondale, PA Quadrangle N: 13.1 inches; W: 0.5 inch), City of Carbondale, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E35-315. Encroachment. **Mark W. Bell**, R. R. 6, Box 6497L, Moscow, PA 18444. To construct and maintain a road across a tributary to Bear Brook (HQ-CWF) and 138 feet of adjacent wetlands, including six 18-inch diameter H.D.P.E. culverts and the placement of fill in 0.02 acre of wetlands. The project, associated with the construction of a private residential crossing, is located east of the intersection of S. R. 0690 and T-366 (Sterling, PA Quadrangle N: 16.8; W: 15.9) Madison Township, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E40-524. Encroachment. **Burtam Gardner, Inc.**, 1140 Route 315, Wilkes-Barre, PA 18711. To construct and maintain a precast concrete arch bridge, having a span of 32 feet and an underclearance of 8 feet, across Gardner Creek (CWF) and adjacent wetlands, for the purpose of providing access to a proposed 5-lot professional office park on a 24-acre parcel. The project will include three stormwater outfall structures, three utility line stream crossings, and a temporary road crossing, which the applicant proposes to construct in accordance with General Permit Nos. 4, 5 and 8. The overall project will impact approximately 90 linear feet of channel and a de minimis area of wetland equal to 0.02 acre. The project is located approximately 500 feet east of the intersection of S. R. 0315 and S. R. 2039 (Westminister Road) (Pittston, PA Quadrangle N: 7.0 inches; W: 4.5 inches), Jenkins Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E54-267. Encroachment. **Pine Grove Township Supervisors**, R. R. 4, Box 260-A, Pine Grove, PA 17963. To remove the existing structure and to construct and maintain a road crossing of Swope Valley Run (CWF), consisting of twin 14.0-foot by 5.0-foot precast concrete box culverts, with their inverts depressed 1.0 foot below stream bed elevation. The project is located along T-649 (Swope Valley Road), approximately 0.3 mile southwest of the intersection of T-649 and S. R. 0645 (Pine Grove, PA Quadrangle N: 3.8 inches; W: 2.3 inches), Pine Grove Township, **Schuylkill County** (Baltimore District, U. S. Army Corps of Engineers).

E58-229. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a 20.0-foot (6.10m) by 5.5-foot (1.68m) precast concrete box culvert, with its invert depressed 1.0 foot (0.31m) below streambed elevation, in Fallbrook (CWF). The project will include the permanent placement of fill in a de minimis area of wetlands equal to 0.03 acre. The project will temporarily impact 0.35 acre of wetland for the construction of a temporary roadway and stream diversion. The structure is located at S. R. 0167, Section 572, approximately 0.1 mile south of the intersection of S. R. 0167 and T-625 (Laurel Lake, PA-NY Quadrangle N: 2.7 inches; W: 2.6 inches), Bridgewater Township, **Susquehanna County** (Baltimore District, U. S. Army Corps of Engineers).

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

E18-269. Encroachment. **Ron Paule**, 600 Freeport Road, Butler, PA 16002. To maintain an existing cabin structure in the floodway of an unnamed tributary to Tangscootac Creek and to maintain an existing single lane steel I beam and top grated bridge with a maximum underclearance of 6 feet over an unnamed tributary to Tangscootac Creek adjacent to Mill Branch Road approximately 4 miles south of the intersection of Mill Branch Road with Eagleton Road (Howard NW, PA Quadrangle N: 8 inches; W: 3 inches) in Bald Eagle Township, **Clinton County**. The project will not impact on wetlands while impacting 12 feet of waterway. The unnamed tributary to Tangscootac Creek is a High Quality Stream.

E49-225. Encroachment. **Daniel Stoltzfus**, R. R. 1, Box 160J, Turbotville, PA 17772-9524. To construct and maintain two 72-inch diameter by 40-foot corrugated metal pipe culverts in the County Line Branch of Chillisquaque Creek located 1,700 feet south of the intersection of SR 4008 and SR 1010 (Hughesville, PA Quadrangle N: 1.5 inches; W: 15.1 inches) in Lewis Township, **Northumberland County** and Anthony Township, **Montour County**. This project proposes to insignificantly impact 50 linear feet of County Line Branch of Chillisquaque Creek, which is designated a Warm Water Fishery.

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

E02-180. Encroachment. **Elizabeth Boat Club**, 316 Monongahela Avenue, Elizabeth, PA 15037-0387. To amend Permit No. E02-180 to include maintenance dredging at the existing Elizabeth Boat Club docking facility in the channel of and along the right bank of the Monongahela River (WWF) located just downstream from the Elizabeth (S. R. 51) Bridge (Glassport, PA Quadrangle N: 4.5 inches; W: 1.6 inches) in Elizabeth Borough, **Allegheny County**.

E03-379. Encroachment. **Boggs Township Supervisors**, R. D. 1, Box 49A, Templeton, PA 16259. To remove the existing structure and to construct and maintain a 40 foot long, twin cell C. M. Pipe Arch Culvert each pipe having a span of 9.31 feet and an underclearance of 6.25 feet (Culvert invert depressed 6 inches) in North Fork Pine Creek (HQ-CWF) located on T- 910 (Baum Station Road Bridge) at a point approximately 300 feet south of S. R. 28/68 (Templeton, PA Quadrangle N: 2.5 inches; W: 3.00 inches) in Boggs Township, **Armstrong County**.

E11-276. Encroachment. **Cambria Township Supervisors**, P. O. Box 248, Revloc, PA 15948. To remove the existing structure and to construct and maintain a 22 foot long squash pipe culvert having a span of 71 inches and an underclearance of 47 inches (invert depressed 6 inches) in an unnamed tributary to Chest Creek (HQ-CWF) on T-454 (Grata Road). This project is part of Cambria County Dirt and Gravel Roads Program and is located at a point approximately 1 mile north of the intersection of Tanner Road and Grata Road (Carrolltown, PA Quadrangle N: 5.5 inches; W: 8.5 inches) in Cambria Township, **Cambria County**.

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

E16-110. Encroachment. **Toby Township Supervisors**, R. D. 2, Box 316, Rimersburg, PA 16248. To remove the existing structure and to construct and maintain a

single span prestressed concrete adjacent plant beam bridge with a span of 10 meters and an underclearance (minimum) of 1.71 meters on T-374 across Cherry Run (CWF). This project will include a de minimis wetland fill (0.02 hectare) for new wingwalls and road widening. The project is located on T-374 across Cherry Run approximately 60 meters south of the intersection of SR 2009 and T-374 (Rimersburg, PA Quadrangle N: 13.5 inches; W: 4.1 inches) located in Toby Township, **Clarion County**.

E20-478. Encroachment. **Advanced Cast Products, Inc.**, P. O. Box 417, Meadville, PA 16335. To construct and maintain a 180-foot-long by 80-foot-wide building addition onto the existing Advanced Cast Products foundry building within the FEMA mapped 100-year floodway of French Creek. The project is located within the Advanced Cast Products, Inc. industrial facility approximately 2,000 feet northeast of the intersection of SR 0102 and SR 000/0019/0322 (Meadville, PA Quadrangle N: 0.06 inch; W: 5.22 inches) in Vernon Township, **Crawford County**.

E62-346. Encroachment. **Pine Grove Township**, P. O. Box 125, Russell, PA 16345. To remove the existing structure and to construct and maintain a steel I-beam bridge with a single clear span of 25.0 feet and an average underclearance of 6 feet on Reynolds Road (T-21) across Reynolds Run (CWF, Trout Stocked, Wild Trout). The project is on Reynolds Road (T-621) across Reynolds Run approximately 800 feet northeast of the intersection of Reynolds Road (T-621) and SR 1012 (Scandia PA-NY, Quadrangle N: 11.9 inches; W: 9.3 inches) in Pine Grove Township, **Warren County**.

DAM SAFETY

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

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

D14-122A. Dam. **The Pennsylvania State University** (Office of Physical Plant, Physical Plant Building, University Park, PA 16802-1118). To modify, operate and maintain the Bathgate Detention Pond Dam across a tributary to Slab Cabin Run (CWF), impacting 0.1 acre of wetland (PEM) and providing 0.1 acre of wetland mitigation, for the purpose of stormwater detention, increased storage in the impoundment area and to eliminate the flooding of downstream property owners (State College, PA Quadrangle N: 11.4 inches; W: 12.8 inches) in College Township, **Centre County**.

D36-294. Dam. **Eagle Land Management of Pennsylvania, Inc.** (110 West Lancaster Avenue, Suite 1, Wayne, PA 19087). To construct, operate and maintain the Milton Grove Landfill Wetland Mitigation Area (including one jurisdictional and two non-jurisdictional dams) across a tributary to Little Chickies Creek (TSF), impacting 2,800 feet of intermittent stream to provide 6.57 acres of wetlands and open water habitat for mitigation purposes (Elizabethtown, PA Quadrangle N: 5.6 inches; W: 3.9 inches) in Mount Joy Township, **Lancaster 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, Market Street 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).**

Permits Issued

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

WQM Permit No. 0998425. Sewerage. **East Rockhill Township**, 1622 Ridge Road, Perkasio, PA 18944-2296. Approval for the construction and operation of a sewage treatment plant to serve East Rockhill Township. WWTP located in East Rockhill Township, **Bucks County**.

WQM Permit No. 4699401. Sewerage. **David and Marie Sayers**, 135 Stenton Avenue, Plymouth Meeting, PA 19462. Approval for the construction and operation of a small flow sewage treatment plant to serve the Sayers Residence located in Whitemarsh Township, **Montgomery County**.

WQM Permit No. 1599401. Sewerage. **City of Coatesville Authority**, 114 E. Lincoln Highway, P. O. Box 791, Coatesville, PA 19320. Approval to modify the City of Coatesville Authority WWTP, also a pumping system is proposed located in the City of Coatesville, **Chester County**.

WQM Permit No. 0999403. Sewerage. **Council Rock School District**, 301 Twining Ford Road, Richboro, PA 18954. Approval for the construction and operation of a

sewage treatment facility to serve Wrightstown Elementary school located in Wrightstown Township, **Bucks County**.

NPDES Permit No. PA0052221. Industrial waste. **PECO Energy Company Amendment No. 1**, 2600 Monroe Boulevard, Norristown, PA 19403. This amendment reflects modifications to the monitoring frequency for dissolved oxygen, fecal coliform and pH located at Bradshaw Reservoir located in Bedminster Township, **Bucks County** into East Branch Perkiomen Creek.

NPDES Permit No. PA0051012. Sewage. **John Bradley and Theresa Breslin**, 107 Stenton Avenue, Plymouth Meeting, PA 19462 is authorized to discharge from their facility located in Whitemarsh Township, **Montgomery County** into an unnamed tributary to Wissahickon Creek.

NPDES Permit No. PA0052094. Sewage. **Montgomery Sewer Company Inc.**, P. O. Box 851, Montgomeryville, PA 18936 is authorized to discharge from a facility located at Orchard Development STP, located in Montgomery Township, **Montgomery County** into Little Neshaminy Creek.

NPDES Permit No. PA0051918. Industrial waste. **Pepperidge Farm Inc.**, 421 Boot Road, Downingtown, PA 19335 is authorized to discharge from a facility located in Downingtown Borough, **Chester County** into Parke Run.

NPDES Permit No. PA0038903. Industrial waste. **Sunoco Inc. (R & M)**, Ten Penn Center, 3rd Floor, 1801 Market Street, Philadelphia, PA 19103 is authorized to discharge from a facility located at Sun-Malvern Terminal in East Whiteland Township, **Chester County** into an unnamed tributary to Little Valley Creek.

NPDES Permit No. PA0055760. Sewage. **Eugene Mochan**, 51 Carter Road, Thorton, PA 19373 is authorized to discharge from a facility located in Thornbury Township, **Delaware County** into West Branch of Chester Creek.

NPDES Permit No. PA0013005. Industrial waste. Amendment No. 1 **FiberMark Inc.**, 45 North Fourth Street, Quakertown, PA 18951. Amendment to reflect stormwater discharge through Outfall 001 located in the Borough of Quakertown, **Bucks County** to an unnamed tributary to Beaver Run (Licking Run).

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

Permit No. 5498405. Sewerage. **Mr. and Mrs. James Saunders**, 39 Cornerstone Drive, Mohrsville, PA 19541. Permit to construct and operate a wastewater collection system and treatment plant to serve the West Penn Pines Mobile Home Park, located in West Penn Township, **Schuylkill County**.

NPDES Permit No. PA-0063860. Industrial waste. **Leighton Water Authority**, Box 25, Municipal Building, Leighton, PA 18235 is authorized to discharge from a facility located in Franklin Township, **Carbon County**, to Long Run.

NPDES Permit No. PA-0060941. Sewerage. **Crestwood School District**, 3700 Church Road, Mountaintop, PA 18707 is authorized to discharge from a facility located in Rice Township, **Luzerne County**, to Turner Swamp, Tributary to Little Wapwallopen Creek.

NPDES Permit No. PA-0035033. Sewerage. **Bible Fellowship Church, Inc.**, P. O. Box 1, Stroudsburg, PA

18360-0001 is authorized to discharge from a facility located in Stroud Township, **Monroe County**, to Brodhead Creek.

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

NPDES Permit No. PAG043611. Sewerage. **Mr. and Mrs. Jacob Smucker**, 6397 Division Highway, Narvon, PA 17522 is authorized to discharge from a facility located in Caernarvon Township, **Lancaster County** to the unnamed named Mill Creek.

NPDES Permit No. PAG043615. Sewerage. **Keith L. Leppert**, 4062 Cortland Drive, New Paris, PA 15554 is authorized to discharge from a facility located in West St. Clair Township, **Bedford County** to the unnamed tributary to Dunning's Creek.

NPDES Permit No. PAG053527. Sewerage. **Buckeye Pipe Line Company**, P. O. Box 368, Emmaus, PA 18049-0368 is authorized to discharge from a facility located in Tell Township, **Huntingdon County** to the unnamed tributary to Georges Run Creek.

NPDES Permit No. PA0031551. Sewerage. **Chambersburg Area School District**, 511 South Sixth Street, Chambersburg, PA 17201-3405 is authorized to discharge from a facility located in Lurgan Township, **Franklin County** to the receiving waters of an unnamed tributary to the Conodoguinet Creek.

NPDES Permit No. PA0008893. Amendment No. 1. Industrial waste. **Westvaco Corporation**, 1600 Pennsylvania Avenue, Tyrone, PA 16686 is authorized to discharge from a facility located in Tyrone Borough, **Blair County** to the receiving waters named Bald Eagle Creek.

NPDES Permit No. PA0082741. Industrial waste. **Elizabethtown Borough**, 600 South Hanover Street, Elizabethtown, PA 17022 is authorized to discharge from a facility located in Mount Joy Township, **Lancaster County** to the receiving waters of an unnamed tributary of Conoy Creek.

NPDES Permit No. PA0083496. Industrial waste. **Lancaster County Solid Waste Management Authority**, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604-4425 is authorized to discharge from a facility located in Conoy Township, **Lancaster County** to the receiving waters of a dry swale tributary to the Susquehanna River.

NPDES Permit No. PA0042137. Industrial waste. **The Glidden Company**, 301 Bern Street, Reading, PA 19601-1252 is authorized to discharge from a facility located in Reading City, **Berks County** to the receiving waters named Bernhart Creek.

NPDES Permit No. PA0088013. Industrial waste. **Lee-Mar Incorporated**, Mount Hope Food Mart, 2957 Lebanon Road, Manheim, PA 17545 is authorized to discharge from a facility located in Rapho Township, **Lancaster County** to the unnamed tributary to Shearers Creek.

NPDES Permit No. PA0052531. Industrial waste. **Columbia Petroleum Corporation**, P. O. Box 278, Richland, PA 17087 is authorized to discharge from a facility located in Sinking Spring Borough, **Berks County** to the receiving waters named Cacoosing Creek.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4795.

Permit No. 2899402. Sewerage. **Franklin County General Authority**, 5000 Letterkenny Road, Suite 320, Chambersburg, PA 17201-8382. This permit approves the modification of sewage treatment facility in Letterkenny Township, **Franklin County**.

Permit No. 0599402. Sewerage. **Keith L. Leppert**, 4062 Cortland Drive, New Paris, PA 15554. This permit approves the construction of sewage treatment facilities located in West St. Clair Township, **Bedford County**.

Permit No. 2899401. Sewerage. **Franklin County General Authority**, 5000 Letterkenny Road, Suite 320, Chambersburg, PA 17201-8382. This permit approves the modification of pump stations in Greene Township, **Franklin County**.

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

NPDES Permit No. PA0030694. Sewerage, **Girl Scouts of Southwestern PA**, 606 Liberty Avenue is authorized to discharge from a facility located at Camp Henry Kaufmann Sewage Treatment Plant, Fairfield Township, **Westmoreland County** to receiving waters named Snyders Run.

NPDES Permit No. PA0031984. Sewerage, **DCNR Bureau of State Parks**, Raccoon Creek State Park, 3000 State Route 18, Hookstown, PA 15050 is authorized to discharge from a facility located at Raccoon Creek State Park Sewage Treatment Plant and Filter Backwash Wastewater Treatment Plant, Hanover Township, **Beaver County** to receiving waters named Traverse Creek.

NPDES Permit No. PA0091651. Sewerage, **Unity Township Municipal Authority**, R. R. 5, Box 325, Greensburg, PA 15601 is authorized to discharge from a facility located at Wimmerton Water Pollution Control Plant, Unity Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Fourmile Run.

NPDES Permit No. PA0092266. Sewerage, **Brave Water and Sewer Authority**, P. O. Box 159, Brave, PA 15316 is authorized to discharge from a facility located at Brave Sewage Treatment Plant, Wayne Township, **Greene County** to receiving waters named Hoovers Run.

NPDES Permit No. PA0092371. Sewerage, **Fayette County Housing Authority**, 624 Pittsburgh Road, P. O. Box 1007, Uniontown, PA 15401 is authorized to discharge from a facility located at Dunlap Creek Village STP, Redstone Township, **Fayette County** to receiving waters named Fourmile Run.

NPDES Permit No. PA0093980. Sewerage, **Better Built Mobile Homes**, R. R. 1, Box 190, Irwin, PA 15642 is authorized to discharge from a facility located at Kimberly Estates MHP STP, Sewickley Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Little Sewickley Creek.

NPDES Permit No. PA0097632. Sewerage, **Valley Tire Company**, Box 367, Route 56E, Windber, PA 15963 is authorized to discharge from a facility located at Valley Tire Company STP, Paint Township, **Somerset County** to receiving waters named Unnamed Tributary of Roaring Run.

NPDES Permit No. PA0216402. Sewerage, **Duquesne Light Company**, P. O. Box 457, Greensboro, PA 15338 is authorized to discharge from a facility located at Warwick No. 3 Mine, Portal No. 3 Sewage Treatment Plant,

Dunkard Township, **Greene County** to receiving waters named Tributary of Dunkard Creek (Mundell Hollow Stream).

NPDES Permit No. PA0216411. Sewage. **Duquesne Light Company**, Box 457, Greensboro, PA 15338 is authorized to discharge from a facility located at Warwick Mine, Coal Prep Plant Sewage Treatment Plant, Monongahela Township, **Greene County** to receiving waters named Monongahela River.

Permit No. 5690405-A1. Sewerage, **Rockwood Borough Municipal Authority**, 358 Market Street, Rockwood, PA 15557. Construction of Comminutor/Flow Meter located in Black Township, **Somerset County** to serve Rockwood Borough Sewage Treatment Plant.

Permit No. 5692401, Amendment No. 4. Sewerage, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501. Construction of modification to the disinfection process by utilizing liquid hypochlorite solution in lieu of chlorine gas located in Somerset Township, **Somerset County** to serve Somerset Correctional Facility Sewage Treatment Plant.

Permit No. 6379414-A1. Sewerage, **North Strabane Township Municipal Authority**, 1929B Route 519, Canonsburg, PA 15317. Construction of Sewage Treatment Plant located in North Strabane Township, **Washington County** to serve Eighty Four Industrial Park.

Permit No. 6571417-A2. Sewerage, **Kiski Valley Water Pollution Control Authority**, 1200 Pine Camp Road, Leechburg, PA 15656. Construction of upgrade of aeration system located in Allegheny Township, **Westmoreland County** to serve Kiski Valley Sewage Treatment Plant.

Permit No. 6599403. Sewerage, **Dennis O'Hara**, 3013 Seventh Street, Lower Burrell, PA 15068. Construction of Single Residence Sewage Treatment Plant located in Washington Township, **Westmoreland County** to serve O'Hara Single Residence STP.

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

NPDES Permit No. PA0222798. Sewage. **Westline Inn, Inc.**, Box 137, Westline Road, Westline, PA 16751 is authorized to discharge from a facility located in Lafayette Township, **McKean County** to an unnamed tributary to Kinzua Creek.

NPDES Permit No. PA0102717. Sewage. **Sandy Hill Estates**, P. O. Box 398, Valencia, PA 16059 is authorized to discharge from a facility located in Middlesex Township, **Butler County** to Glade Run.

NPDES Permit No. PA0100315. Sewage. **Farma Parks, Inc.**, 87 Hughey Road, Greenville, PA 16135 is authorized to discharge from a facility located in Perry Township, **Mercer County** to an unnamed tributary to Little Shenango River.

WQM Permit No. 2599406. Sewage. **Seagull Cove Treatment Facility Association**, 11986 East Lake Road, P. O. Box 506, North East, PA 16428-0506. This project is for the construction and operation of a small flow treatment facility located in North East Township, **Erie County**.

WQM Permit No. 2099405. Sewerage, **William E. and Barbara J. DeRoss, SRSTP**, 16405 Lynn Rd., Saegertown, PA 16433. Construction of William E. and Barbara J. DeRoss SRSTP located in Hayfield Township, **Crawford County**.

WQM Permit No. 4399408. Sewerage, **Daryl R. Gruver, SRSTP**, 53 Werner Rd., Greenville, PA 16125. Construction of Daryl R. Gruver SRSTP located in Hempfield Township, **Mercer County**.

WQM Permit No. 2099406. Sewerage, **Robert J. Tanner, Sr., SRSTP**, 68 Canal St., Albion, PA 16401. Construction of Robert J. Tanner, Sr.'s SRSTP located in Spring Township, **Crawford County**.

WQM Permit No. 1099405. Sewerage, **W. Larry Rodgers, SRSTP**, 106 South Main St., P. O. Box 2167, Butler, PA 16003. Construction of W. Larry Rodgers' SRSTP located in Penn Township, **Butler County**.

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 contract 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

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

PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

General Permit Type—PAG-2

*Facility Location
County and
Municipality*

<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>
Elk County Ridgway Township	PAR102518	Ridgway Industrial Dev. Corp. P. O. Box 427 Ridgway, PA 15853	Gallagher Run	Elk Conservation District Elk County Courthouse P. O. Box 448 Ridgway, PA 15853 (814) 776-5373
Erie County Waterford Township	PAR10K130	Leo Pfadt 11962 Route 19 Waterford, PA 16441	Unnamed Tributary to Trout Run	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Lackawanna County Throop Borough	PAR10N081	Joseph Palumbo P. O. Box 100 Old Drinker Turnpike Dunmore, PA 18512	Lackawanna River	Lackawanna CD (570) 281-9495
Northampton County Upper Nazareth Township	PAR10U110	Jack Muschlitz Nazareth Development Company, L.L.C. 675 Bowers Rd. Nazareth, PA 18064	Shoeneck Creek	Northampton CD (610) 746-1971
Northampton County Washington Township	PAR10U111	David Sell, President Reen Development 4604 Anthony Drive Coplay, PA 18037-5205	Martins Creek	Northampton CD (610) 746-1971
Northampton County Lower Saucon Township and Lehigh County Upper Saucon Township	PAR10U107	John Eureyecko 2723 Bridal Path Place Bethlehem, PA 18017	Saucon Creek	Northampton CD (610) 746-1971

General Permit Type—PAG-3

*Facility Location
County and
Municipality*

<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 Throop Borough	PAR202208	The McGregor Architectural Iron Co., Inc. 46 Line Street Dunmore, PA 18512	Eddy Creek to Lackawanna River	Northeast Regional Office Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2553

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

Hayfield Township Crawford County	PAG048589	William E. and Barbara J. DeRoss 16405 Lynn Rd. Saegertown, PA 16433	Unnamed Tributary to Cussewago Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048596	Steven J. Higgins, Jr. 199 Coal Hill Rd. Greenville, PA 16125	Unnamed Tributary of Big Run	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Columbus Township Warren County	PAG048586	Michael J. Munsee R. R. 2, Box 341C Corry, PA 16407	Unnamed Tributary to Hare Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Hempfield Township Mercer County	PAG048591	Daryl R. Gruver 3 Werner Rd. Greenville, PA 16125	Tributary Little Shenango River	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Spring Township Crawford County	PAG048590	Robert J. Tanner, Sr. 68 Canal St. Albion, PA 16401	Unnamed Tributary to Temple Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Penn Township Butler County	PAG048587	W. Larry Rodgers 106 S. Main St. P. O. Box 2167 Butler, PA 16003	Unnamed Tributary to Thorn Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

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

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

I-80/PA 173 Interchange, Pine and Wolf Creek Townships, Mercer County, Pine Township Supervisors, 545 Barkeyville Road, Grove City, PA 16127 and Wolf Creek Township Supervisors, c/o C. Nelson Greggs, Chairperson, 487 Stoneboro Road, Grove City, PA 16127.

Project Description: This approved project proposes construction of a sewer extension/pump station combination with conveyance to the United Community Hospital pump station and ultimate treatment at Grove City Borough Wastewater Treatment Facility.

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

SAFE DRINKING WATER

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

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

Permit No. 6299501. Public water supply. **Wilderness Mobile Home Park**, 5241 Locust Street, Warren, PA 16365 has been issued a permit for the construction of a new well (No. 2) and new storage tank in Pleasant Township, Warren County.

Type of Facility: Community Water Supply

Consulting Engineer: Robert L. Rabell, R. L. Rabell Surveying & Engineering, 10560 Walnut St., Albion, PA 16401.

Permit to Construct Issued: May 17, 1999

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

Prompt Interim Response, Swissvale Auto Surplus Parts Site, Swissvale, Allegheny County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has initiated a prompt interim response at the Swissvale Auto Surplus Parts Site. This response has been undertaken under section 505(b) of HSCA (35 P. S. § 6020.505(b)).

The Swissvale Auto Parts Site (site) is located at 2715 Vernon Avenue, Swissvale, PA. The site is approximately ½ acre in size and includes a concrete block building centered on the property. The building contains approximately 500 tons of scrap metal, including electrical transformers, capacitors, car batteries, and drums contaminated with polychlorinated Biphenyls (PCBs). The site is fenced but not secure. Trespassers have been documented on site, and there is evidence of vandalism creating health threats from direct contact with the contamination, and inhalation of the dust inside the building.

The Department has initiated a response at the Swissvale Auto Parts Site to remove PCB contaminated media (waste, soil, cement block building) and asbestos containing building materials. This response includes removal and disposal of contaminated soil, drummed waste and debris inside the building, and the demolition, removal, and disposal of the contaminated building. These actions will eliminate the direct contact and inhalation threats to human health.

The following alternatives were evaluated in proposing this response:

Alternative 1. No action would be taken. Conditions at the site would continue including the threats to human health from direct contact with the waste and inhalation of the contaminated dust.

Alternative 2. The site would be secured and monitored periodically. The fence would be repaired and locks would be replaced on the doors. The large wooden garage doors on the building would be repaired. The site would be monitored periodically for breaches of security. Considering the history of this site, this alternative could not be considered effective, or a permanent solution.

Alternative 3. Under Alternative 3, PCB contaminated soil and waste, the asbestos containing building materials, and the cement slab floor of the building would be removed and disposed of. The cement block walls and roof of the building would be decontaminated. PCBs are present in the cement slab, asphalt roof coating, wooden stairwells and garage doors. Removal of these items could render the building structurally unstable. Decontamination procedures could be done on the walls and structural components of the building, but it is likely residual contamination would remain. This alternative would not be effective and the building would be structurally unsound.

Alternative 4. This alternative would involve the removal and disposal or recycling of the contaminated drums, scrap and debris inside the building and the removal and disposal of an area of PCB contaminated soil outside the building. Under this alternative the building will be demolished and disposed of.

Alternative 4 was selected since it represents a complete and permanent solution to this site and bring it back into reuse. The removal of the scrap and debris and the demolition of the building along with the proper disposal would eliminate the risk to human health from direct contact, inhalation and ingestion threats from the PCB contamination and asbestos materials.

The Prompt Interim Response Action has begun and is expected to last 8—10 weeks. The action should be completed before the end of the public comment period.

The Notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response action, is available for public review and comment. The administrative record is located at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from June 5, 1999 until September 3, 1999. Persons may submit written comments into the record during this time only, by sending them to Gary Mechtly at 400 Waterfront Drive, or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on Tuesday, June 15, 1999, at 7 p.m. at the Swissvale Borough Building. Persons wishing to present comments must register with Rita Zettelmayer before Monday, June 14, 1999, by telephone at (412) 442-4183 or in writing at 400 Waterfront Drive, Pittsburgh, PA 15222.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodation to participate in the proceedings should contact Rita Zettelmayer, (412) 442-4183 to discuss how the Department may accommodate them.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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

ries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following final report(s):

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

Rockwell International Corporation, New Castle, City of, **Lawrence County**, has submitted a Final Report concerning remediation of groundwater contaminated with Solvents and PAHs. The report is intended to document remediation of the site to meet the Site Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

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

For further information concerning the plans and reports, please 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.

Philadelphia Industrial Correction Center, City of Philadelphia, **Philadelphia County**. R. Michael Peterson, AET Environmental, Inc., 501 King Avenue, Cherry Hill, NJ 08002, has submitted a Final Report concerning remediation of site soils contaminated with polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide Health standard and was approved by the Department on May 12, 1999.

National Brands Distribution, City of Philadelphia, **Philadelphia County**. Bruce Haigh, P.E., Technicon Enterprises, Inc., 2675 Morgantown Road, Reading, PA 19607, has submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX. The Final Report demonstrated attainment of the Statewide Health standard and was approved by the Department on May 7, 1999.

East Central Incinerator Property, City of Philadelphia, **Philadelphia County**. Christopher W. Dailey, P.E., Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Baseline Environmental Report concerning remediation of site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The report was approved by the Department on May 13, 1999.

Oslo Corporation, Lower Merion, **Montgomery County**. Terrence J. McKenna, P.E., Keating Environmental Management, Inc., 479 Thomas Jones Way, Suite J, Exton, PA 19341-2552, has submitted a revised Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on May 17, 1999.

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Bethlehem Iron Works, Inc., Salisbury Township, **Lehigh County**. David B. Farrington, P.G., and Vice-President, Walter B. Satterthwaite Associates, Inc., 720 Old Fern Road, West Chester, PA 19380 submitted a Final Report (on behalf of his client, Harris Rebar Atlantic, Inc., 1700 Riverside Drive, Bethlehem, PA) concerning the remediation of site groundwater found to have been contaminated with solvents. The final report demonstrated attainment of the Statewide human health standard (using the non-use aquifer medium specific concentrations), and was approved on May 15, 1999.

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

Joseph Mint Residence, South Waverly Borough, **Bradford County**. David R. Crowther, Geologist, on behalf of his client Joseph Mint, 47 Williams Street, South Waverly, PA 18840 has submitted a Final Report concerning the remediation of site soil and groundwater. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 22, 1999.

Dealer Associates Pennsylvania General Partnership, Ferguson Township, **Centre County**. Bradley S. Wolf on behalf of his client Dealer Associates Pennsylvania General Partnership, 169 West Aaron Drive, State College, PA 16801 has submitted a Final Report concerning the remediation of site soil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 26, 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 Baseline Environmental Report concerning the remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The report intended to document remediation of the site to meet the Statewide Health and Site-Specific Standard in a Special Industrial Area. The report demonstrated attainment of the Statewide Health and Site-Specific Standard and was approved by the Department on May 14, 1999.

Rostan Acquisition Corporation/former Double R Enterprises, 221 Grove Street, New Castle, PA 16103, **County of Lawrence**, City of New Castle, has submitted a Baseline Report concerning the remediation of site soils and groundwater contaminated with PAHs, lead and heavy metals. The report intended to document remediation of the site in a Special Industrial Area. The report was approved by the Department on May 11, 1999.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit ID No. 100081, Southern Alleghenies Disposal Services, Inc., Part West Two, Suite 420, 2000 Cliff Mine Road, Pittsburgh, PA 15275. Operation of Southern Alleghenies Municipal Waste Landfill in Conemaugh Township, **Somerset County**. Major permit modification for the addition of a Leachate Evaporation System and permittee name change to Southern Alleghenies Landfill, Inc. issued in the Regional Office on May 14, 1999.

AIR QUALITY OPERATING PERMITS

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

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

TVOP-53-00005: CNG Transmission Corp., Greenlick Station, (5th Floor, 625 Liberty Avenue, Pittsburgh, PA 15222-3197) issued May 13, 1999, for natural gas fired internal combustion engines, boilers, storage tanks and space heaters in Stewardson Township, **Potter County**.

PLAN APPROVALS

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

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

PA-46-0025A: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) issued May 17, 1999, for operation of four prescrubbers in Upper Merion Township, **Montgomery County**.

23-318-001E: Congoleum Corp. (Ridge Road and Yates Avenue, Marcus Hook, PA 19061) issued May 19, 1999, for operation of a surface coating operation in Trainer Borough, **Delaware 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Applications Issued:

32970108. Permit Transfer from **Simpson Coal Company to KMP Associates** (R. R. 2, Box 194, Avonmore, PA 15618), and add auger mining to this operation, change the postmining land use on the Kravetsky property from wildlife habitat to commercial forestland, and continue to operate and restore a bituminous strip mine in Young and Conemaugh Townships, **Indiana County**,

affecting 166.6 acres, receiving stream Harpers Run and unnamed tributary to Blacklegs Creek, application received March 15, 1999, application issued May 17, 1999.

56890101. Permit Renewal. **Croner, Inc.** (629 Main Street, Suite 1, Berlin, PA 15530), for continued operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 205.9 acres, receiving streams unnamed tributaries to Buffalo Creek and Buffalo Creek, application received March 23, 1999, application issued May 18, 1999.

56663069. Permit Renewal. **Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), for continued operation and restoration of bituminous strip mine in Elk Lick and Summit Townships, **Somerset County**, affecting 3,110.0 acres, receiving stream unnamed tributary of/and to the Cassleman River; unnamed tributaries of and to Elk Lick Creek, application received January 4, 1999, application issued May 19, 1999.

32803048. Permit Renewal for Reclamation only. **Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728), for continued restoration of bituminous-auger strip mine in Cherryhill Township, **Indiana County**, affecting 437.0 acres, receiving stream unnamed tributaries to Penn Run and Rose Run and to Penn Run and Rose Run, application received May 20, 1999, application issued May 20, 1999.

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

30980101. **Coresco, Inc.** (P. O. Box 1209, Morgantown, WV 26507). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Dunkard Township, **Greene County**, affecting 100 acres. Receiving streams: unnamed tributary to Dunkard Creek, Crooked Run, to Monongahela River. Application received October 14, 1998. Permit issued May 21, 1999.

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

16980103. **Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214) Revision to an existing bituminous strip operation to change the postmining land use from residential to forestland on the pre-existing forestland area in Ashland Township, **Clarion County**. Receiving streams: Unnamed tributary to Little East Sandy Creek and Little East Sandy Creek. Application received March 11, 1999. Permit issued May 7, 1999.

24890102. **Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824) Renewal of an existing bituminous strip, auger and beneficial use of Lime Mud operation in Horton Township, **Elk County** affecting 316.0 acres. Receiving streams: Unnamed tributaries to Mead Run. Application received March 15, 1999. Permit issued May 7, 1999.

10980108. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Revision to an existing bituminous strip operation to add blasting in Eau Claire Borough and Allegheny Township, **Butler County** affecting 45.2 acres. Receiving streams: Unnamed tributaries to South Fork Little Scrubgrass Creek. Application received April 26, 1999. Permit issued May 12, 1999.

33990102. **McKay Coal Company, Inc.** (R. D. 2, Box 35C, Templeton, PA 16259) Commencement, operation and restoration of a bituminous strip and auger operation in Perry Township, **Jefferson County** affecting 67.3 acres. Receiving streams: Two unnamed tributaries to Foundry Run and Foundry Run. Application received February 12, 1999. Permit issued May 5, 1999.

102577-33990102-E-1. **McKay Coal Company, Inc.** (R. D. 2, Box 35C, Templeton, PA 16259) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 25 feet to Unnamed tributary No. 1 to Foundry Run in Perry Township, **Jefferson County**. Receiving streams: Two unnamed tributaries to Foundry Run and Foundry Run. Application received February 12, 1999. Permit issued May 5, 1999.

37850105. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous strip, auger and tiple refuse disposal operation in Washington and Springfield Townships, **Lawrence and Mercer Counties** affecting 1556.0 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Potter Run and Three unnamed tributaries to Taylor Run. Application received March 12, 1999. Permit issued May 18, 1999.

37980108. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous strip and auger operation in Hickory Township, **Lawrence County** affecting 301.0 acres. This renewal is issued for reclamation only. Receiving streams: Two unnamed tributaries to Neshannock Creek, Three unnamed tributaries to Hottenbaugh Creek and one unnamed tributary to Big Run. Application received March 12, 1999. Permit issued May 18, 1999.

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

30830701. **Consolidation Coal Company**, (P. O. Box 100, Osage, WV 26543), to renew the permit for the Dilworth Rock Disposal Area in Cumberland Township, **Greene County**, no additional discharges. Permit issued May 14, 1999.

63841304. **Laurel Run Mining Company**, (1800 Washington Rd., Pittsburgh, PA 15241-1421), to transfer the permit for the Vesta Mine in North Bethlehem Township, **Washington County**, from Vesta Mining Company, no additional discharges. Permit issued May 14, 1999.

04971301. **M. J. Mining Company**, (1021 Whitestown Road, Butler, PA 16001), to revise the permit for the M. J. Mine No. 1 in Greene Township, **Beaver County** to add 411.9 subsidence control plan acres, no additional discharges. Permit issued May 14, 1999.

56890703. **Svonavec, Inc.**, (150 West Union St., Suite 201, Somerset, PA 15501), to renew the permit for the Milford #3 CRDA in Milford Township, **Somerset County**, no additional discharges. Permit issued May 14, 1999.

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

19980101. **Kovalchick Coal Co.**, (R. R. 1, Box 152R, New Ringgold, PA 17960), commencement, operation and restoration of an anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 215.0 acres, receiving stream—none. Permit issued May 18, 1999.

49840103R2. **Reading Anthracite Company**, (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in East Cameron Township, **Northumberland County** affecting 127.0 acres, receiving stream—none. Renewal issued May 18, 1999.

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

3174SM14. Essroc Cement Corp., (P. O. Box 779, Bessemer, PA 16112) Transfer of an existing limestone operation from McQuiston Coal Company in North Beaver Township, **Lawrence County** affecting 70.4 acres. Receiving streams: Brush Creek. Application received September 17, 1999. Permit issued May 19, 1999.

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

58920301C. New Milford Sand & Gravel, Inc., (R. R. 2, Box 231, New Milford, PA 18834), correction of the existing quarry operation in New Milford Township, **Susquehanna County** affecting 131.0 acres, receiving stream: Beaver Creek. Correction issued May 18, 1999.

15830602C2. Allan A. Myers, Inc. d/b/a Independence Construction Materials, (P. O. Box 98, 1805 Berks Road, Worcester, PA 19490), name change of an existing quarry operation in Charlestown Township, **Chester County** affecting 79.5 acres, receiving stream: Unnamed tributary to Pickering Creek. Correction issued May 21, 1999.

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

62992802. Allegheny Aggregates, Inc. (R. R. 2, Box 227, Pittsfield, PA 16340) Commencement, operation and restoration of a small noncoal sand and gravel operation in Pittsfield Township, **Warren County** affecting 5.0 acres. Receiving Streams: None. Application received March 22, 1999. Permit issued May 11, 1999.

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

58980804. Mark W. Lewis, (R. R. 1, Box 98L, New Milford, PA 18834), commencement, operation and restoration of a bluestone quarry operation in Harford Township, **Susquehanna County** affecting 3.0 acres, receiving stream: none. Permit issued May 19, 1999.

40990801. Piacenti Trucking & Excavating, Inc., (Rear 538 Putnam Street, West Hazleton, PA 18201), commencement, operation and restoration of a quarry operation in Butler Township, **Luzerne County** affecting 5.0 acres, receiving stream: None. Permit issued May 19, 1999.

58990801. Raymond W. Dibble, (R. R. 2, Box 203Y, Meshoppen, PA 18630), commencement, operation and restoration of a bluestone quarry operation in Auburn Township, **Susquehanna County** affecting 1.0 acre, receiving stream: none. Permit issued May 20, 1999.

ABANDONED MINE RECLAMATION

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

Bond Forfeiture Contract Awarded: BF 349-101.1. Washington Township, **Armstrong County**. AMLR, Kittingham Coal Company, Washington Township, Armstrong County. *Contractor: Casselman Enterprises, Inc. Amount: \$398,330. Date of Award: April 6, 1999.*

Bond Forfeiture Contract Awarded: BF 53-101.1. Monroe Township, **Clarion County**. AMLR, Lucinda Coal Company, Monroe Township, Clarion County. *Contractor: Neiswonger Construction. Amount: \$544,815. Date of Award: May 14, 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.*)

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

E45-366. Encroachment. **A. C. Henning Enterprises, Inc.**, P. O. Box K, Stroudsburg, PA 18360. To regrade a 0.1 acre portion of the 100-year floodway, utilizing existing sidecast material along the western bank of McMichael Creek for the purpose of improving the recreational use and aesthetic value of the area adjacent to the proposed Hampton Inn and Suites. The project is located at the end of South Eighth Street, northwest of S. R. 0080—Interchange 50 (Stroudsburg, PA Quadrangle N: 19.4 inches; W: 9.7 inches) in Stroudsburg Borough, **Monroe County**.

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

E22-389. Encroachment. **Steven McElrath**, 4814 Derry Street, Harrisburg, PA 17111. To maintain a storage shed and an enclosed spa in the floodway of Spring Creek (WWF) at a point along Derry Street between 48th and 49th Streets (Harrisburg East, PA Quadrangle N: 1.6 inches; W: 6.3 inches) in Swatara Township, **Dauphin County**. This permit was issued under the section 105.13(e) "Small Projects."

E28-265. Encroachment. **PA Department of Transportation**, Engineering District 8-0, 2140 Herr Street,

Harrisburg, PA 17103. To remove the existing structure and to construct and maintain a two span pre-stressed concrete spread box beam bridge each having a normal span of 63.27 feet with a minimum underclearance of 8.33 feet across the West Branch Conococheague Creek on SR 4002, Section 001, Segment 0030, Offset 0198 located in Fort Loudon (McConnellsburg, PA Quadrangle N: 6.8 inches; W: 3.8 inches) in Peters Township, **Franklin County**. This permit also includes 401 Water Quality Certification.

E29-077. Encroachment. **Fulton County Commissioners**, 201 North Street, McConnellsburg, PA 17233. To remove the existing structure and to construct and maintain a single span pre-stressed adjacent box beam bridge having a clear span of 54 feet with a minimum underclearance of 7.6 feet over Cove Creek (CWF) on T-338 located just west of its intersection with PA 928 (Big Cove Tannery, PA Quadrangle N: 13.7 inches; W: 7.8 inches) in Ayr Township, **Fulton County**. This permit also includes 401 Water Quality Certification.

E36-668. Encroachment. **Lititz Run Watershed Alliance**, W. Logan Myers, 315 Clay Rd., Lititz, PA 17543. To construct and maintain a stream restoration project in Lititz Run (WWF) and Santo Domingo Creek (WWF). The project purpose is to improve water quality and improve fisheries habitat. The work activities will include the placement of instream habitat structures using rock veins, rock weirs, rock cross veins, log spurs and root wad bank revetments. The work activities also include bank stabilization techniques using bank regrading to create a floodplain bench and promote the establishment of vegetation. The project consists of seven separate sites with work to be performed on a total of approximately 14,800 linear feet of channel. The first site is located upstream of Water Street, and the last site extends downstream to Rothsville Road (SR 772) (Lititz, PA Quadrangle N: 6.0 inches; W: 7.25 inches) in Lititz Borough and Warwick Township, **Lancaster County**. This permit also includes 401 Water Quality Certification.

E67-655. Encroachment. **PA Department of Transportation**, Engineering District 8-0, John Rautzahn, 2140 Herr St., Harrisburg, PA 17103. To remove an existing structure and to construct and maintain a double span concrete spread box beam bridge over the Little Conewago Creek (TSF). Each span is 78.5 feet wide with a minimum underclearance of 13.6 feet. The bridge is located on SR 1021, Section 001, Segment 0010, Offset 1735 (Locust Point Road) north of SR 0921 (York Haven, PA Quadrangle N: 11.9 inches; W: 17.0 inches) in East Manchester and Conewago Townships, **York County**. Wetland impacts include a de minimis area equal to 0.01 acre (permanent) and 0.31 acre (temporary). This permit also includes 401 Water Quality Certification.

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

E08-343. Encroachment. **Wilbur Beers**, P. O. Box 22, Wysox, PA 18854. To place fill in 0.19 acre of palustrine emergent wetlands for the construction of parking facilities for two commercial businesses (used car lot and roller rink) located on the north side of S. R. 006 approximately 0.1 mile west of the S. R. 0187 intersection (Towanda, PA Quadrangle N: 4.5 inches; W: 4.0 inches) in Wysox Township, **Bradford County**.

E18-266. Encroachment. **William C. Gerfen**, P. O. Box 37, North Bend, PA 17760. To construct and maintain 3 foot high by 200 feet long chain link fence around the

perimeter of private property in the floodway of Fishing Creek located on Main Street (Mill Hall, PA Quadrangle, N: 19.22 inches, W: 15.28 inches) in Mill Hall Borough, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

E49-224. Encroachment. **H. H. Knoebel and Son**, P. O. Box 317, Elysburg, PA 17824. To construct, operate and maintain a single span footbridge across South Branch, Roaring Creek; and to construct, operate and maintain an elevated walkway in the floodway of South Branch, Roaring Creek that will provide pedestrian access to a commercial facility. The bridge shall be constructed with a span of 40-feet, an average underclearance of 8.6-feet and a skew of 90 degrees. The elevated walkway shall be constructed with a span of 100-feet and minimum underclearance of 3 feet. The project is located along the eastern right-of-way of SR 0487 approximately 3,000 feet northeast of T-804 and SR 0487 intersection (Danville, PA Quadrangle N: 0.5 inch; W: 0.6 inch) in Cleveland Township, **Columbia County** and Ralpho Township, **Northumberland County**. The project also includes the installation, operation and maintenance of a 12-inch diameter plastic pipe for a stormwater outfall structure. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E53-321. Encroachment. **Walter Hafner**, R. R. 1, Box 187AB, Coudersport, PA 16915. To maintain an existing 48 inch diameter by 30 feet long CMP culvert pipe in a private driveway in North Hollow Creek off SR 1002 approximately 0.25 mile east of the intersection of SR 1002 with SR 4013 (Sweden Valley, PA Quadrangle N: 6.7 inches; W: 9.7 inches) in Sweden Township, **Potter County**. This permit was issued under section 105.13(e) "Small Projects."

E53-322. Encroachment. **Craig D. Clark**, P. O. Box 422, Coudersport, PA 16915-0422. To construct and maintain two oval culvert pipes, 49 inches by 33 inches, in North Hollow Creek located off North Hollow Road approximately 2.5 miles north of Route 6 (Sweden Valley, PA Quadrangle N: 7 inches; W: 10. inches) in Sweden Township, **Potter County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E32-400. Encroachment. **Electric Power and Research Institute and GPU Genco**, 595 Plant Road, New Florence, PA 15944. To operate and maintain a temporary pole barn 65 feet long by 45 feet wide and a 25 foot diameter silo on the existing grade in the floodplain of the Conemaugh River (WWF) at the Seward Generating Station located off S. R. 56 approximately 3 miles south of the intersection of S. R. 711 and S. R. 56. This is a pilot study and is referred to as Unit No. 12 Demonstration Project (New Florence, PA Quadrangle N: 5.9 inches; W: 4.75 inches) in East Wheatfield Township, **Indiana County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E65-720. Encroachment. **Township of Penn**, P. O. Box 452, Harrison City, PA 15136. To construct and maintain a storm water detention basin having a depth of 10.5 feet, a length of 300 feet and a width of 200 feet in and along an unnamed tributary to Bushy Run (WWF). Issuance of this permit constitutes approval of the Environmental Assessment for the non-jurisdictional dam proposed for

this site. The project is located off of Patrick Drive (Irwin, PA Quadrangle N: 18.5 inches; W: 1.0 inch) in Penn Township, **Westmoreland 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.

E10-291. Encroachment. **Cranberry Commons Joint Venture LP**, 215 Executive Drive, Cranberry Township, PA 16066. To place and maintain fill in a total of 3.36 acres of five wetland areas, to fill and relocate a total of approximately 2,848 feet of the channel of a tributary to Brush Creek and to construct and maintain a 177-foot-long, 36-inch-diameter pipe stream enclosure in the relocated stream channel for development of a retail shopping complex and associated parking and roadway access areas along the north side of S. R. 0228 (approximately 0.85 mile east of S. R. 0019 (Mars, PA Quadrangle N: 14.5 inches; W: 3.5 inches) located in Cranberry Township, **Butler County**.

E20-468. Encroachment. **East Fairfield Township**, 22282 Freyermuth Road, Meadville, PA 16335. To modify and maintain the existing concrete arch by installing a 11-foot, 7-inch-wide by 7-foot, 6-inch-high CM pipe arch culvert within the existing waterway opening on Powell Road across a tributary to French Creek approximately 1,800 feet from either intersection of Powell Road with S. R. 0322 (Cochranton, PA Quadrangle N: 6.9 inches; W: 11.3 inches) located in East Fairfield Township, **Crawford County**.

E25-580. Encroachment. **Waterford Township**, 12451 Circuit Road, Waterford, PA 16441. To remove the existing bridge and to construct and maintain a 10-foot, 8-inch-wide by 6-foot, 11-inch-high corrugated metal pipe arch culvert with a 6-inch depressed invert in a tributary to Lake LeBoeuf on T-455 (Sedgwick Road) approximately 0.5 mile west of Waterford Borough (Waterford, PA Quadrangle N: 11.8 inches; W: 15.0) located in Waterford Township, **Erie County**.

E33-193. Encroachment. **PA Department of Transportation, District 10-0**, Route 286 South, P. O. Box 429, Indiana, PA 15701. To remove the existing bridge and to construct and maintain a composite steel I-beam bridge having two clear spans of 78 feet and an average underclearance of 15.5 feet across Sandy Lick Creek on S. R. 3033 (Mabon Street) (Brookville, PA Quadrangle N: 4.5 inches; W: 11.0 inches) located in the Borough of Brookville, **Jefferson County**.

E42-262. Encroachment. **Kane Hardwood Division of Collins Pine Co.**, P. O. Box 807, Kane, PA 16735. To install and maintain a 20-foot-long, 78-inch-wide by 42-inch-high CM pipe arch culvert in a tributary to Crane Run for construction of a permanent logging access road approximately 7,000 feet southwest of the intersection of Forest Service Road No. 126 and Forest Service Road No. 133 (Ludlow, PA Quadrangle N: 1.5 inches; W: 5.9 inches) located in Wetmore Township, **McKean County**.

E61-221. Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323-1289. To place and maintain fill in 0.21 hectare (0.52 acre) of palustrine emergent wetland within the

Little East Sandy Creek watershed (CWF) for the purpose of improving highway safety by realigning a two lane highway (S. R. 0322, Section 01S) beginning approximately 427 meters (1,400 feet) east of S. R. 0038 (Cranberry, PA Quadrangle N: 10.2 inches; W: 0.3 inch) and extending southwest 1,440 meters (4,724 feet) (Kossuth, PA Quadrangle N: 9.2 inches; W: 16.2 inches) located in Rockland Township, **Venango County**.

This project includes contribution to the construction of a minimum of 0.41 hectare (1.0 acre) of palustrine emergent and scrub/shrub wetland at the Beaver Creek Nature Area along S. R. 0208 in Clarion County for replacement of wetlands impacted by this project.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Approvals 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.

EA39-007CO. Environmental Assessment. **King Interests** (504 Carnegie Center, Princeton, NJ 08540). To construct and maintain a nonjurisdictional dam in the watershed of Cedar Creek (HQ-CWF) impacting approximately 0.21 acre of wetland (PEM and PFO) to control stormwater at the proposed Luther Crest Medical Offices located approximately 1,900 feet northwest of the intersection of S. R. 1002 and S. R. 3008 (Allentown West, PA Quadrangle N: 16.65 inches; W: 8.85 inches) in South Whitehall Township, **Lehigh County**.

[Pa.B. Doc. No. 99-897. Filed for public inspection June 4, 1999, 9:00 a.m.]

Approval of the Philadelphia County Air Quality Program

The Department of Environmental Protection (Department), Bureau of Air Quality is announcing the approval of the Philadelphia County air quality program, with conditions, under section 12 of the Air Pollution Control Act (35 P. S. § 4012). The Department approval requires that the Philadelphia County program meets certain conditions that will ensure their program is implemented in a manner which is as stringent as the Department's air quality program. The conditions relate to financial assistance, annual workload projection, emissions, reporting, source monitoring and reporting, enforcement, ambient air monitoring and air quality permitting.

Copies of the Department's approval of the Philadelphia County air quality program are available on request. Persons interested in a copy of the approval should contact Rick St. Louis, Assistant Director, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-9702. The approval is also available on the Department's web page at <http://www.dep.state.pa.us>.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-898. Filed for public inspection June 4, 1999, 9:00 a.m.]

Availability of the Final General Plan Approval and General Operating Permit

Sintering Furnaces in Powder Metallurgy Facilities (BAQ-GPA/GP-8)

The Department of Environmental Protection (Department) finalized the General Plan Approval and General Operating Permit (BAQ-GPA/GP-8) for Sintering Furnaces in Powder Metallurgy Facilities. Notice regarding the availability of the draft general permit was published in the *Pennsylvania Bulletin* on April 17, 1999 (28 Pa.B. 1678).

The Sintering Furnace General Permit was drafted in consultation with the Powder Metallurgy industry. A 45-day comment period was provided; however, no comments were received.

The general permit is now available for use by qualifying applicants. Copies of the final general permit and application form are available by contacting: Kimberly Maneval, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The documents have also been placed on the Department's World Wide Web site which can be accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

1. Statutory Authority and General Description—In accordance with section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1) and 25 Pa. Code § 127.622, the Department of Environmental Protection (Department) hereby issues this general plan approval and general operating permit for powder metal sintering furnaces (hereinafter referred to as Sintering Furnaces General Permit).

2. Applicability/Source Coverage Limitations—This Sintering Furnaces General Permit is designed to serve as either a Plan Approval or an Operating Permit for sintering furnaces used exclusively in powder metals industries designed to sinter parts with metal containing lubricants such as zinc and lithium stearates.

Operating Permit

Sintering furnaces are exempted from the permitting requirements of § 127.402 if the furnace emits particulate matter less than or equal to 0.15 pound/hour as determined by mass balance calculations or stack testing, using maximum metal throughput and maximum percent lubricant. The company claiming exemption shall maintain records to demonstrate compliance with the above emission limitation. This general permit is intended for use by sintering furnaces with particulate matter emissions from each furnace greater than 0.15 pounds per hour. The company claiming exemption shall maintain records to demonstrate compliance with the above process limitations.

Plan Approval

Sintering furnaces equipped with particulate matter control systems (other than flame curtains or afterburners) are not eligible for this general permit. These furnaces shall be subject to the Plan Approval and Operating Permit requirements of 25 Pa. Code §§ 127.11 and 127.402. Powder metal sintering furnaces using only organic lubricants at equal to or less than 0.75% organic lubricant by weight are exempt from plan approval requirements. The furnace atmosphere must contain hydrogen (H₂) at 3% or greater. The furnace must also

maintain an operating flame curtain between part entry and pre-heat zone. In the absence of an operating flame curtain, furnace must operate an afterburner. A sintering furnace using higher than 0.75% organic lubricant or lower than 3% hydrogen may be exempt from permitting requirements by submitting a Request for Determination form.

The owner or operator of a sintering furnace used to sinter parts which are treated with oil is not eligible for this general permit.

3. Application for Use—Any person proposing to operate or construct under this Sintering Furnaces General Permit shall notify the Department using the Sintering Furnaces General Permit Application provided by the Department and shall receive prior written approval from the Department as required under 25 Pa. Code § 127.621 (relating to application for use of general plan approvals and general operating permits). The Department will take action on the application within 30 days of receipt.

4. Compliance—Any sintering furnaces operating under this Sintering Furnaces General Permit must comply with the terms and conditions of the general permit. The sintering furnaces shall be:

a. Operated in such a manner as not to cause air pollution.

b. Operated and maintained in a manner consistent with good operating and maintenance practices.

c. Operated and maintained in accordance with the manufacturer's specifications and the applicable terms and conditions of this Sintering Furnaces General Permit.

5. Permit Modification, Suspension and Revocation—This Sintering Furnaces General Permit may be modified, suspended or revoked if the Department determines that affected sintering furnaces cannot be regulated under this general permit. Authorization to use this Sintering Furnaces General Permit shall be suspended or revoked if the permittee fails to comply with applicable terms and conditions of the Sintering Furnaces General Permit.

The approval herein granted to operate the sintering furnaces shall be suspended, if, at any time, the permittee causes, permits or allows any modification without Departmental approval (as defined in 25 Pa. Code § 121.1) of the sintering furnaces covered by this general permit. Upon suspension of the general permit, the permittee may not continue to operate or use the sintering furnaces. If warranted, the Department will require that the sintering furnaces be permitted under the State operating permit or Title V operating permit requirements in 25 Pa. Code Chapter 127, if applicable.

6. Notice Requirements—The applications and notifications required by 25 Pa. Code § 127.621 shall be sent to the appropriate Regional Office responsible for issuing general plan approvals and operating permits in the county in which the sintering furnace is, or will be, located.

The permittee shall notify the Department within 24 hours or by 12 noon of the next business day following a weekend or holiday of any malfunction of the sintering furnaces which results in, or may possibly be resulting in, the emission of air contaminants in excess of the limitations specified in, or established under, any applicable rule or regulation contained in 25 Pa. Code, Subpart C, Article III (relating to air resources).

7. Sampling and Testing—If, at any time, the Department has cause to believe that air contaminant emissions from a sintering furnace covered by this general permit are in excess of the limitations specified in, or established under, any applicable regulation contained in 25 Pa. Code Subpart C, Article III, the permittee shall conduct tests deemed necessary by the Department to determine the actual emission rates.

The permittee shall perform the testing in accordance with applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing) and in accordance with any restrictions or limitation established by the Department at the time the permittee is notified, in writing, of the testing requirement.

8. Monitoring, Recordkeeping and Reporting—The permittee shall comply with applicable monitoring, recordkeeping and reporting requirements set forth in 25 Pa. Code Chapter 139 (relating to sampling and testing), the Air Pollution Control Act, the Clean Air Act, or the regulations thereunder applicable to the source. The permittee shall collect and record the information specified in this condition. The information shall be maintained at the facility for a minimum of 5 years and shall be made available upon request to the Department. The information required is the amount of powder metal mix processed and percent by weight of metal containing lubricant in the mix for each product for each sintering furnace.

9. Term of Permit—The applicant will be issued a letter authorizing the applicant to operate for a fixed term of 5 years under this Sintering Furnaces General Permit.

10. Permit and Administrative Fees—The Sintering Furnaces General Permit establishes the following application and renewal fees payable every 5 years if no equipment changes occur:

a. Two hundred fifty dollars during the 1995-1999 calendar years.

b. Three hundred dollars during the 2000-2004 calendar years.

c. Three hundred seventy-five dollars beginning in the 2005 calendar year.

A facility using this general permit will be required to submit a new general permit application, along with the appropriate fees, prior to the installation of additional sintering furnaces.

11. Expiration and Renewal of Permit—The permittee's right to operate under this Sintering Furnaces General Permit terminates on the date of expiration of this permit unless a timely and complete renewal application is submitted to the Department 30 days prior to the permit expiration date.

Upon receipt of a complete and timely application for renewal, the sintering furnaces may continue to operate subject to final action by the Department on the renewal application. This protection shall cease to exist if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information required by the Department to process the renewal application.

The Sintering Furnaces General Permit application for renewal shall include the identity of the owner or opera-

tor, location of the sintering furnaces, current permit number, description of source category, the appropriate renewal fee listed in Condition 10 and any other information requested by the Department. At a minimum, the permit renewal fee shall be submitted to the Department at least 30 days prior to the expiration of the Sintering Furnaces General Permit.

12. Applicable Laws—Nothing in this Sintering Furnaces General Permit relieves the permittee from its obligation to comply with all applicable Federal, State and local laws and regulations.

13. Prohibited Use—Any air contamination source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter D (relating to prevention of significant deterioration); 25 Pa. Code Chapter 127, Subchapter E (relating to new source review); 25 Pa. Code Chapter 127, Subchapter G (relating to Title V operating permits) or 25 Pa. Code § 129.91 (relating to control of major sources of NO_x and VOCs) may not operate under this Sintering Furnaces General Permit. Title V facilities may use this Sintering Furnaces General Permit as a plan approval when the major new source review and prevention of significant deterioration review requirements are not applicable.

14. Transfer of Ownership or Operation—The permittee may not transfer the Sintering Furnaces General Permit except as provided in 25 Pa. Code § 127.464 (relating to transfer of operating permits).

15. Plan Approval—This Sintering Furnaces General Permit authorizes the construction of new sintering furnaces that meet the best available technology (BAT) required under 25 Pa. Code §§ 127.1 and 127.12(a)(5). For purposes of this general permit, BAT for sintering furnaces are those limits specified in Condition 16.

This permit also authorizes operation of the source provided the estimated airflow included in the general plan approval application is verified using Department approved methods within a period of 180 days from the date of commencement of operation of the sintering furnaces, and the Department receives written notice from the owner or operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction.

16. Emission Limitations—The operation of a sintering furnace shall not at any time result in the emission of:

a. Particulate matter emissions as determined by mass balance calculations or stack test in excess of 0.04 gr/dscf as specified in 25 Pa. Code § 123.13(c).

b. Visible emissions from sintering furnace stacks in excess of the following limitations:

i. Equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any 1 hour.

ii. Equal to or greater than 60% at any time.

c. Sulfur compound emissions in excess of 500 parts per million, by volume, dry basis, as specified in 25 Pa. Code § 123.21.

d. Odor emission in such a manner that the malodors are detectable outside the property of the permittee as specified in 25 Pa. Code § 123.31.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-899. Filed for public inspection June 4, 1999, 9:00 a.m.]

which interested parties or dischargers believe are more appropriate than those presented in this document. Effective Date: June 5, 1999 Contact: Chuck Yingling at (717) 787-9633.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-900. Filed for public inspection June 4, 1999, 9:00 a.m.]

Availability Of Guidance

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

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

Ordering Paper Copies Of DEP Guidance

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

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

Changes To Guidance Documents

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

Final Guidance

DEP ID: 391-2000-021 Title: Field Data Collection and Evaluation Protocol for Determining Stream and Point Source Discharge Design Hardiness Description: The purpose of this guidance is to lay out the procedures recommended or used by the Department for field data collection and evaluation of stream and point source discharge design hardiness. Effective Date: June 5, 1999 Contact: Chuck Yingling at (717) 787-9633.

DEP ID: 391-2000-022 Title: Implementation Guidance for the Determination and use of Background/Ambient Water Quality in the Determination of Wasteload Allocations and NPDES Effluent Limitations for Toxic Substances. Description: The purpose of this guidance is to describe the procedures recommended or used by the Department for field data collection and evaluation of such data. The procedures are not mandatory. The Department will consider the use of alternative procedures

DEPARTMENT OF GENERAL SERVICES

Design Professional Selections

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

Project No. DGS 138-2—Water and Sewer Projects, Comfort Station Replacement, Poe Valley/Poe Paddy State Park, Penn Township, Centre County, PA. Construction Cost: \$296,000. The scope of work includes, but is not limited to, wastewater treatment facility to accommodate all wastewater generated in the Park, including campground and day use area.

Project No. DGS 174-1—Latrine Replacement, Leonard Harrison State Park, Tioga County, PA. Construction Cost: \$450,000. The scope of work includes, but is not limited to, construction of three day use area rest rooms, one campground washhouse and the installation of a wastewater treatment system.

Project No. DGS 179-1—Fish Passageway on the Schuylkill River at the Flat Rock Dam, Montgomery County, PA. Construction Cost: \$1,817,000. The scope of work includes, but is not limited to, construction of a reinforced concrete fish passageway which may include trashracks, power-operated gates, pipes and safety features/barriers. (See Special Note under Requirements and Information Section regarding Design Expertise.)

Project No. DGS 410-48—Renovation of Straughn Auditorium, Mansfield University, Mansfield, Tioga County, PA. Construction Cost: \$987,500. The scope of work includes, but is not limited to, enlargement of the stage and wing areas; renovation of the orchestra pit; construction of scenery/costume shop; new floor; remodel/upgrade sound/lighting booth and equipment; communication and stage monitoring system; refurbish dressing/green room area; renovate electrical/mechanical component systems; replace seats/drapes and conversion of heating system.

Project No. DGS 414-63—Renovation of Schmucker Science Center—Phase III, West Chester University, West Chester, Chester County, PA. Total Construction Cost: \$10,965,000. The scope of work includes, but is not limited to, renovations to walls, partitions, floors and ceilings. Also included are the mechanical, electrical, HVAC, fire/security and water systems.

Requirements and Information

Special Note

Firms applying for Project No. DGS 179-1 should have a reinforced concrete structural background, knowledge of hydraulics and experience with structures in rivers. Also, archaeological investigation and documentation may be required.

Note—Project Program

A Project Program, prepared by the Using Agency, is available for the following projects: DGS 138-2, DGS 174-1, DGS 179-1, DGS 410-48 and DGS 414-63. Copies of the Project Programs may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

*Instructions for Filing Application**Please Be Advised:*

Design Firms which may have downloaded the Form 150-ASP from our Home Page on the Internet, prior to February 18, 1999, are advised to download again. In addition to updated Navigating Instructions, there have been minor adjustments made to entry field areas. These adjustments, made to entry field areas only, were made for the convenience of Design Firms.

Professionals will not be considered by the Committee until all of the following requirements are met.

(a) Signed Form 150-ASP must be filed with the Department of General Services. The signature on Form 150-ASP must be an original signature. Consultants listed on the requesting professional firm's application, Form 150-ASP shall be deemed to be designated Key Consultants. Form 150-ASP, Application for Specific Project, may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125, (717) 783-8468. The Form 150-ASP can be downloaded from the Department of General Services Internet Home Page at <http://www.dgs.state.pa.us/cnprs.htm>. In addition, the Form 150-ASP can be obtained by e-mail by addressing a request to: pbianchi@exec.gsinc.state.pa.us.

(b) The requesting professional firm shall obtain from each consultant listed in Question 9, page 4 of the requesting professional firm's application (Form 150-ASP) a signed letter of certification on the consultant's letterhead, attesting to the firm's consent to participate in the requesting professional firm's application (Form 150-ASP) for the specific project. Signed letters of certification from consultants are required and constitute a part of the requesting professional firm's application (Form 150-ASP) for the specific project. The signature on the letter of certification must be an original signature.

(c) The requesting professional firm must submit six copies of Form 150-ASP, Application for Specific Project, for each project herein advertised in which the firm is interested and qualified to perform. At least one of the six copies submitted must contain all original signatures. For architectural projects and, when appropriate, for engineering projects, the professional shall supply photographs showing a maximum of two different views of each of the three relevant projects described in Question 12, Pages 7 through 9 of the application (Form 150-ASP). The requesting professional firm or joint venture firm must be the Professional of Record for the projects described in Question 12, Pages 7 through 9 of the application (Form 150-ASP). It is not acceptable to list work performed by key consultants. The identification and appropriate supportive information concerning each photograph shall include the name, project title, location, and the name of the Professional of Record. Color Xerox copies are acceptable, however, renderings and brochures will not be accepted in lieu of photographs. The photographs shall be attached to each copy of the application, (Form 150-ASP). The pages of each copy of Form 150-ASP must be stapled with photographs and consultant's letters of certification

followed by the resumes of key personnel (listed in Question 10 and/or 11 on Pages 5 and/or 6) included as the last section of the application. Do not bind the application (Form 150-ASP) in any way to any other documentation. Do not bind the application (Form 150-ASP) in a binder of any type.

(d) A complete project submission, which consists of documents described in paragraphs (a), (b) and (c) above, must be received on or before the close of business (5 p.m.) Friday, June 25, 1999, and addressed to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125. Fax applications are not acceptable.

Project submissions must be made on the Form 150-ASP. Applications submitted on any other form are unacceptable and will not be considered by the Committee.

(e) The Selections Committee may at its discretion establish interviews with any or all of the Professionals who have requested consideration for appointment as designer for the above projects. If an interview is required, the Professional will be notified by the Committee as to the date, time and location.

(f) Additional information, in writing, may be requested by the Committee as required.

Additional Services—Indoor Air Quality Assessment Program and Hazardous Materials

The professional firm selected to design a project will be expected to perform and administer, when required by the Department as Additional Services, an Indoor Air Quality Assessment Program during Building or Renovation Commissioning and the sampling, testing, inspection and monitoring for removal of any asbestos, other hazardous waste or contaminants encountered during project design or construction, unless otherwise stated in the Scope.

The Selections Committee encourages responses from small firms, minority firms, women-owned firms and firms who have not previously performed State work, and will consider joint ventures, which will enable them to participate in this program.

All applications submitted are subject to review by the Selections Committee. The Selections Committee disclaims any liability whatsoever as to its review of the applications submitted and in formulating its recommendations for selection. All recommendations for selection made by the Committee shall be final under Act 57 of May 15, 1998.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-901. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Adjusted Fees for Medical Assistance Laboratory Services

The Department of Public Welfare, Office of Medical Assistance Programs, announces effective September 30, 1998, that adjustments have been made to Medical

Assistance (MA) fees for laboratory services to be consistent with the Medicare upper limit requirement.

The laboratory fees being adjusted are:

<i>Procedure Code</i>	<i>Current Fee</i>	<i>Adjusted Fee Effective September 30, 1998</i>
80092	\$ 41.67	\$ 41.66
80400	\$ 45.10	\$ 45.06
80402	\$120.18	\$120.14
80406	\$108.18	\$108.14
80408	\$173.46	\$173.44
80412	\$455.58	\$455.46
80418	\$801.00	\$800.92
80420	\$100.26	\$ 99.54
80422	\$ 63.72	\$ 63.69
80430	\$108.45	\$108.42
80432	\$186.71	\$186.66
80434	\$139.90	\$139.75
80435	\$142.35	\$142.30
80439	\$ 92.88	\$ 92.84
82307	\$ 44.54	\$ 44.53
82330	\$ 18.89	\$ 18.88
83527	\$ 18.05	\$ 17.90
83727	\$ 23.77	\$ 23.76
84134	\$ 20.22	\$ 20.16
84443	\$ 23.22	\$ 23.21
84449	\$ 25.00	\$ 24.87
84460	\$ 7.28	\$ 7.20
84481	\$ 23.42	\$ 23.41
84482	\$ 22.95	\$ 21.78
85048	\$ 3.53	\$ 3.52
85175	\$ 6.29	\$ 6.28
85303	\$ 19.14	\$ 19.11
85348	\$ 5.15	\$ 5.14
85378	\$ 10.29	\$ 9.86
85400	\$ 12.23	\$ 12.22
85421	\$ 14.08	\$ 14.07
85461	\$ 9.38	\$ 9.17
85525	\$ 16.41	\$ 16.38
86147	\$ 35.94	\$ 35.16
86226	\$ 16.74	\$ 16.73
86255	\$ 17.06	\$ 16.66
86327	\$ 31.36	\$ 31.35
86588	\$ 13.06	\$ 13.05
86612	\$ 18.22	\$ 17.83
86615	\$ 18.66	\$ 18.23
86625	\$ 18.17	\$ 18.13
86628	\$ 17.12	\$ 16.60
86632	\$ 17.80	\$ 17.55
86635	\$ 16.07	\$ 15.85
86638	\$ 17.43	\$ 16.75
86641	\$ 20.31	\$ 19.92
86645	\$ 24.22	\$ 23.28
86648	\$ 21.45	\$ 21.02
86663	\$ 18.22	\$ 18.13
86664	\$ 21.45	\$ 21.14
86677	\$ 20.58	\$ 20.05
86698	\$ 17.43	\$ 17.28
86703	\$ 19.53	\$ 18.96
86747	\$ 20.80	\$ 20.77
86778	\$ 20.58	\$ 19.90
86784	\$ 17.43	\$ 17.36
88230	\$161.01	\$161.00
88248	\$239.33	\$239.32
88260	\$154.30	\$154.29
88261	\$244.25	\$244.24
88263	\$207.68	\$207.67
88280	\$ 34.69	\$ 34.68
89125	\$ 5.97	\$ 5.96

The fiscal note was prepared under provision of section 612 of The Administrative Code of 1929 (71 P. S. § 232).

The Department estimates that this change in laboratory fees on the MA Program Fee Schedule will have a minimal fiscal impact on the MA-Outpatient appropriation.

A copy of this notice is available for review at local county assistance offices. Interested persons are invited to submit written comments to this notice within 30 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Persons who require another alternate format should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-200. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 99-902. Filed for public inspection June 4, 1999, 9:00 a.m.]

Competitive Negotiated Procurement of HealthChoices Southeast Counties

The purpose of this notice is to announce the Competitive Negotiated Procurement for the HealthChoices Mandatory Managed Behavioral Health Services Program in Southeast Pennsylvania, which serves approximately 480,000 Medicaid recipients. The contracts for the HealthChoices Southeast Behavioral Health Program in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties will expire on December 31, 1999. The Department of Public Welfare (Department) is negotiating with the current contractors for two additional 1-year extensions.

In the event that the negotiations with current contractors are unsuccessful, the Department, as part of its responsibility to insure a reliable service delivery system is maintained for the persons served by the HealthChoices Southeast Behavioral Health Program, is seeking qualified proposers, each of whom meet the following: 1) has a risk bearing license—HMO/PPO in Pennsylvania by November 14, 1999, and operating certificate for each county it intends to submit a bid on; 2) has 2 years experience with a State Medicaid Behavioral Health Program, which includes both mental health and substance abuse services; 3) has experience with a State Medicaid Behavioral Health Program serving individuals receiving SSI and children in substitute care; and 4) is not currently under suspension or debarment by the Commonwealth, any other state or the Federal government.

An interested proposer's Letter of Intent must be received by Michael T. Matsko, Director, Division of Procurement, Bureau of Administrative Services, Department of Public Welfare, Room 106, Health and Welfare Building, Harrisburg, PA 17105, fax (717) 787-3560, no later than June 28, 1999. The letter should indicate which counties the proposer is interested in submitting a

proposal for, along with the name, phone number and mailing address of a contact person to receive information from the Department.

The preproposal technical assistance sessions for the Competitive Negotiated Procurement of the HealthChoices Southeast Behavioral Health Program will be held on June 28—30, 1999, from 10 a.m.—1 p.m., at the Game Commission, 2001 Elmerton Avenue, Harrisburg.

Any proposals received will be evaluated only if contract renewal agreements have not been reached with any of the current contractors for the HealthChoices Behavioral Health Program.

The length of the proposed contract period represents two 1-year contracts with the option for the second year through a letter of mutual agreement. The effective date of the contract is proposed for January 1, 2000. The contact person for any questions regarding this procurement is Ray Klabe, (717) 772-7900, or e-mail address: RayK@dpw.state.pa.us.

FEATHER O. HOUSTOUN,
Secretary

[Pa.B. Doc. No. 99-903. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lady Luck Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Lady Luck.

2. *Price:* The price of a Pennsylvania Lady Luck instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Lady Luck instant lottery game ticket will contain one play area featuring one "Winning Numbers" area and one "Your Lucky Numbers" area. The play symbols and their captions located in the "Winning Numbers" area and the "Your Lucky Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Lucky Numbers" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$6⁰⁰ (SIX DOL), \$8⁰⁰ (EGT DOL), \$12⁰⁰ (TWELVE), \$16⁰⁰ (SIXTN), \$24\$ (TWY FOR) and \$100 (ONE HUN).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$6, \$8, \$12, \$16, \$24 and \$100. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,960,000 tickets will be printed for the Pennsylvania Lady Luck instant lottery game.

7. Determination of Prize Winners.

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

(b) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$24\$ (TWY FOR) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(c) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$16⁰⁰ (SIXTN) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$16.

(d) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$12⁰⁰ (TWELVE) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(e) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$8⁰⁰ (EGT DOL) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(f) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$6⁰⁰ (SIX DOL) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(g) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets upon which any one of the "Your Lucky Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under the matching "Your Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,960,000 Tickets</i>
\$1	\$1	1:8.33	835,200
\$1 x 2	\$2	1:25	278,400
\$2	\$2	1:75	92,800
\$1 x 4	\$4	1:50	139,200
\$2 x 2	\$4	1:100	69,600
\$4	\$4	1:300	23,200
\$2 x 3	\$6	1:500	13,920
\$4 + \$2	\$6	1:500	13,920
\$4 + \$1 x 2	\$6	1:500	13,920
\$6	\$6	1:1,500	4,640
\$2 x 4	\$8	1:750	9,280
\$4 x 2	\$8	1:750	9,280
\$6 + \$2	\$8	1:3,000	2,320
\$8	\$8	1:3,000	2,320
\$6 x 2	\$12	1:750	9,280
\$8 + \$2 x 2	\$12	1:750	9,280
\$6 + \$2 x 3	\$12	1:3,000	2,320
\$12	\$12	1:3,000	2,320
\$4 x 4	\$16	1:750	9,280
\$8 x 2	\$16	1:1,500	4,640
\$12 + \$2 x 2	\$16	1:1,500	4,640
\$16	\$16	1:1,500	4,640
\$6 x 4	\$24	1:750	9,280
\$8 x 2 + \$4 x 2	\$24	1:750	9,280
\$16 + \$4 x 2	\$24	1:3,000	2,320
\$24	\$24	1:3,000	2,320
\$100	\$100	1:15,000	464

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lady Luck, prize money from winning Pennsylvania Lady Luck instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Lady Luck instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-904. Filed for public inspection June 4, 1999, 9:00 a.m.]

Pennsylvania Quick 7's Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Quick 7's.

2. *Price:* The price of a Pennsylvania Quick 7's instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Quick 7's instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT) and 9 (NIN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the play area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$7.⁰⁰ (SVN DOL), \$14.⁰⁰ (FORTN), \$21\$ (TWY ONE), \$70\$ (SVTY) and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$7, \$14, \$21, \$70 and \$7,000. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,080,000 tickets will be printed for the Pennsylvania Quick 7's instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$7,000 (SVN THO) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$70\$ (SVTY) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$70.

(c) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$21\$ (TWY ONE) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$21.

(d) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$14⁰⁰ (FORTN) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$14.

(e) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$7.

(f) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$4⁰⁰ (FOR DOL) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$4.

(g) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$2⁰⁰ (TWO DOL) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$2.

(h) Holders of tickets with a play symbol of 7 (SVN) and a prize play symbol of \$1⁰⁰ (ONE DOL) appearing under it in the play area, on a single ticket, shall be entitled to a prize of \$1.

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

Find a "7" In The Play Area and Win Prize Shown Under It With Prize(s) Of:

	<i>Win</i>
\$1	\$1
\$1 x 2	\$2
\$2	\$2
\$1 x 4	\$4
\$2 x 2	\$4
\$4	\$4
\$4 + \$2 + \$1	\$7
\$4 + \$1 x 3	\$7
\$7	\$7
\$7 x 2	\$14
\$7 + \$4 + \$2 + \$1	\$14
\$14	\$14
\$7 x 3	\$21
\$14 + \$7	\$21
\$21	\$21
\$70	\$70
\$7,000	\$7,000

<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,080,000 Tickets</i>
1:9.09	1,108,800
1:21.43	470,400
1:37.50	268,800
1:150	67,200
1:500	20,160
1:750	13,440
1:100	100,800
1:100	100,800
1:300	33,600
1:750	13,440
1:750	13,440
1:1,500	6,720
1:750	13,440
1:750	13,440
1:1,500	6,720
1:4,800	2,100
1:840,000	12

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Quick 7's instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Quick 7's, prize money from winning Pennsylvania Quick 7's instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Quick 7's instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Quick 7's or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-905. Filed for public inspection June 4, 1999, 9:00 a.m.]

Pennsylvania Summer Madness Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Summer Madness.

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

3. *Play Symbols:*

(a) Each Pennsylvania Summer Madness instant lottery game ticket will contain three play areas, designated as Game 1, entitled "Beat The Heat," Game 2, entitled

"Beach Blanket Bucks" and Game 3, entitled "Red Hots." Each game has a different game play method and is played separately.

(b) The play area for Game 1 will feature one "Current Temp." area and one "Your Temps." area. The play symbols and their captions located in the "Current Temp." area are: 75° (SVFV), 80° (EGTY), 85° (EGFV), 90° (NNTY), 91° (NNON), 92° (NNTW), 93° (NNTR), 94° (NNFR), 95° (NNFV), 96° (NNSX), 97° (NNSV), 98° (NNEG), 99° (NNNN) and 100° (1HUN). The play symbols and their captions located in the "Your Temps." area are: 80° (EGTY), 85° (EGFV), 90° (NNTY), 91° (NNON), 92° (NNTW), 93° (NNTR), 94° (NNFR), 95° (NNFV), 96° (NNSX), 97° (NNSV), 98° (NNEG), 99° (NNNN), 100° (1HUN) and 105° (1HFV).

(c) The play symbols and their captions located in the play area for Game 2 are: Sunglass Symbol (SHADE), Ice Cream Cone Symbol (CONE), Palm Tree Symbol (PALM), Drink Symbol (DRINK), Beach Ball Symbol (BALL), Boat Symbol (BOAT), Bucket Symbol (BUKET) and Kite Symbol (KITE).

(d) The play area for Game 3 will feature one "Your Prize" area and one "Red Hot Prizes" area. The play symbols and their captions located in the "Your Prize" area and the "Red Hot Prizes" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20\$ (TWENTY), \$60\$ (SIXTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$25,000 (TWYFIV THO).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Temps." area for Game 1 and the "Prize Box" area for Game 2 are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20\$ (TWENTY), \$60\$ (SIXTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$25,000 (TWYFIV THO).

5. *Prizes:* The prizes that can be won in Game 1, Game 2 and Game 3 are \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$60, \$100, \$500 and \$25,000. The player can win up to ten times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 3,120,000 tickets will be printed for the Pennsylvania Summer Madness instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for Game 1 are:

(1) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$25,000 (TWYFIV THO) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(2) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$500 (FIV HUN) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$100 (ONE HUN) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$60\$ (SIXTY) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$60.

(5) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$20\$ (TWENTY) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$15⁰⁰ (FIFTEEN) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$5.

(9) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$4.

(10) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$3⁰⁰ (THR DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$3.

(11) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$2.

(12) Holders of tickets upon which any one of the "Your Temps." play symbols exceeds the "Current Temp." play symbol and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under that "Your Temps." play symbol, on a single ticket, shall be entitled to a prize of \$1.

(b) Determination of prize winners for Game 2 are:

(1) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$25,000 (TWYFIV THO) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$25,000.

(2) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$500 (FIV HUN) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$100 (ONE HUN) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$60\$ (SIXTY) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$60.

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

symbol of \$20\$ (TWENTY) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$15⁰⁰ (FIFTEEN) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$10⁰⁰ (TEN DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$5⁰⁰ (FIV DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(9) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$4⁰⁰ (FOR DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$4.

(10) Holders of tickets with three matching play sym-

bols in the same row, column or diagonal, and a prize play symbol of \$3⁰⁰ (THR DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$3.

(11) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$2⁰⁰ (TWO DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$2.

(12) Holders of tickets with three matching play symbols in the same row, column or diagonal, and a prize play symbol of \$1⁰⁰ (ONE DOL) in the "Prize Box" area for that game, on a single ticket, shall be entitled to a prize of \$1.

(c) Determination of prize winners for Game 3 is: Holders of tickets that match the "Your Prize" play symbol to any of the "Red Hot Prizes" play symbols, on a single ticket, shall be entitled to that prize amount.

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

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,120,000 Tickets</i>
\$2	\$2	1:10	312,000
\$1 x 2	\$2	1:25	124,800
\$1 x 4	\$4	1:50	62,400
\$2 x 2	\$4	1:75	41,600
\$1 + \$3	\$4	1:75	41,600
\$4	\$4	1:150	20,800
\$2 x 2 + \$1	\$5	1:75	41,600
\$5	\$5	1:150	20,800
\$2 x 5	\$10	1:150	20,800
\$2 + \$4 x 2	\$10	1:150	20,800
\$5 x 2	\$10	1:150	20,800
\$10	\$10	1:150	20,800
\$3 x 5	\$15	1:150	20,800
\$5 x 3	\$15	1:250	12,480
\$15	\$15	1:375	8,320
\$2 x 10	\$20	1:375	8,320
\$4 x 5	\$20	1:750	4,160
\$5 x 4	\$20	1:750	4,160
\$20	\$20	1:750	4,160
\$5 x 8 + \$10 x 2	\$60	1:20,000	156
\$10 x 6	\$60	1:20,000	156
\$20 x 3	\$60	1:20,000	156
\$60	\$60	1:20,000	156
\$10 x 10	\$100	1:20,000	156
\$100	\$100	1:20,000	156
\$100 x 5	\$500	1:156,000	20
\$500	\$500	1:390,000	8
\$25,000	\$25,000	1:1,040,000	3

Game 1: When any of "Your Temps." exceeds the "Current Temp.," win prize shown under that Temp.

Game 2: Get three like symbols in any one row, column or diagonal, win prize shown in "Prize Box."

Game 3: Match "Your Prize" to any "Red Hot Prize" and win that amount.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Summer Madness instant lottery game

tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Summer Madness, prize money from winning Pennsylvania Summer Madness instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Summer Madness instant lottery game,

the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Summer Madness or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-906. Filed for public inspection June 4, 1999, 9:00 a.m.]

Realty Transfer Tax; 1998 Common Level Ratio Real Estate Valuation Factors

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 1998. These factors are the mathematical reciprocals of the actual common level ratio. For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from July 1, 1999 to June 30, 2000, except as indicated. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

<i>County</i>	<i>Common Level Ratio Factor</i>	<i>County</i>	<i>Common Level Ratio Factor</i>	<i>County</i>	<i>Common Level Ratio Factor</i>
Adams	2.53	Elk	5.81	Montour	9.90
Allegheny	5.05	Erie	11.77	Northampton	2.00
Armstrong	2.04	Fayette	9.43	Northumberland	14.09
Beaver	2.57	Forest	3.37	Perry	7.63
Bedford	10.87	Franklin	13.70	Philadelphia	3.33
Berks	1.04	Fulton	5.68	Pike	3.05
Blair	9.01	Greene	3.61	Potter	7.81
*Bradford	2.00	Huntingdon	4.88	Schuylkill	2.20
Bucks	21.74	Indiana	5.99	Snyder	5.24
Butler	7.63	Jefferson	4.90	Somerset	2.14
Cambria	5.62	Juniata	7.09	Sullivan	3.51
Cameron	2.49	Lackawanna	4.72	Susquehanna	2.03
Carbon	11.91	Lancaster	1.05	Tioga	2.87
Centre	2.22	Lawrence	6.33	Union	5.41
Chester	1.07	Lebanon	10.87	Venango	5.08
Clarion	4.22	Lehigh	2.03	Warren	2.40
Clearfield	4.55	Luzerne	13.33	Washington	5.16
Clinton	3.08	Lycoming	1.43	Wayne	11.36
Columbia	2.70	McKean	3.92	Westmoreland	3.85
Crawford	2.43	Mercer	9.35	Wyoming	3.53
Cumberland	15.15	*Mifflin	2.00	York	1.06
Dauphin	1.84	Monroe	4.22		
Delaware	31.25	Montgomery	1.04		

* Adjusted by the Department of Revenue to reflect assessment base change effective January 1, 1999.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-907. Filed for public inspection June 4, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Bucks County

Project Reference No. 08430AG2360

The Department of Transportation (Department) will retain an engineering firm to perform environmental studies, preliminary engineering, final design, and construction consultation for S.R. 0202, Section 650, U.S. 202 Widening in Whitpain Township, Lower and Upper

Gwynned Townships and Montgomery Township, Montgomery County. This project involves final design and construction of a portion of the Selective Widening Alternative for U.S. 202 from Morris Road in Whitpain Township to PA 309 in Montgomery Township, Montgomery County as outlined in the U.S. 202, Section 600, Pre-Final Environmental Impact Statement (April, 1998).

The limits of the design project are U.S. 202 from Morris Road in Whitpain, Montgomery County to PA 309 in Montgomery Township, Montgomery County; a distance of approximately 4 miles. The estimated construction cost of this portion is \$45 million.

The selected firm will be required to provide the following engineering and design services: surveys; road-

way design; pavement design; preparation of cross sections; soils and geological investigations; erosion and sedimentation control design; right-of-way investigation and plan preparation; structure design; hydrologic and hydraulic analysis; preparation of traffic control, pavement marking and signing plans; traffic signal design; sign lighting plans; utility coordination and design; coordination with PUC, PennDEP, U.S. Army Corps of Engineers, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; and construction consultation.

The selected firm will also be required to provide environmental mitigation services to complete groundwater protection and noise abatement. These services will be conducted to complete the design and construction proposals. The selected firm will be required to provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data; assess impacts; conduct agency and public involvement activities; and prepare reports and plans. The reports and other written graphic material to be prepared may include, but are not limited to, meeting minutes, and coordinating the development of the design with various agencies and special interest groups.

Firms that are currently serving, or are being considered for selection as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Mr. Timothy O'Brien, at the telephone number listed below.

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

Letters of interest will be evaluated at the Engineering District 6-0 Office with emphasis on the following factors:

- a. Proven ability to meet schedules and control costs.
- b. Specialized experience and technical competence of project manager and the individuals who constitute firms team.
- c. Past record of performance on similar projects in work quality, and capability of coordination efforts between the Department, subconsultants, various agencies and the public.
- d. Location of consultant with respect to the District.

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. Andrew L. Warren, District Administrator
Engineering District 6-0
200 Radnor-Chester Road
St. Davids, PA 19087
Attention: Madeleine C. Fausto

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 (20th) day following the date of this Notice.

Engineering District 6-0 will announce the firms that have been shortlisted at an open public meeting to be held in the District office at 200 Radnor-Chester Road, St. Davids, PA on July 7, 1999.

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).

Any technical questions concerning the requirements for this project should be directed to: Mr. Timothy O'Brien, P.E., District 6-0, at (610) 964-6526, or Ms. Madeleine C. Fausto, District 6-0, at (610) 964-6531.

**Bucks and Montgomery Counties
Project Reference No. 08430AG2361**

The Department will retain a Design Management/Engineering firm to provide project management services and preliminary ITS design for the three (3) design sections of the U.S. 202, Section 700 Improvement Project. The project is the relocation of U.S. 202 onto a four (4) lane limited access freeway. The limits of the project covered by this contract include just south of PA 63 in Upper Gwynedd Township, Montgomery County to the existing PA 611 Bypass in Doylestown Township, Bucks County. Three (3) consulting firms will be retained to perform the preliminary and final design that will be managed under this contract. The total length of the project is approximately nine (9) miles and contains approximately thirty (30) structures. The contract will be for a period of thirty-six (36) months from the date of the agreement. This project will be financed with Federal and State funds and will be subject to federal review and oversight in accordance with federal aid regulations (23CFR, Chapter 1). The estimated construction cost is \$180 million.

The selected firm will be required to provide design management and review services during the design phase of the project and to provide sufficient staff to assist the Department in adequately maintaining project coordination and schedule for design through bidding of the construction contracts. Other tasks required include, but are not limited to: review of design submissions; hydraulic reports; type, size and location submissions; final bridge plans and computations; geotechnical reports and submissions; preliminary and final right-of-way plans; design drawings; special provisions; specifications and estimates prepared by other consulting engineering firms; conduct design review meetings and plan checks; review environmental items of work; coordinate required permit applications; standardize design details; coordinate design and right-of-way acquisition activities; coordinate all traffic control plans to provide optimum traffic flow; coordinate with municipalities, municipal authorities and utilities by means of periodic meetings; prepare master timetables to coordinate all phases of the project; monitor schedules to assure compliance with the master schedule; evaluate all value engineering submissions and make

recommendations to the District Administrator. Tasks also include public involvement; development of project newsletters; ITS design; and environmental permit review and tracking, development of a traffic management plan, and congestion mitigation strategies, preparation of materials for a project web site, and responding to public inquiries both through written and e-mail correspondence.

The selected firm will also be required to develop an overall preliminary ITS Design Plan for the three (3) sections of Section 700 and PA 309 from PA 63 to U.S. 202 including the development of necessary communication system and develop cost estimates.

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

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. Andrew L. Warren, District Administrator
Engineering District 6-0
200 Radnor-Chester Road
St. Davids, PA 19087
Attention: Mr. Randy Wanger, 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 (20th) day following the date of this Notice.

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

a. Specialized experience and technical competence of the firm. The specific experience of the project manager, and the individuals who constitute the firms team will be considered. Previous experience on similar projects will be considered.

b. Indication of how the firm will provide management services and the response capabilities to Department and customer requests.

c. Past record of performance in meeting deadlines, cost containment, work quality, and capability of coordination efforts between the Department, consultants, community, disciplines.

d. Location of the consultant with respect to the District.

The shortlisted firms will be required to make an oral presentation to the District with or after the submission of their technical proposals.

The selected firm will be required to provide a full-time permanent staff of qualified and experienced professional engineers and support personnel required to maintain project control. In addition to the full-time staff, other in-house specialists may be required to assist with spec-

cific work tasks encountered. The Department must approve the individual who will head the Design Management Team.

The District will announce the firms that have been shortlisted at an open public meeting to be held in the Engineering District 6-0 Office on Wednesday, July 7, 1999 at 10 a.m. Please specify a contact person in the letter of interest submission.

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).

Any technical questions concerning the requirements for this project should be directed to: Mr. Randy Wanger, District 6-0, at (610) 964-6548.

Statewide

Project Reference No. 08430AG2362

The Department will retain an engineering firm for an Open-End Contract to perform Statewide periodic NBIS bridge safety inspections for designated bridges on the local system throughout the Commonwealth. This contract will be for a period of forty-eight (48) months from the date of execution with projects assigned on an as-needed basis. The amount of this Open-End Contract will be \$1.0 million.

The selected firm will be required to provide all necessary professional and non-professional services, work, material and equipment necessary to inspect/re-inspect and evaluate the condition of locally owned bridges at various locations. The firm will provide updated inspection reports including a bridge load capacity rating/re-rating and/or posting recommendation as warranted. Structure inventory and appraisal data, and completed Bridge Management System coding sheets are also to be furnished. Inventory and operating ratings based on existing conditions for AASHTO and PDT loadings using the Department's computer programs and/or other programs with prior approval when the Department's program is not applicable, may be required.

Firms responding to this solicitation shall provide the following additional information in their letter of interest:

1. Indicate the lead person or sub-consultant on each of the expert service elements and indicate the qualifications and experience of the lead person or sub-consultant specifically related to each expert service area. List NBIS certification credentials and PA Bridge Safety Inspection courses taken by staff.

2. Indicate how the firm will provide "on demand" response for urgent problems. In the recent past, 200-500 bridges have been inspected per year under similar contracts. Due to variability of inspection schedules and emergencies, this work is not anticipated to be evenly distributed throughout a year or duration of contract.

3. Indicate internal procedures for timeliness of report submission, cost containment and quality assurances.

4. Indicate computer capabilities including PDT programs and other software. Electronic data collection using Department-provided PC software will be implemented during the first year of the contract.

The Department will establish an order of ranking of a minimum of three (3) firm's for the purpose of negotiating 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. Specialized technical expertise and experience of the individuals committed to this project.

b. Capabilities of the qualified proposed team to address the bridge inspection, load rating evaluations and recommendations, and related aspects identified in the advertisement.

c. Prior technical successes and timeliness in performing work with the Department, especially on bridge inspection related work.

d. Available staffing and "on demand" response capabilities in the event of emergencies.

e. Location, cost containment and quality assurance program.

The engineering services studies identified above are the general work activities that can be expected under the contract.

Letters of interest for this project will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. By submitting a Letter of Interest for this project, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

Project management will be by the Bridge Quality Assurance Division, Bureau of Design. Engineering inspections will be directed by the respective District Office.

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), and present work load analysis sheet, 8 1/2" x 11" 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. M. G. Patel, Director
Bureau of Design
P. O. Box 3060
Harrisburg, PA 17105-3060

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 (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Suresh Dadhanian, P.E., at (717) 787-3590.

Schuylkill County

Project Reference No. 08430AG2363

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twelve (12) inspectors, under the Depart-

ment's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 081, Section SDC, I-81.S.R. 407 Interchange, Butler and Cass Townships, Schuylkill County. The project involves construction of a diamond interchange at Interstate 81 and State Route 4007 including approximately 4629 m of ramp construction, also approximately 2164 m of roadway, also continuous composite prestressed concrete spread box beam bridges having overall lengths of 31 m, or alternative design; mechanically stabilized wingwalls; also milling, drainage improvements, guide rail upgrading, erosion control, crossovers and crossover lighting, lighting, signing, impact attenuators, and pavement marking within a length of 5.863 km.

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 acceptable 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, guiderail, pavement markings, milling, erosion control, signing and lighting. The TCI-M has to be NICET Level II Highway Materials certified and nuclear gauge certified. A TCI has to be PennDOT CDS certified.

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

c. Past Performance.

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

e. Number of available inspectors in each payroll classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1)	1 (1)
(NICET Highway Construction Level 4 or equivalent)	
Transportation Construction Ins. Super. (TCIS)	3 (2)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector—Materials (TCI-Materials)	1 (1)
(NICET Highway Materials Level 2 or equivalent)	
Transportation Construction Inspector (TCI)	5 (4)
(NICET Highway Construction Level 2 or equivalent)	

Classification
 Technical Assistant (TA)
 (NICET Highway Construction Level 1 or equivalent)

No. of Inspectors

- 1 Nuclear Densometer Gauge/License
- 1 Camera (type 35mm, Film, Developing)

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-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; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 1 Nuclear Densometer Gauge/License
- 1 Vehicle for the Transportation of Nuclear Gauge
- 1 Base Radio Station
- 12 Two-Way Radios
- 1 Two-Way Radio Repeater Station

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 TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant(s) do 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	4
TCI-M	2
TCI	6

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. Walter E. Bortree, P.E., District Engineer
 Engineering District 5-0
 2460 Parkwood Drive
 Allentown, PA 18103
 Attention: Mr. Brian H. Graver

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 (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian H. Graver, District 5-0, at (610) 791-6022.

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 solicita-

tions requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-908. Filed for public inspection June 4, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, May 20, 1999, and took the following action:

Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act—Effective May 19, 1999

Insurance Department #11-181: Tables Approved for Use in Determining Minimum Nonforfeiture Standards and Minimum Standards for Valuation (amends 31 Pa. Code Chapter 84)

Regulations Approved:

Insurance Department #11-175: Title Insurance Rebates (amends 31 Pa. Code Chapter 125)

State Board of Professional Engineers, Land Surveyors and Geologists #16A-476: Appeal from Board Decision (amends 49 Pa. Code § 37.102)

Department of Health #10-158: Supplemental Nutrition Program for Women, Infants, and Children (WIC Program) (amends 28 Pa. Code Chapters 1101—1113)

IRRC Regulation #11-181 (#1983): Insurance Department; Tables Approved for Use in Determining Minimum Nonforfeiture Standards and Minimum Standards for Valuation

May 20, 1999

Honorable M. Diane Koken, Commissioner
Insurance Department
1326 Strawberry Square
Harrisburg, PA 17120

Dear Commissioner Koken:

Since this proposal meets all of the criteria under Section 5b(3), your regulation is approved. A copy of this letter will be forwarded to the Legislative Reference Bureau.

Any questions you or your staff may have, contact Robert E. Nyce, our Executive Director at 783-5506.

Sincerely,
JOHN R. MCGINLEY, Jr.,
Chairperson

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocodrilli; John F. Mizner

Public Meeting held
May 20, 1999

Insurance Department—Title Insurance Rebates; Regulation No. 11-175

Order

On September 14, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code Chapter 125. The authority for this regulation is 40 P. S. § 910-30. The proposed regulation was published in the September 26, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 28, 1999. On May 4, 1999, the Commission received a request from the Department to toll consideration of this final-form regulation to correct the annex for consistency with the *Pennsylvania Code*. On May 4, 1999, the Department submitted its revisions to the final-form regulation to the Commission.

The proposed regulation removes prohibitions against rebating and inducement activities associated with title insurance transactions. The prohibitions, established by Department regulations in 1968, no longer have a statutory basis. The section of law that authorized the current regulatory prohibitions was repealed and replaced by Act 79 of 1995 (Act 79).

We have reviewed the revised final-form regulation and find it to be in the public interest. This proposal will delete provisions that are inconsistent with the new requirements under Act 79.

Therefore, It Is Ordered That:

1. Regulation No. 11-175 from the Insurance Department, as revised on May 4, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocodrilli; John F. Mizner

Public Meeting held
May 20, 1999

State Board for Professional Engineers, Land Surveyors and Geologists—Appeal From Board Decision; Regulation No. 16A-476

Order

On April 27, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board for Professional Engineers, Land Surveyors and Geologists (Board). This rulemaking amends 49 Pa. Code § 37.102. The authority for this regulation is 63 P. S. § 151(i). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board is correcting a conflict between its regulations and the Pennsylvania Rules of Appellate Procedure. The existing regulation states the start of the 30-day time period for appealing a Board decision to Commonwealth Court begins on the date the Board's decision is served. The amendment states the time period begins on the date the Board's order is entered.

The House Professional Licensure Committee unanimously approved this regulation on May 11, 1999.

We have reviewed this regulation and find it to be in the public interest. Making the Board's regulation consistent with the Pennsylvania Rules of Appellate Procedure will avert confusion over filing deadlines.

Therefore, It Is Ordered That:

1. Regulation No. 16A-476 from the State Board for Professional Engineers, Land Surveyors and Geologists, as submitted to the Commission on April 27, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson; Arthur Cocodrilli; John F. Mizner

Public Meeting held
May 20, 1999

Department of Health—Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Regulation No. 10-158

Order

On April 29, 1999, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Health (Department). This rulemaking amends 28 Pa. Code Chapters 1101—1113. The authority for this regulation is 42 U.S.C.A. § 1786. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This proposal provides for the authorization and management of retail grocery stores participating in the WIC program, a federal program administered by the Department. The WIC program provides supplemental nutrition benefits to women, infants and children who are found to be at nutritional risk during critical stages of growth. This regulation establishes provisions for store participation in the program, the food inventory that a WIC store must maintain, the sanctions that will be imposed for non-compliance, and the appeal process for individuals who are denied benefits.

We have reviewed this regulation and find it to be in the public interest. The regulation is necessary to respond to a Commonwealth Court decision that found that the criteria used to authorize stores to participate were invalid because they were not promulgated as a regulation.

Therefore, It Is Ordered That:

1. Regulation No. 10-158 from the Department of Health, as submitted to the Commission on April 29, 1999, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-909. Filed for public inspection June 4, 1999, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (act) (71 P. S. § 745.5(g)) provides that the designated standing commit-

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

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
19-3	Department of Corrections Motivational Boot Camps 29 Pa.B. 1513 (March 20, 1999)	5/20/99	4/19/01
19-4	Department of Corrections County Correctional Institutions 29 Pa.B. 1504 (March 20, 1999)	5/20/99	4/19/01
2-115	Department of Agriculture Sustainable Agricultural Programs 29 Pa.B. 1496 (March 20, 1999)	5/20/99	4/19/01

**Department of Corrections Regulation No. 19-3
Motivational Boot Camps
May 20, 1999**

We have reviewed these proposed regulations from the Department of Corrections (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)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulations.

1. Section 93.301. Selection criteria—Clarity.

Subsection (a) contains a list of criteria the selection committee will consider when reviewing an inmate's application for placement in a motivational boot camp (boot camp). Section 6(c) of the Motivational Boot Camp Act (act) (61 P. S. § 1126(c)) requires applicants to sign a memorandum of understanding in which they agree to be bound by the terms and conditions of the boot camp. The Department should add "Submittal of a signed memorandum of understanding as required by Section 6 of the Motivational Boot Camp Act (61 P. S. § 1126(c))" to the list of criteria reviewed by the selection committee.

Subsection (b) states that an inmate will not be guaranteed acceptance into a motivational boot camp even if the inmate is likely to successfully graduate from the boot camp. However, the proposed regulation does not contain the criteria for successful completion of a boot camp program. It is our understanding that these criteria are contained in the Inmate Handbook which is provided to all inmates who apply for boot camp participation. To improve the clarity of the regulation, the Department should add a new subsection which includes the criteria for successful completion of a boot camp program.

2. Section 93.302. Selection committee—Clarity.

Subsection (a) contains a reference to the "Department of Corrections." The complete title of the Department is also used in §§ 93.301(a) and 93.303(a) and (b). However, the term "Department" is also used in the regulation. For

consistency, the Department should add a new section to the regulation entitled "Definitions," include the definition of "Department" in the new section and use "Department" throughout the regulation.

Subsection (a) also refers to each "diagnostic and classification center." Section 4(c) of the act (61 P. S. § 1124(c)) references this term, but does not define it. To improve the clarity of the regulation, the Department should include a definition of "diagnostic and classification center" in a new "Definitions" section of the regulation.

3. Section 93.304. Supervision/organizational structure—Clarity.

Subsection (b) provides that no more than 50 inmates are permitted in a platoon. The regulation does not, however, specify how many commanders or drill sergeants are required per platoon. We request the Department explain how it determines the required number of commanders or drill sergeants per platoon.

4. Section 93.305. Curriculum—Clarity.

This section lists the curriculum for inmates in a boot camp. Paragraph (8) lists "Ventilation therapy." This term is found in the definition of "motivational boot camp" in section 3 of the act (61 P. S. § 1123); however, it is not defined. The Department should include a definition of this term in a new "Definitions" section of the regulation.

5. Section 93.306. Inmate discipline—Clarity.

Subsection (b).

Subsection (b) provides the following:

(b) **Serious rule infractions** may result in an inmate's expulsion from a motivational boot camp. (Emphasis added.)

It is unclear what are considered "serious rule infractions." It is our understanding that "serious rule infractions" are Class I Category A—D misconduct charges which are listed in the Department's Statement of Policy entitled "Inmate Disciplinary and Restricted Housing Procedures (DC-ADM 801)" (Policy Statement 801). However, a policy statement only provides guidance to an agency; it is not a binding norm. Therefore, if the

Department intends to enforce the provisions in subsection (b), "serious rule infractions" should be specified in the regulation.

Subsection (c).

Subsection (c) states the following:

(c) **Minor rule infractions** will be dealt with according to a **three-tiered approach**. (Emphasis added.)

It is unclear what are considered "minor rule infractions." It is our understanding that "minor rule infractions" are Class II misconduct charges as listed in Policy Statement 801. As discussed in relation to subsection (b), if the Department intends to enforce the provisions in subsection (c), "minor rule infractions" should be specified in the regulation.

Also, it is unclear what the Department means by a "three-tiered approach." We understand that the three-tiered approach is described in detail in the Inmate Handbook. To improve the clarity of the regulation, the "three-tiered approach" should be specified in the regulation.

Subsection (d).

Subsection (d) provides the following:

(d) Inmates can be suspended or removed from a motivational boot camp for reasons other than violations of disciplinary rules.

This provision is vague because it does not specify the other reasons for suspension or removal from a boot camp. In the final-form regulations, the Department should include a list of reasons for potential suspension or removal from a boot camp. For example, the Department could structure subsection (d) as follows:

(d) Inmates may be suspended or removed from a motivational boot camp for any of the following reasons:

- (1) Violations of disciplinary rules.
- (2) . . .
- (3) . . .

6. Section 93.307. Staff training—Clarity.

This section requires staff who work directly with inmates to undergo at least 4 weeks of intensive training. This provision is unclear for several reasons. First, the regulation should list the subjects that must be addressed during the training and specify that the training will be provided by the Department or a Department-approved provider. The regulation should specify when the training must be completed after a staff person is hired. Finally, the regulation should also specify the limitations imposed on a staff person's duties if training does not start immediately upon hiring the staff person. The Department should clarify these issues in the final-form regulations.

Department of Corrections Regulation No. 19-4

County Correctional Institutions

May 20, 1999

We have reviewed these proposed regulations from the Department of Corrections (Department) and submit for consideration the following objections and recommendations. Subsections 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 need for the regulation, duplication of existing regulations, reasonable-

ness and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulations.

1. Recommended guidelines—Need for the regulation and Clarity.

Sections 95.220, 95.221(b), 95.222(b) and 95.226(b) set forth recommended guidelines which are not mandatory. It is not clear why recommended guidelines are needed in regulation, since the Department does not intend to enforce them.

A regulation has the force of law and is binding on the agency and anyone affected by the regulation. An announcement that provides guidance to regulated entities, but does not constitute a binding norm, is not a regulation. The recommended guidelines would be appropriate as a statement of policy or as a guidance document, but not as a regulation.

The Department should identify the recommended guidelines which it intends to enforce as binding norms and include those as minimum requirements in the regulation. Recommended guidelines which are not mandatory should be deleted from the regulation. More specific comment is included with the comments on §§ 95.220, 95.221(b), 95.222(b) and 95.226(b).

2. Written local policy—Clarity.

The terms "written local policy" and "local policy" are used repeatedly in the regulation. However, these terms are not defined or used consistently in the regulation. We understand that because of differences in facilities and prisoners there is a need for written policies which are specific to each institution. For clarity, the Department should define one of the terms and use that term throughout the regulation.

The regulation is also not clear on the significance of the written local policy. The Department should state in the regulation how the written local policy for each institution will be reviewed and enforced by the Department.

3. Section 95.220. Purpose—Clarity.

Recommended guidelines

The phrase "and recommended guidelines, which are not mandatory" should be deleted from § 95.220.

Scope of the regulation

The last two sentences of § 95.220 describe waivers of the regulations for counties which are accredited by other bodies. These waivers describe the scope of the regulation rather than the purpose. The Department should delete these sentences from § 95.220 and add them to a new section which states the scope of the regulation.

American Correctional Association accreditation

The waiver for counties achieving American Correctional Association accreditation states this "chapter" will be waived in its entirety. Since the rulemaking is limited to Subchapter B, the Department should clarify whether the waiver applies to other subchapters within Chapter 95, or just to Subchapter B.

National Commission on Correctional Healthcare accreditation

For counties achieving National Commission on Correctional Healthcare accreditation, the Department is waiving "regulations pertaining to medical and health services." It is not clear which specific regulations will be

waived. The Department should specify in the regulation which medical and health service regulations will be waived.

4. Section 95.221. Personnel—Need and Clarity.

Subsection (a)(1)

It is not clear why subsection (a)(1) is needed or how it can be fulfilled as a minimum personnel requirement. The Department should explain the need for subsection (a)(1), and how it would be enforced, or delete it.

Subsection (a)(2)—(4)

We have four concerns with the training requirements in subsection (a)(2)—(4). First, subsection (a)(2) requires all personnel to have “a course of training” before being assigned duties. Subsection (3) requires full-time personnel to receive training within 12 months of assuming duties. Subsection (4) allows part-time personnel to work who have not completed training. The regulation is not clear regarding whether these are different types of training programs. The Department should amend the personnel training requirements in subsection (a)(2)—(4) to specify the type and amount of training required before each category of personnel can be assigned duties.

Second, subsection (a)(3) does not require any supervision of full-time personnel who have not completed a training program. Whereas, subsection (a)(4) requires close supervisory direction of part-time personnel who have not completed a training program. Both part-time and full-time personnel may perform the same duties and encounter the same situations. Consequently, the regulation should clearly state the supervision requirement for full-time and part-time personnel who have not completed training programs.

Third, subsection (a)(4) allows the part-time personnel who have not completed training to work under “close supervisory direction.” The regulation does not specify what training the person providing “close supervisory direction” must have. The Department should specify that the person providing supervision must have completed their training.

Finally, full-time personnel must complete training within 12 months of assuming their duties. There is no commensurate time requirement for part-time personnel in subsection (a)(4). We recognize that part-time personnel will spend less time in the prisons than full-time personnel. However, both part-time and full-time personnel may perform the same duties and encounter the same situations. The Department should specify in subsection (a)(4) when part-time personnel training is required to be completed.

Subsection (a)(3)

Subsection (a)(3) contains a reference to the “Department of Corrections (Department).” Since “Department” is used throughout the regulation, the Department should add a new section to the regulation entitled “Definitions” and include the definition of “Department” in the new section.

Subsection (b) Recommended guidelines

The paragraphs in subsection (b) contain vague standards such as “careful selection,” “adequate to attract and retain competent and professional men and women,” “in a professional manner,” and “good physical condition.” If the Department includes any of the paragraphs in subsection (b) as minimum requirements, the Department should amend those paragraphs for clarity; and explain why the paragraph is needed (that is, elevated from not manda-

tory to mandatory); how the standard would be determined; and how the paragraph would be enforced.

5. Section 95.222. Admission—Duplication of existing regulations and Clarity.

Subsection (a) Minimum requirements

The Department’s intent in the last sentence of paragraph (2) is not clear. As drafted, a written verification of treatment from a medical doctor would be required with all admissions. Verification of treatment would only be needed for new inmates who may require medical attention that cannot be provided at the prison. The Department should revise this paragraph to require verification of treatment only where it is necessary or explain the need for verification of treatment for all admissions.

Subsection (a)(3)

We have three clarity concerns with subsection (a)(3). First, the paragraph begins with the phrase “intake procedures.” The Department should use the term “admission procedures” to be consistent with the title of § 95.222.

Second, subsection (a)(3) states the procedures “should be described” in local policy. This language gives the impression that compliance with this paragraph may be optional. The Department should change the word “should” to the word “shall.” To improve clarity, the Department should also change “described” to “specified.”

Third, the concluding phrase “developed from recognized professional standards” is vague. The Department should either delete this phrase or directly reference the required standards.

Subsection (a)(4)

The beginning of subsection (a)(4) is confusing because it requires basic personal information for admissions, but the list of information is conditioned on “the event of a transfer.” It does not appear that the information required for a transfer differs from the information required for an admission. Therefore, the Department should delete the phrase “In the event of a transfer” and directly specify the information required to be obtained upon admission.

Some of the subparagraphs under subsection (a)(4) lack clarity as follows:

- Subparagraph (iii) should specify what address of the inmate is sought, such as previous address or prison address.
- Subparagraph (iv) should specify the information needed to satisfy the requirement for the description of the inmate, such as “a description of the inmate including height, weight, eye color. . .”
- Subparagraph (xii) should be combined with subparagraph (vii) and should specify what facts are required.

Subsection (a)(5)

Subsection (a)(5) duplicates existing requirements in §§ 95.223 and 95.224(3). The Department should delete subsection (a)(5), or explain why it is needed.

Subsection (a)(6)

Subsection (a)(6) should be written in clear language. It may be clearer if it stated “Written local policy shall specify how an inmate can notify a relative of the inmate’s location.”

Subsection (b) Recommended guidelines

The paragraphs in subsection (b) contain vague standards such as “coincide with prevailing laws and stat-

utes," "conducted in a professional fashion," and "serious wounds." A minimum requirement also should use the word "shall" rather than "should." If the Department includes any of the paragraphs in subsection (b) as minimum requirements, the Department should amend those paragraphs for clarity; and explain why the paragraph is needed (that is, elevated from not mandatory to mandatory); how the standard would be determined; and how the paragraph would be enforced.

Subsection (b)(1)

Subsection (b)(1) is a recommended guideline for strip searches. It is directly related to subsection (a)(3) in regard to contraband searches. If the Department chooses to make subsection (b)(1) a minimum requirement, we have five concerns with this paragraph. First, the search is described as an "unclothed search" and as a "strip search." For clarity, the Department should use one term or the other consistently in the regulation.

Second, the second sentence regarding laws and statutes is vague. The Department should either state the specific laws and statutes governing strip searches, or delete this sentence.

Third, the requirement that a strip search be "conducted in a professional fashion" lacks clarity. Conducting a search in a professional fashion could be widely interpreted. The Department should specify in the regulation the standards a strip search must meet.

Fourth, the Department is deleting the requirement that a strip search be conducted in an area where the prisoner is in view of only those officers in charge of the search. Why is this requirement no longer needed?

Finally, subsection (b)(1) requires the strip search to be "supervised" by staff of the same sex. Why isn't it required that the search be "conducted and supervised" by staff of the same sex?

6. Section 95.225. Classification—Need and Clarity.

Subsection (a)(1)

We have identified a typographical error in subsection (a) as printed in the *Pennsylvania Bulletin*. There are two paragraphs labeled "(1)." This error should be corrected in the final-form regulation.

Subsection (a)(2)

Subsection (a)(2) provides the following:

(2) In keeping with recognized professional standards, this plan shall establish categories based on the degree of security risk and need for supervision and specify how the classification process is accomplished, what process of appeals exist, the review mechanism utilized and explicit procedures for reclassification.

We have several concerns related to the clarity of this provision. First, the phrase "In keeping with professional standards," is vague because it does not identify the specific standards or require compliance with those standards. This phrase should be deleted or clarified.

Second, since this section of the regulation refers to classification of prisoners, the word "categories" should be changed to "classifications."

Finally, this paragraph includes several items that are required in the classification plan. To improve the clarity of the regulation, we suggest the Department include these items as a list of new subparagraphs under subsection (a)(2).

Existing subsection (a)(1)—(3)

The Department is proposing to delete these paragraphs which address jail security, inmate welfare, and community protection. It is not clear that these subjects are adequately addressed in the new proposed subsection (a). We request the Department explain why it is proposing to delete these provisions.

7. Section 95.226. Housing—Need and Clarity.

Subsection (a)(1)

This paragraph states the following:

Decisions involving housing segregation or removal and transfer of seriously ill inmates shall be in keeping with existing laws and National standards.

To improve the clarity of this provision, the Department should include citations to the applicable laws and standards. Also, the Department should define "seriously ill."

Subsection (a)(2)

The word "possible" is unnecessary. The Department should delete "possible."

Subsection (a)(4)

This paragraph contains a general reference to requirements of the Department of Health. To improve the clarity of the regulation, the Department should cite the specific requirements that apply.

In addition, paragraph (4) lists items to consider in determining housing adequacy. A further list appears in paragraphs (4)(i)—(iv). To improve the clarity of the regulation, these lists should be combined into a single list.

Subsection (b)—Recommended guidelines

It appears the recommended guidelines in subsection (b) are duplicative of the minimum requirements in subsection (a). Consequently, subsection (b) should be deleted in the final-form regulations.

8. Section 95.228. Clothing—Need and Clarity.

The Department is deleting existing subsection (b)(2) relating to changing and washing clothing to maintain hygiene. It does not appear that this provision is addressed elsewhere in the proposed regulation. Therefore, we request the Department explain why it is deleting subsection (b)(2).

9. Section 95.231. Personal hygiene—Need, Reasonableness and Clarity.

Paragraph (1) requires inmates to maintain "proper hygiene standards." We question the need for this vague requirement. Other sections of the regulation contain specific requirements related to bathing and clothing. Why is this additional requirement necessary?

10. Section 95.232. Medical and health services—Reasonableness and Clarity.

Paragraph (1)

This paragraph requires that an inmate receive "a health care screening performed and recorded by a person with health care training within 24 hours of admission." We have two concerns related to the clarity of this provision. First, it is unclear what is included in the health care screening. The final-form regulations should specify the components of the screening.

Second, it is unclear what level of training is required to comply with the requirement that the person conduct-

ing the screening have "health care training." The final-form regulations should specify the components of the required training.

Paragraph (2)

This paragraph requires an inmate who is not in good health to be assessed by a "health care professional" within 24 hours of admission. It is unclear what the required credentials are for the "health care professional." For example, is a registered nurse, physician's assistant, or physician required to perform the screening? The Department should specify these requirements in the final-form regulations.

Paragraph (5)

This subsection and paragraph (6) use the term "health provider/authority," but the term is not defined in the regulation. We request the Department explain the difference between a "health provider" and a "health authority" and define these terms in the final-form regulations.

Paragraph (5) also provides that "This authority shall have sole province on matters involving medical judgement." Paragraph (9) requires "A written plan shall outline management of treatment by appropriate credentialed professionals." It is unclear if, or how, these two provisions are interrelated. We request the Department explain the meaning of these provisions.

Paragraph (6)

This paragraph requires the following:

(6) Written local policy shall provide that the health provider/authority report on the health care delivery system in writing and review findings with prison administrators on a routine basis.

We have two concerns related to the clarity of this provision. First, it is unclear what information is to be contained in the report. The final-form regulations should specify the subjects to be included in the report.

Second, it is unclear how often a report must be submitted. "On a routine basis" is vague. The Department should specify if the report is due annually, monthly, or at some other interval.

Paragraph (7)

This paragraph requires an annual documented review of a prison's health care delivery system. It is unclear how this requirement differs from the report required by paragraph (6). We request that the Department clarify the distinction between paragraphs (6) and (7) in the final-form regulations.

In addition, this provision is vague because it does not specify who is responsible for conducting the annual review. Furthermore, the regulation does not identify who is responsible for evaluating the annual review and implementing changes as necessary in the prison's health care procedures and program. The Department needs to clarify these issues in the final-form regulation.

Paragraph (9)

Paragraph (9) requires written local policy to outline mental health care treatment by "appropriate credentialed professionals." It is unclear what credentials would meet the Department's standard of "appropriate credentialed professionals." The Department should clarify this standard in the final-form regulations.

Paragraphs (9) and (10)

Paragraph (9) requires that a written plan "specify management of treatment by appropriate credentialed

professionals." Paragraph (10) requires that a written plan "outline management of treatment." It is unclear what the Department means by "specify management" and "outline management of treatment." We note that paragraph (5) gives the health provider/authority "sole province on matters involving medical judgement." We request the Department clarify the intent of paragraphs (9) and (10) and explain how these provisions are consistent with paragraph (5).

Paragraph (11)

This paragraph references "existing Federal and State laws" relating to pharmaceuticals. To improve the clarity of the regulation, the Department should include citations for the specific laws it is referencing.

11. Section 95.234. Inmate mail privileges—Clarity.

Subsection (a)(1)(iv) permits an inmate's mail to be restricted for valid "penological reasons." To improve the clarity of the regulation, the Department should include specific reasons an inmate would be restricted or prohibited from sending or receiving mail.

12. Section 95.236. Access to legal resources—Reasonableness and Clarity.

Subsection (a)(1) permits inmates to have access to "adequate legal resources" to enable them to exercise their right of access to the courts. Subsection (a)(2) gives county wardens the discretion to determine the type of legal resources that shall be made available. If access to the courts is a right of all inmates, we question the reasonableness of giving county wardens the discretion to determine the type of legal resource to be made available. The result of granting such broad discretion to county wardens will be inconsistent availability of legal resources throughout the county prisons. The Department should specify what type of legal resources should be made available.

13. Section 95.238. Recreation—Reasonableness and Clarity.

Paragraph (2)

This paragraph requires that inmates have at least 1 hour of access to "out of cell activity" daily. The existing regulation requires 2 hours of "physical exercise in the open, weather permitting." In the case of inclement weather, 2 hours of daily exercise are required indoors. It is unclear why the Department has reduced the time period from 2 hours to 1 hour. It is also unclear if "out of cell activity" refers to exercise or to any activity out of the inmate's cell, such as reading in the library. We request the Department clarify these points in the final-form regulations.

Paragraph (4)

This paragraph provides the following:

Inmates under disciplinary status (**segregation**), shall receive 1 hour of outdoor activity 5 days a week, weather permitting. (Emphasis added.)

It is unclear why "(segregation)" appears after "disciplinary status." If this provision applies only to inmates in segregation, the Department should delete "disciplinary status" and replace it with "segregation."

14. Section 95.239. Commissary—Clarity.

Paragraph (2) refers to generally accepted accounting "procedures." To improve clarity and to be consistent with standard accounting terminology, we suggest the Department replace "procedures" with "principles."

15. Section 95.240. Inmate Disciplinary procedures—Reasonableness.

The Department is proposing to delete existing paragraphs (10) and (11) which address conditions for prisoners in segregation. It is unclear why the Department is deleting these paragraphs, since these provisions are not included elsewhere in the proposed regulation. We request the Department explain the reasonableness of deleting paragraphs (10) and (11).

Department of Agriculture Regulation No. 2-115

Sustainable Agriculture Programs

May 20, 1999

We have reviewed these proposed regulations from the Department of Agriculture (Agriculture) and submit for 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 consistency, reasonableness, need and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulations.

1. Section 130c.2. Definitions—Consistency, Need and Clarity.

Executive Director

The regulation's definition of the term "Executive Director" paraphrases the duties of the Executive Director in section 5 of the Sustainable Agriculture Act (Act 129) (3 P. S. § 2105). However, the regulatory definition is inconsistent with Act 129. Section 5(1) of Act 129 states that the Executive Director will "evaluate loan and grant applications submitted to the board (Board of Sustainable Agriculture)." The definition in § 130c.2 limits the Executive Director to evaluating loan applications and fails to mention grant applications. This inconsistency with Act 129 should be corrected.

Additionally, substantive provisions of section 5 of Act 129 pertaining to the Executive Director are included in the definitions section of the regulation. The duties of the Executive Director would be more appropriately placed in a new section after § 130c.4 in the substantive portions of the regulation.

Nonprofit Educational Institution

The statutory and regulatory definitions of "nonprofit educational institution" are virtually identical. In addition, the definition's provisions are reiterated as eligibility qualifications in § 130c.37(e). There is no need to repeat statutory provisions in two different places in the regulation. The regulation should reference the statutory definition.

Pesticide

Section 130c.2 contains a definition of "pesticide" which includes herbicides and insecticides. However, the substantive provisions of the regulation use the terms herbicides and insecticides, not the term "pesticide." The terms "herbicides" and "insecticides" are also used in Act 129 (3 P. S. § 2110(b)(6)). Why has Agriculture included a definition of a term not used in the regulation and Act 129? The term "pesticide" should be deleted or the terms "herbicides" and "insecticides" in the regulation should be replaced by "pesticide."

Sustainable Agriculture

The statutory and regulatory definitions for "sustainable agriculture" are also practically identical. Hence, there is no need to include the entire definition verbatim in the regulation. Again, a reference to the statutory definition is sufficient.

2. Section 130c.5. Notice of disposition of application—Clarity.

This section contains references to §§ 130.16 and 130.36. The references should be to §§ 130c.16 and 130c.36.

3. Sections 130c.15 and 130c.35. Submission of application—Implementation Procedures, Reasonableness and Clarity.

Although applications for loans or grants are to be submitted on forms prepared by the Board, the regulation does not inform potential applicants how to obtain the appropriate forms. These two sections should contain this information.

4. Sections 130c.16 and 130c.36. Processing of application—Reasonableness and Clarity.

Sections 130c.16 and 130c.36 contain filing deadlines for applicants. However, they fail to reference the 90-day period for Board action on applications as prescribed by § 130c.5. Both sections should include a reference to § 130c.5.

In addition, §§ 130c.16 and 130c.36 contain the following language:

If the Executive Director determines the application is incomplete or inaccurate, final processing of the application may be discontinued or additional data may be requested.

These sections do not provide clear direction as to whether applicants will be notified when their applications are incomplete or inaccurate. However, the same sections require applicants to respond to requests for additional data within 30 days. These sections should state that the Executive Director will notify applicants when their applications are determined to be incomplete or inaccurate. The notice should list the application's deficiencies and inform the applicant that he has 30 days to respond.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-910. Filed for public inspection June 4, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-310	Environmental Quality Board Waste Quality Amendments—Antidegradation	5/20/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-911. Filed for public inspection June 4, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Acquisition of a Domestic Mutual Casualty Insurance Corporation

Lititz Mutual Insurance Company has filed an application to acquire the control of the Board of Directors of Farmers' and Mechanics' Mutual Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P. S. § 991.1402 et. seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; FAX (717) 787-8557; email <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-912. Filed for public inspection June 4, 1999, 9:00 a.m.]

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Corporation

American Sentinel Insurance Company (American Sentinel) has filed an application to increase its lines of underwriting authorities. The filing was made under the requirements set forth under section 322 of The Insurance Company Law (40 P. S. § 445). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120; FAX (717) 787-8557; email <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-913. Filed for public inspection June 4, 1999, 9:00 a.m.]

Children's Health Insurance Program; Meeting Notice

The Insurance Department has scheduled a meeting of the Children's Health Advisory Council on Monday, June 14, 1999, at 1 p.m. in Room 812, Health & Welfare Building, Harrisburg, PA 17120. The Children's Health Care Act (Act 68 of 1998), charges the Advisory Council with the responsibility of overseeing outreach activities and evaluating access and quality of services provided to children enrolled in the Children's Health Insurance Program (CHIP). The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meeting, should contact Tracey Pontius, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, or call (717) 787-4298, at least 24 hours in advance so that arrangements can be made.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-914. Filed for public inspection June 4, 1999, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; Workers' Compensation Employer Assessment Procedures Filing

On May 21, 1999, the Insurance Department received from the Pennsylvania Compensation Rating Bureau a filing to implement the final form rules pertaining to the imposition, collection and remittance of employer assessments for special funds as defined under Act 57 of 1997. The Bureau requests an overall 0.0% change which includes loss based assessments.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-915. Filed for public inspection June 4, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has 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 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 Kelli Ann Caldwell; file no. 99-267-31349; Premier Auto Insurance Company; doc. no. PH99-05-007; June 16, 1999, at 10 a.m.

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

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

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-916. Filed for public inspection June 4, 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 John S. Shipley; file no. 99-280-31575; Fair Plan of Pennsylvania; doc. no. PH99-05-0085; June 17, 1999, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedure). 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. 99-917. Filed for public inspection June 4, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Delaware County, Wine & Spirits Shoppe #2305, 8 East State Street, Media, PA 19063-2904.

Lease Expiration Date: August 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 9,500 net useable square feet of new or existing retail commercial space in Media.

Proposals due: June 18, 1999 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

JOHN E. JONES, III,
Secretary

[Pa.B. Doc. No. 99-918. Filed for public inspection June 4, 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 June 28, 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-00115844. Irene Rae Klein, t/d/b/a Amish Farmland Tours (9 Janis Road, P. O. Box 73, Gordonville, Lancaster County, PA 17529)—persons, in paratransit service, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania, and return, limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

A-00115887. Newtown American Legion Ambulance Squad, Inc., t/d/b/a Newtown Ambulance Squad (2651 South Eagle Road, P. O. Box 252, Newtown, Bucks County, PA 18940), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the boroughs of Newtown, Pennel, Bristol and Langhorne Manor and the townships of Newtown, Wrightstown, Upper Makefield, Lower Makefield, Falls, Bristol, Middletown, Bensalem, Northampton, Upper Southampton, Lower Southampton and Warminster, all located in Bucks County, and from points in said territory, to points in Pennsylvania, and vice versa; limited to the following vehicles: ambulances, wheelchair lift vans, buses and automobiles.

A-00115889. Edens Corporation, t/d/b/a J. Edens Corporation (P. O. Box 355, Malvern, Chester County, PA 19355), a corporation of the State of Delaware—persons in paratransit service, between points in the counties of Philadelphia, Bucks, Montgomery, Chester and Delaware.

A-00115896. Mario Delva (4836 North Eighth Street, Philadelphia, Philadelphia County, PA 19120)—persons upon call or demand in the county of Delaware.

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-00115879. Folder 2. Dingo Corp. (17 Cornelia Street, Pittston, Luzerne County, PA 18640), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points within an airline distance of 60 statute miles of the city limits of Allentown, Lehigh County. *Attorney:* Harry W. Skene, 135 South Main Street, Pittston, PA 18640.

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

A-00115891. Dorothy A. Davis, Executrix of the Estate of Hilliard Chapman (Deceased). (130 Grandview Avenue, P. O. Box 283, Williamstown, Gloucester County, NJ 08094)—persons: (1) attending funerals between points in the city of Philadelphia, Philadelphia County, and within an airline distance of 30 miles of City Hall in said city; and (2) attending weddings or christening parties to or from homes of wedding or christening parties and churches or places at which marriage ceremonies or christening services are performed in the city of Philadelphia, Philadelphia County; which is to be a transfer of all of the rights authorized under the certificate issued at A-00071652 to Hilliard Chapman (deceased), subject to the same limitations and conditions.

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 as described under each application.

A-00115888. Fri-Day Home Services, Inc. (544 South Heilbron Drive, Media, Delaware County, PA 19063), a corporation of the Commonwealth of Pennsylvania—household goods in use, between points in the counties of Delaware, Chester, Lancaster, Lebanon, Dauphin, Perry, Cumberland, York, Adams, Franklin, Fulton, Philadelphia, Bucks, Montgomery, Berks, Schuylkill, Snyder, Lehigh, Northampton, Carbon, Monroe, Montour, Columbia, Pike, Lackawanna, Wayne, Wyoming, Bradford and Sullivan, and from points in said counties, to points in Pennsylvania, and vice versa.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-919. Filed for public inspection June 4, 1999, 9:00 a.m.]

Transfer of Assets Without Hearing

A-110450F0016. Pennsylvania Power Company. Application of Pennsylvania Power Company for (1) a Certificate of Public Convenience Authorizing the Transfer of Certain Transmission Assets to American Transmission Systems, Inc., and (2) Approval of Certain Affiliated Interest Agreements Necessary to Effect the Transfer.

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 June 21, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania Power Company

Through and By Counsel: Stephen L. Feld, Senior Attorney, First Energy Corp., 76 South Main Street, Akron, Ohio 44308.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-920. Filed for public inspection June 4, 1999, 9:00 a.m.]

**Transfer of Ownership
Without Hearing**

A-110450F0015. Pennsylvania Power Company. Application of Pennsylvania Power Company for a Certificate of Public Convenience Authorizing the Transfer of Its Ownership Interests in the New Castle and Niles Power Plants to Duquesne Light Company.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before June 21, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania Power Company

Through and By Counsel: Stephen L. Feld Senior Attorney, First Energy Corp., 76 South Main Street, Akron, Ohio 44308.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-921. Filed for public inspection June 4, 1999, 9:00 a.m.]

STATE SYSTEM OF HIGHER EDUCATION

Request for Interest SSHE-CUP-01-99

The State System of Higher Education is seeking qualified design/build firms, partnerships or joint ventures to design and build an official residence on the campus of Cheyney University of Pennsylvania through a design/build competition process. The work will be located at Cheyney University of Pennsylvania. Professional liability insurance will be a requirement of this contract.

Interested qualified professionals can obtain a request for interest (RFI) from Rebecca Novak at the Dixon University Center; 2986 North Second Street; North Hall Room 105; Harrisburg, PA 17110-1201. Facsimile requests can be sent to (fax) (717) 720-7117 or (fax) (717) 720-4013. RFI'S are due on June 15, 1999 by 4 p.m. The system encourages responses from small firms, minority firms, women owned firms and firms which have not previously worked for the system, and will consider joint ventures which will enable these firms to participate in system professional services contracts. Non-discrimination and equal opportunity are the policies of the Commonwealth and the State System of Higher Education.

JAMES H. MCCORMICK,
Chancellor

[Pa.B. Doc. No. 99-922. Filed for public inspection June 4, 1999, 9:00 a.m.]
