

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 June 22, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-15-99	Summit Bancorp, Princeton, New Jersey, and First Valley Corporation, Bethlehem, PA, to acquire 100% of the voting shares of Prime Bancorp, Inc., Fort Washington, PA	Princeton, NJ	Approved

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-18-99	Northeast Pennsylvania Trust Company Hazleton Luzerne County	2 East Broad Street Hazleton Luzerne County	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-15-99	United Bank of Philadelphia Philadelphia Philadelphia County Purchase of assets/assumption of liabilities of three branch offices of First Union National Bank, Charlotte, NC, located at: 1620 Wadsworth Avenue Philadelphia Philadelphia County 2836 West Girard Avenue Philadelphia Philadelphia County Summit Bank, Bethlehem, and Prime Bank, Philadelphia Surviving Institution—Summit Bank, Bethlehem	Philadelphia 3945-49 Chestnut Street Philadelphia Philadelphia County Bethlehem	Filed Approved
6-18-99	Northwest Savings Bank Warren Warren County Purchase of assets/assumption of liabilities of eight branch offices of PNC Bank, N.A., Pittsburgh, located at: 475 Theatre Drive Johnstown Cambria County Lyter Drive & Entrance Way Johnstown Cambria County 225-227 Franklin Street Johnstown Cambria County	Warren Walnut & West Spruce Street Marienville Forest County 428 Main Street Smethport McKean County 5 Buckingham Street Tidioute Warren County	Filed Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-18-99	221 Elm Street Tionesta Forest County The Peoples State Bank East Berlin Adams County Purchase of assets/assumption of liabilities of one branch office of Sovereign Bank, FSB, Wyomissing, located at: 29 North Washington Street Gettysburg Adams County	101 South Main Street Sheffield Warren County East Berlin	Filed

Interstate Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Article</i>
6-17-99	U.S. Trust Company of Connecticut Greenwich Connecticut	100 W. Lancaster Ave. Wayne Delaware County Pennsylvania	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-1-98	Fidelity Savings Bank Pittsburgh Allegheny County	2034 Penn Avenue Pittsburgh Allegheny County	Opened
6-15-99	Main Street Bank Reading Berks County	1701 Chew Street Allentown Lehigh County	Opened
6-16-99	FirstService Bank Lansdale Montgomery County	301 Oxford Valley Rd. Yardley Bucks County	Approved
6-16-99	The Drovers & Mechanics Bank York York County	Northeast Quadrant of Pine Rd. & Route 382 Newberry Township York County	Approved
6-17-99	Prime Bank Philadelphia Philadelphia County	12 Chestnut Road Paoli Chester County	Authorization Surrendered
6-17-99	Prime Bank Philadelphia Philadelphia County	473 York Road Warminster Bucks County	Authorization Surrendered
6-17-99	Prime Bank Philadelphia Philadelphia County	1430 Walnut Street Philadelphia Philadelphia County	Authorization Surrendered
6-17-99	Summit Bank Bethlehem Northampton County	473 York Road Warminster Bucks County	Filed
6-17-99	Summit Bank Bethlehem Northampton County	1430 Walnut Street Philadelphia Philadelphia County	Filed
6-18-99	Prime Bank Philadelphia Philadelphia County	1235 West Chester Pike Havertown Delaware County	Authorization Surrendered
6-19-99	Main Street Bank Reading Berks County	235 Main Street Emmaus Lehigh County	Opened
6-19-99	Main Street Bank Reading Berks County	225 West Lancaster Ave. Ardmore Montgomery County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-21-99	First Heritage Bank Wilkes-Barre Luzerne County	R. D. #1 Airport Beltway Hazleton Luzerne County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-17-99	Summit Bank Bethlehem Northampton County	<i>To:</i> 12 Chestnut Road Paoli Chester County <i>From:</i> 1756 East Lancaster Avenue Paoli Chester County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-8-99	Laurel Trust Company Johnstown Cambria County	101 Ligonier Street Latrobe Westmoreland County	Filed
6-8-99	Laurel Trust Company Johnstown Cambria County	922 Philadelphia St. Indiana Indiana County	Filed
6-16-99	Summit Bank Bethlehem Northampton County	Second Avenue and Hutchison Street Martins Creek Northampton County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
6-17-99	Hometowne Heritage Bank Intercourse Lancaster County	To amend Article Six of the Articles of Incorporation to provide for the restatement of the organizers' subscription for common stock.	Approved and Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1052. Filed for public inspection July 2, 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 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 comment period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, 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 accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA 0036234. Industrial waste, **UNOCAL**, 2300 Barrington Road, Hoffman Estates, IL 60195.

This application is for renewal of an NPDES permit to discharge treated groundwater from a groundwater remediation system in Conshohocken Borough, **Montgomery County**. This is an existing discharge to Plymouth Creek.

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

The proposed effluent limits for Outfall 002, based on an average flow of 0.025 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>
Benzene	0.005	0.010	0.0125
Ethylbenzene	0.10	0.20	0.25
Toluene	0.4	0.8	1.0
1,1,1 Trichloroethane	0.2	0.4	0.5
Vinyl Chloride	0.0015	0.003	0.0038
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0012599. Industrial waste, **Simpson Paper Company**, 1301 Fifth Avenue, Suite 1200, Seattle, WA 98101-2613.

This application is for renewal of an NPDES permit to discharge untreated stormwater from a closed sludge impoundment, leachate from a closed impoundment and groundwater from a Simpson Paper Company site located in Whitmarsh Township, **Montgomery County**, PA. This is an existing discharge to the Schuylkill River.

The receiving stream is classified for warm water fish, migratory fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 018, based on an average flow of 0.144 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅		monitor/report
Suspended Solids		monitor/report
Oil and Grease		monitor/report
pH		monitor/report
COD		monitor/report
Total Kjeldahl Nitrogen		monitor/report
Total Phosphorus		monitor/report
Dissolved Iron		monitor/report
Total Arsenic		monitor/report
Total Barium		monitor/report
Total Cadmium		monitor/report
Total Chromium		monitor/report
Total Copper		monitor/report
Total Lead		monitor/report
Total Mercury		monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Total Selenium		monitor/report

The EPA waiver is in effect.

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

A. 4899402. PA Department of Conservation and Natural Resources, Bureau of State Parks, Delaware Canal State Park, 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540. Application to construct and operate a sewage treatment plant to serve the Teddy Roosevelt Picnic Area, located in Williams Township, **Northampton County**. Application received in the Regional Office—June 7, 1999.

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

PA 0052396. Industrial waste, SIC: 3321, 3322, 3365 and 3644, **O-Z Gedney LLC**, 150 Birch Hill Road, Shoemakersville, PA 19555.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of the Schuylkill River, in Perry Township, **Berks 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 the 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 for a design flow of 0.042 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	
pH		6.0—9.0 s.u. at all times	
Temperature		as required each month	

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>
CBOD		monitor and report	
Oil and Grease		monitor and report	
TSS		monitor and report	
Total Chromium		monitor and report	
Total Cadmium		monitor and report	
Total Zinc		monitor and report	
COD		monitor and report	
pH		monitor and report	
Total Lead		monitor and report	
Total Copper		monitor and report	
Total Arsenic		monitor and report	
Total Iron		monitor and report	

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

The EPA waiver is in effect.

PA 0052043. Industrial waste, SIC: 2086, **Mid Atlantic Cannery Association**, 316 South Front Street, Hamburg, PA 19526.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of the Schuylkill River, in Hamburg Borough, **Berks 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 the 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 for a design flow of 0.003 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
pH		monitor and report 6.0—9.0 s.u. 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 0085731. Industrial waste, SIC: 3089, **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			
pH	monitor and report	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			
pH	monitor and report	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.

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

PA 0098973. Sewage. **Conemaugh Township Area Sewer Authority**, P. O. Box 429, Davidsville, PA 15928.

This application is for renewal of an NPDES permit to discharge treated sewage from Benson STP in Paint Township, **Somerset County**.

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

Outfall 001: existing discharge, design flow of .1597 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	70,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0215945. Sewage, **Trinity Area School District**, 231 Park Avenue, Washington, PA 15301.

This application is for renewal of an NPDES permit to discharge treated sewage from Trinity South Elementary School Wastewater Treatment Plant in Amwell Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Tenmile Creek, which are classified as a trout stock 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 Marianna Municipal Water Works.

Outfall 001: existing discharge, design flow of .006 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
Ammonia Nitrogen				
(5-1 to 10-31)	8			16
(11-1 to 4-30)	24			48
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.7			1.7
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0216445. Sewage, **Helicopter Aviation Services Corporation**, P. O. Box 1117, Mount Pleasant, PA 15666.

This application is for issuance of an NPDES permit to discharge treated sewage from the Helicopter Aviation Services Corporation Sewage Treatment Plant in Bullsken Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Jacobs 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 Westmoreland Municipal Authority.

Outfall 001: new discharge, design flow of 0.002 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
Ammonia Nitrogen				
(5-1 to 10-31)	10			20
(11-1 to 4-30)	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0035114. Industrial waste, SIC: 3471, 3315 and 3351, **Torpedo Specialty Wire, Inc.**, R. D. 2, Route 27, Pittsfield, PA 16340.

This application is for renewal of an NPDES permit, to discharge treated industrial waste and stormwater to Gar Run in Pittsfield Township, **Warren 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 downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 87 miles below point of discharge.

The proposed discharge limits, based on a design flow of .0045 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)			
Cadmium			.092
Chromium (T)			4.38
Copper			.46
Lead			.15

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Nickel			4.61
Silver			.076
Zinc			.76
Cyanide (T)			.95
Fluoride			170.4
Total Suspended Solids	30	60	75
Oil and Grease	15		30
pH		6.0—9.0 at all times	

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

Outfall No. 003/004

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
These discharges shall consist of uncontaminated stormwater only. Refer to Special Condition E in Part C of this permit			

The EPA waiver is not in effect.

PA 0100536. Industrial waste, SIC: 4941, **DCNR Chapman State Park**, R. R. 2, Box 1610, Clarendon, PA 16313.

This application is for renewal of an NPDES permit, to discharge treated waste from an industrial waste treatment plant and sewage treatment plant to unnamed tributaries to West Branch Tionesta Creek in Pleasant Township, **Warren County**. This is an existing discharge.

The receiving water is classified for the following uses: HQ CWF, 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 river mile 90, approximately 116.4 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.002 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
Total Suspended Solids	30	60	75
Total Aluminum	4	8	10
Total Iron	2	4	5
Total Manganese	1	32	2.5
Total Residual Chlorine	1.5		3.5
pH		6.0—9.0 at all times	

The proposed discharge limits, based on a design flow of 0.0005 mgd, are:

Outfall No. 002

<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		
CBOD ₅	25		50
Total Suspended Solids	30		60
Ammonia as Nitrogen			
(5-1 to 10-30)	14		28
(11-1 to 4-30)	42		84
Total Residual Chlorine	1.5		3.5
Dissolved Oxygen			
Fecal Coliform	200		
Fecal Coliform	100,000		
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

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 0084964	Bethel Township Sewer Auth. P. O. Box 239 Warfordsburg, PA 17267	Fulton Bethel Twp.	UNT to Little Tonoloway	TRC
PA 0024139	Cumberland Township Auth. 1270B Fairfield Road Gettysburg, PA 17325	Adams Cumberland Twp.	UNT to Rock Creek	TRC
PA 0070149	Leesport Borough Authority 10 East Wall Street Leesport, PA 19533	Berks Leesport	UNT to Schuylkill River	TRC
PA 0021849	Millerstown Borough Municipal Authority P. O. Box 200 Millerstown, PA 17062	Perry Millerstown Borough	UNT to Juniata River	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER
Applications under the Pennsylvania Clean Streams Law
(Part II Permits)

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

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

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

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

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

WQM Permit No. 4699416. Sewerage. **Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406-0139. This project is for the construction and operation of a sewage pumping station to serve Glenn Rose subdivision located in Upper Merion Township, **Montgomery County**.

WQM Permit No. 4699417. Sewerage. **Worcester Township**, 1721 Valley Forge Road, P. O. Box 767, Worcester, PA 19490-0767. This project is for the construction and operation to expand the existing Meadowood Wastewater pumping station to serve the Worcester Elementary School located in Worcester Township, **Montgomery County**.

WQM Permit No. 2399404. Sewerage. **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016. This project is for the construction and operation of a sanitary sewer line and modifications to an existing pump station located in Ridley Township, **Delaware County**.

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

A. 6587201-A2. Industrial waste. **Westinghouse Electric Company**, R. D. 4, Box 333, Westinghouse Road, Blairsville, PA 15717-8904. Application for the modification and operation of a new groundwater treatment system to serve the Specialty Metals Plant located in Derry Township, **Westmoreland County**.

A. 0399401. Sewerage. **Jeffrey and Margaret Isaacson**, R. D. 1, Box 213C, Cowansville, PA 16218. Application for construction and operation of a small flow sewage treatment plant to serve the Isaacson residence located in Sugarcreek Township, **Armstrong County**.

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

WQM Permit No. 4399414. Sewage, **Terry Mariacher, SRSTP**, 441 East Jamestown Road, Greenville, PA 16125. This project is for the construction of a single residence sewage treatment plant in West Salem Township, **Mercer County**.

**INDIVIDUAL PERMITS
(PAS)**

NPDES Individual

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

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

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

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

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

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

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

NPDES Permit No. PAS10-G368. Stormwater. **Ephraim Hershey**, 176 Log House Road, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in Upper Oxford Borough, **Chester County**, to Big Elk Creek.

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

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

NPDES Permit PAS10Q175. Stormwater. **William Locke, Jr.**, 4 Running Road, Manchester-by-The-Sea, MA 10944, has applied to discharge stormwater from a con-

struction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS10S024-R. Stormwater. **The Woodlands**, Pine Ridge Equities, 400 Lincoln Avenue, Rutherford, NJ 07070, has applied to discharge stormwater from a construction activity located in Pocono and Stroud Townships, **Monroe County**, to Pocono Creek.

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

NPDES Permit PAS 102700. Stormwater. **Independent Pipeline Company**, 500 Renaissance Center, Detroit, MI 48243-1902, has applied to discharge stormwater from a construction activity to various streams in 11 Pennsylvania counties, beginning at the Ohio-Pennsylvania border in **Lawrence County** and proceeding eastward through **Lawrence, Butler, Armstrong, Clarion, Jefferson, Elk, Forest, McKean, Cameron, Potter and Clinton Counties**.

The construction activity for Lawrence County is located in Little Beaver Township, New Beaver Borough, Wayne Township and Perry Township with discharges of stormwater to the following streams: Little Beaver River, North Fork Little Beaver Creek, Honey Creek, Beaverdam Run, Eckles Run, Beaver River, Snake Run, Vinegar Valley Run, Duck Run, Squaw Run, Skunk Run, Slippery Rock Creek and several unnamed tributaries.

The construction activity for Butler County is located in Muddy Creek Township, Franklin Township, Clay Township, Concord Township and Fairview Township with discharges of stormwater to the following streams: Camp Run, Little Yellow Creek, Shannon Run, Swamp Run, Muddy Creek, Stony Run Connoquenessing Creek, Bear Creek, South Branch Bear Creek and several unnamed tributaries.

The construction activity for Armstrong County is located in Perry Township with discharges of stormwater to the following streams: unnamed tributaries to Cove Run and Allegheny River.

The construction activity for Clarion County is located in Toby Township, Porter Township, Redbank Township, Limestone Township and Clarion Township with discharges of stormwater to the following streams: Allegheny River, Black Fox Run, Catfish Run, Cherry Run, Wildcat Run, East Fork Wildcat, Fiddlers Run, West Fork Leatherwood Creek, Jack Run, Leisure Run, Town Run, Piney Creek, Little Piney Creek, Little Mill Creek and several unnamed tributaries.

The construction activity for Jefferson County is located in Union Township, Eldred Township, Barnett Township and Heath Township with discharges of stormwater to the following streams: Little Mill Creek, Mill Creek, Black Run, Cathers Run, Truby Run, Clear Creek, Clarion River and several unnamed tributaries.

The construction activity for Elk County is located in Millstone Township, Highland Township and Jones Township with discharges of stormwater to the following streams: Millstone Creek, Gregg Run, Steck Run, Hill Run, Pigeon Run, Maple Run, Ellithorpe Run, Cherry Run, Big Mill Creek, Wolf Run, Wilson Run, West Branch Clarion River, Rocky Run, East Branch Clarion River, Wellondorf Branch and several unnamed tributaries.

The construction activity for Forest County is located in Jenks Township with discharges of stormwater to the following streams: Spring Creek and Hill Run.

The construction activity for McKean County is located in Sergeant Township and Norwich Township with discharges of stormwater to the following streams: Rocky Run, Sevenmile Run, Fivemile Run, East Branch Clarion River, North Fork Straight Creek, South Fork West Branch Potato Creek, Elk Fork and several unnamed tributaries.

The construction activity for Cameron County is located in Shippen Township and Portage Township with discharges of stormwater to the following streams: Oviatt Branch, Elk Fork, Bewer Fork, Havens Run, Right Branch Cooks Run, North Creek, Pepper Run, Waldy Run, Fourmile Run, Sinnemahoning Creek, Salt Run, Radnor Hollow, Bucher Hollow, McNuff Branch and several unnamed tributaries.

The construction activity for Potter County is located in Portage Township and Wharton Township with discharges of stormwater to the following streams: McNuff Branch, Baily Run, Little Baily Run, First Fork Sinnemahoning Creek, East Fork Sinnemahoning Creek, Right Branch Lushbough Run, Calhoun Branch, and John Summerson Branch Trout Run and several unnamed tributaries.

The construction activity for Clinton County is located in Leidy Township with discharges of stormwater to the following streams: John Summerson Branch Trout Run, Daugherty Run, Kettle Creek and several unnamed tributaries.

SAFE DRINKING WATER

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

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

A. 115647. Public water supply. **Springton Water Company**, P. O. Box 348, Lyndell, PA 19354. This proposal involves the installation of a 4,000 storage tank and three water vending machines at the Marchwood Shopping Center in Uwchlan Township, **Chester County**.

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

4899502. Public water supply. **Hickory Hills Mobile Home Court**, 12 Hickory Hills Drive, Bath, PA 18014, Louise Kromer, Manager. This proposal involves replacing a 23,000 gallon storage tank with a hydropneumatic tank and water softeners with chemical injection for sequestering iron and manganese. It is located in Moore Township, **Northampton County**. *Engineer: Harry E. Garman, Mace Consulting Engineers*

4899503. Public water supply. **Ashland Specialty Chemical Company**, 400 Island Park Road, Easton, PA 18042. This proposal involves the installation of an air stripper to remove VOCs from the well water from the two sources of supply. *Engineer: Edward Sapp, UNI Engineering.*

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

Permit No. 0799501. Public water supply, **Duncansville Municipal Authority**, Duncansville/Allegheny,

Blair County. *Responsible Official: James Grove, Superintendent, Borough of Duncansville, P. O. Box 308, Duncansville, PA 16635-1349. Type of Facility: Installation of a chemical feed system at the water treatment plant. System will feed Aqua Mag to reduce calcium scale. Consulting Engineer: Stuart W. Sibold, PE, The EADS Group, Inc., 1126 Eighth Avenue, Altoona, PA 16602. Application received: May 17, 1999.*

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

A. 1799501. The Department has received a permit application from the **Country Place MHP**, R. D. 2, Box 71, DuBois, PA 15801-9710, Sandy Township, **Clearfield County**, to construct a new water well and pipe to existing water tank. The well pump will be used to pump to the tank.

A. MA. The Department has received a permit application from **Sandy Ridge Water Authority**, P. O. Box 200, Sandy Ridge, PA 16677, Rush Township, **Centre County**, to install pH adjustment chemical feed system for optimum corrosion control treatment.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

Acknowledgment of Notice 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 as proposed for remedia-

tion to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Unisys Downingtown Facility (Former), Downingtown Borough, **Chester County**. Randy L. Shuler, Environmental Resources Management, Princeton Crossroads, 250 Phillips Boulevard, Suite 280, Ewing, NJ 08618, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with heavy metals and solvents. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Local News* on May 25, 1999.

Unisys Corp., Blue Bell, PA, Whitpain Township, **Montgomery County**. William J. Ponticello, P.G., Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Times Herald* on May 10, 1999.

Reiniger Brothers, Inc. and Reiniger Brothers, Upper Moreland Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals and pesticides. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Record* on June 3, 1999.

SOLID AND HAZARDOUS WASTE OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Regional Office: Regional Solid Waste Manager, Suite 6010, 555 North Lane, Lee Park, Conshohocken, PA 19428.

A. 101069. SECCRA Landfill, 219 West Street Road, Kennett Square, PA 19348. Application was received for the expansion of the SECCRA Landfill, which is located in London Grove Township, **Chester County**. Application was received in the Southeast Regional Office on June 11, 1999.

A. 100973. Quickway Transfer Station, 2900 Orthodox Street, Philadelphia, PA 19137. Application was received for the reissuance of their solid waste Permit No. 100973 from USA Waste Transfer of Philadelphia, Inc., to Republic Services Group of PA II, LLC. Facility is located in the **City of Philadelphia**. Application was received in the Southeast Regional Office on June 14, 1999.

A. 101468. Girard Point Transfer Station, 3600 South 26th Street, Philadelphia, PA 19145. Application was received for the reissuance of solid waste Permit No. 101468 from USA Waste Transfer of Philadelphia, Inc., to Republic Services Group of Pennsylvania I, LLC. Facility located in the **City of Philadelphia**. Application was received in the Southeast Regional Office on June 14, 1999.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. 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 permit 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).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

35-399-018A: General Dynamics Land Systems (175 East Street, Eynon, PA 18403), for operation of a descaling and peening operation in Archbald Borough, **Lackawanna County**.

Notice of Intent to Issue Title V Operating Permits

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

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

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

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

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

TVOP-49-00001: Foster Wheeler Mt. Carmel, Inc. (P. O. Box 490-D, Marion Heights Road, Marion Heights, PA 17832-0490), for their cogeneration facility (Cogen) and associated culm processing plant located in Mount Carmel Township, **Northumberland County**. The facility's main sources include a Foster Wheeler Circulating Fluidized Bed Boiler (Cogen), several storage silos, culm processing equipment and combustion sources. These sources emit major quantities of nitrogen oxides (NOx), carbon monoxide (CO), sulfur oxides (SOx), particulate matter and hazardous air pollutants (HAPs). As a result of the major quantities of NOx, CO, SOx, particulate matter and HAPs emitted, Foster Wheeler Mt. Carmel, Inc.'s Cogeneration Facility (Cogen) and associated culm processing plant is a major stationary source as defined

in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The sources also emit volatile organic compounds (VOCs). This facility is also subject to all applicable requirements of Reasonably Available Control Technology (RACT) for NOx emissions.

TVOP-59-00003: Osram Sylvania Products, Inc. (1 Jackson Street, Wellsboro, PA 16901), for their incandescent lightbulb facility located in Wellsboro Borough, **Tioga County**. The facility's main sources include a regenerative glass furnace, natural gas-fired boilers, a ceramic coating process, a chrome plating operation, solvent processes and several natural-gas fired processes. These sources emit major quantities of nitrogen oxides (NOx), sulfur oxides (SOx), hazardous air pollutants (HAPs) and particulate matter. As a result of the major quantities of NOx, SOx, HAPs and particulate matter emitted, the Osram Wellsboro facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The sources also emit carbon monoxide (CO) and volatile organic compounds (VOCs). This facility is also subject to all applicable requirements of Reasonably Available Control Technology (RACT) for NOx emissions.

PLAN APPROVALS

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

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

PA-23-0001D: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for a storage tank in Marcus Hook Borough, **Delaware County**.

PA-23-0009: Boeing Co., The (Stewart Avenue and Route 291, Ridley, PA 19078), for installation of two-stage dry particulate filters in Ridley Township, **Delaware County**.

PA-46-0005K: Merck & Co., Inc. (770 Sumneytown Pike, West Point, PA 19486), for a Boiler No. 4 in Upper Gwynedd Township, **Montgomery County**.

PA-15-0013A: Graphic Packaging Corp. (2400 Continental Boulevard, Malvern, PA 19355), for modification of a flexographic/gravure press in Tredyffrin Township, **Chester County**.

PA-23-0001F: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for a storage tank in Marcus Hook Borough, **Delaware County**.

PA-23-0001E: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for a storage tank in Marcus Hook Borough, **Delaware County**.

PA-23-0077: County of Delaware (340 North Middletown Road, Lima, PA 19037), for construction of a natural gas-fired generator in Middletown Township, **Delaware County**.

PA-23-0031: Mercy Fitzgerald Hospital (1500 Lansdowne Avenue, Darby, PA 19023), for installation of an MSB emergency generator in Darby Borough, **Delaware County**.

OP-46-0022B: Elf Atochem North America, Inc. (900 First Avenue, King of Prussia, PA 19406), for modification of two boilers in Upper Merion Township, **Montgomery County**.

PA-09-0021: MRI Flexible Packaging (122 Penns Trail, Newtown, PA 18940), for modification of a flexographic printing press in Newtown Township, **Bucks County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

35-399-033: Hospital Central Services Corp. (HCSC Laundry, 317 Linden Street, Scranton, PA 18503), for construction of a linen drying operation in Scranton, **Lackawanna County**.

48-320-011: Alcom Printing Group, Inc. (Lehigh Litho, Inc., 2285 Avenue A, Lehigh Valley Industrial Park, Bethlehem, PA 18017), for construction of a lithographic printing operation in Bethlehem, **Northampton County**.

66-315-036: Procter & Gamble Paper Products Co., Inc. (P. O. Box 32, Mehoopany, PA 18629), for modification of paper conversion lines and associated printing in Washington Township, **Wyoming County**.

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

01-310-050A: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201), for modification/installation of an additional double deck screen for a crushing and screening plant in Hamiltonban Township, **Adams County**. The source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

06-3106: Behringer Saws, Inc. (721 Hemlock Road, Morgantown, PA 19543), for surface coating operation controlled by dry filters in Caernarvon Township, **Berks County**.

06-318-042E: Reynolds Metals Co. (County Line Road, R. D. 1, Boyertown, PA 19512), for installation of a flexographic printing press in Colebrookdale Township, **Berks County**.

22-03021A: A. P. Green Refractories, Inc. (P. O. Box 189, 105 North Wood Street, Middletown, PA 17057), for installation of a 1 ton per hour mixer for an existing process for the manufacture of solid ceramic shapes in Middletown Borough, **Dauphin County**.

28-03004A: Bri-Mar Mfg. LLC. (1080 South Main, Chambersburg, PA 17201), for moving two paint booths from their old location to their new location in Chambersburg Borough, **Franklin County**.

28-03025: Wenger's Feed Mill, Inc. (111 West Harrisburg Avenue, Rheems, PA 17570-0026), for construction of a feed mill facility in South Hampton Township, **Franklin County**.

67-05070A: Graham Packaging Co., L.P. (420-B Emig Road, York, PA 17402), for installation of a bottle coating system controlled by a thermal oxidizer in Manchester Township, **York County**.

67-320-026B: GTY, Inc. (2075 Loucks Road, York, PA 17404), for installation of a hot embosser in West Manchester Township, **York County**.

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

PA-43-287A: Jones Performance Products, Inc. (One Jones Way, West Middlesex, PA 16159-0808), for construction of a sheet mold compound press (300 tons) at a Title V facility in West Middlesex, **Mercer County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Coal Applications Received

26940103R. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine with a coal crusher located in Springfield Township, **Fayette County**, affecting 23.0 acres. Receiving streams: unnamed tributaries to Indian Creek to Youghiogheny River and unnamed tributaries to Mill Run to Indian Creek to the Youghiogheny River. Renewal application received: June 7, 1999.

26940105R. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine located in Springfield Township, **Fayette County**, affecting 75.5 acres. Receiving streams: unnamed tributary to Indian Creek to Youghiogheny River and Buck Run to Laurel Run to Indian Creek to Youghiogheny River. Renewal application received: June 7, 1999.

65940106R. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine with a coal crusher located in Derry Township, **Westmoreland County**, affecting 170.0 acres. Receiving streams: unnamed tributaries to Miller Run to Loyahanna Creek to the Kiskiminetas River. Renewal application received: June 7, 1999.

03990103. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Cowanshannock Township, **Armstrong County**, proposed to affect 59.5 acres. Receiving streams: unnamed tributaries to Cowanshannock Creek, Cowanshannock Creek, Allegheny River. Application received: June 8, 1999.

26870203R. Yowonske Construction Co. (R. R. 3, Box 343-A, Belle Vernon, PA 15012-9803). Renewal application received for continued operation and reclamation of a coal refuse reprocessing site located in Redstone Township, **Fayette County**, affecting 52.0 acres. Receiving streams: Rowes Run to Redstone Creek to the Monongahela River. Renewal application received: June 16, 1999.

03970105. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Application received for commencement, operation and reclamation of a bituminous surface auger mine with a preparation plant/processing facility located in Washington Township, **Armstrong County**, proposed to affect 413.0 acres. Receiving streams: unnamed tributaries to Limestone Run to the Allegheny River. Application received: June 14, 1999.

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

17990902. Johnson Bros. Coal Co. (R. D. 1, Box 580, Mahaffey, PA 15757), commencement, operation and restoration of an incidental coal extraction permit in Penn Township, **Clearfield County** affecting 1.3 acres. Receiving streams: Kratzer Run. Application received June 7, 1999.

17743165. Roy Coal Company (Box 12, Olanta, PA 16863), renewal of an existing bituminous surface mine permit in Boggs Township, **Clearfield County** affecting 164.4 acres. Receiving streams: Little Clearfield Creek to Clearfield Creek and Clearfield Creek to West Branch of

the Susquehanna River to the Susquehanna River. Application received June 10, 1999.

17990103. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847), reactivation of an application for a bituminous surface mine-auger permit for commencement, operation and restoration, Bigler Township, **Clearfield County** affecting 228.8 acres. Receiving streams: Upper Morgan Run, unnamed tributary to Upper Morgan Run, and Alexander Run. Application received March 19, 1999. Application returned May 6, 1999. Application reactivated June 8, 1999.

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

33890115. Fred A. Deemer, Jr. (R. D. 1, Reynoldsville, PA 15851). Renewal of an existing bituminous surface mine operation in Washington Township, **Jefferson County**, affecting 40.0 acres. Receiving streams: Two unnamed tributaries to Sandy Lick Creek to Redbank Creek to the Clarion River to the Allegheny River. Application for reclamation only. Application received June 14, 1999.

102911-10980110-E-3. Fleishner Excavating, Inc. (350 Lardintown Road, Sarver, PA 16055). Application for a stream encroachment to encroach within 100 feet of Lardintown Run in Clinton Township, **Butler County**. Receiving streams: Unnamed tributaries to Lardintown Run (TSF) to Bull Creek (TSF) to the Allegheny River. Application received June 18, 1999.

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

54851336C7. Summit Anthracite, Inc. (RR 1, Box 12A, Klingerstown, PA 17941), correction to an existing anthracite underground mine operation to add another mine opening in Porter Township, **Schuylkill County** affecting 6.7 acres, receiving stream—Good Spring Creek. Application received June 8, 1999.

49970203C. Mid-Valley Coal Sales, Inc. (5 Woodland Drive, Mt. Carmel, PA 17851), correction to an existing coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 533.0 acres, receiving stream—Shamokin Creek. Application received June 10, 1999.

54880201R2. Blaschak Coal Corp. (P. O. Box 12, Mahanoy City, PA 17948), renewal of a coal refuse reprocessing and breaker operation in Pine Grove Township, **Schuylkill County** affecting 61.4 acres, receiving stream—none. Application received June 11, 1999.

54773223R3. CLS Coal Company (P. O. Box 81, Port Carbon, PA 17965), renewal of an existing coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 133.0 acres, receiving stream—none. Application received June 17, 1999.

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

Noncoal Applications Received

10940306. Quality Aggregates, Inc. (200 Neville Road, Pittsburgh, PA 15225). Renewal of an existing limestone operation in Marion Township, **Butler County**, affecting 58.5 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek to Slippery Rock Creek and an unnamed tributary to Blacks Creek. Renewal of NPDES Permit No. PA0212091. Application received June 16, 1999.

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

5677SM1C4. Watsontown Brick Company (P. O. Box 68, Watsontown, PA 17777), renewal of NPDES Permit No. PA0223263 in Delaware Township, **Northumberland County**, receiving stream—West Branch Susquehanna River. Application received June 7, 1999.

40930302C. Linde Enterprises, Inc. (R. R. 1, Box 1755, P. O. Box A, Honesdale, PA 18431), renewal of NPDES Permit No. PA0223280 in Pittston Township, **Luzerne County**, receiving stream—Mill Creek. Application received June 14, 1999.

67990301. Glen-Gery Corporation (P. O. Box 7001, Wyomissing, PA 19610-6001), commencement, operation and restoration of a quarry operation in Dover Township, **York County**, NPDES Permit No. PA0223999, affecting 39.866 acres, receiving stream—unnamed tributary of Fox Run. Application received June 14, 1999.

21990301. Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809), commencement, operation and restoration of a quarry operation in Southampton Township, **Cumberland County** affecting 252.52 acres, receiving stream—unnamed tributary to Bulls Head Branch. Application received June 15, 1999.

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

Small Industrial Minerals Applications Received

11990801. Donald J. Brawley (375 Stevens Road, Carrolltown, PA 15722), commencement, operation and restoration of a small industrial minerals mine in East Carroll Township, **Cambria County**, affecting 5.0 acres, receiving stream unnamed tributary to Laurel Lick Run. Application received June 16, 1999.

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

Large Industrial Mineral (Noncoal) Permit Applications Received

18832301. Mill Hall Clay Products, Inc. (44 Market Street, Mill Hall, PA 17751), renewal of an existing large industrial mineral NPDES permit in Bald Eagle Township, **Clinton County** affecting 33 acres. Receiving streams: Bald Eagle Creek to Susquehanna River. Application received May 27, 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 (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as questions to the office noted above the application.

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

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

E15-621. Encroachment. Vaugh & Sons, Inc., 347 E. Conestoga Rd., Wayne, PA 19037. To place fill in a de minimis 0.04 acre of wetland which is in the watershed of a tributary of Crum Creek for the purpose of enhancing a yard area for a residential dwelling. The site is located in Fitzpatrick Subdivision lot number 7 approximately 500 ft. south of the intersection of Mill Road and Evergreen Lane. (Valley Forge, PA Quadrangle N: 4.00-inches; W: 16.5-inches) in Willistown Township, **Chester County**.

E09-788. Encroachment. Doylestown Township, 425 Wells Rd., Doylestown, PA 18901. To construct and maintain an 8-foot wide, 5,500 foot long macadam bike and hike path adjacent to the 100 year floodway fringe of the Neshaminy Creek impacting 0.55 acre of wetlands. The site is located along the Neshaminy Creek, in the vicinity of Wells Road and Lower State Road (Doylestown, PA Quadrangle, N: 5.75 inches; W: 3.5 inches) in Doylestown Township, **Bucks County**.

E23-383. Encroachment. Sunoco, Inc., Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103-1699. To install and maintain two 24-inch petroleum pipelines across Exceptional Value (EV) Palustrine open water/emergent mixed wetlands. This work is associated with the Terminal One Expansion Project at the Philadelphia International Airport. Wetland disturbance will be avoided by utilizing directional drilling techniques. The project is located just north of the Philadelphia International Airport, between SEPTA High Speed Line right-of-way and Ramp A which connects Industrial Highway (S.R. 0291) to Interstate 95 (Lansdowne, PA USGS Quadrangle N: 0.5 inch, W: 0.7 inch) in Tinicum Township, **Delaware County**.

E51-179. Encroachment. City of Philadelphia, Division of Aviation, Terminal E, Philadelphia International Airport, Philadelphia, PA 19153. To construct and maintain commuter Terminal F and associated 38 passenger boarding gates, aircraft apron, taxi lanes and taxiways in the 100 year floodplain of the Delaware River, located north of existing Terminal E at the Philadelphia International Airport (Philadelphia, PA-NJ Quadrangle N: 15.5 inches; W: 1.3 inches) in the City and **County of Philadelphia**.

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

E40-526. Encroachment. John T. Timko, 788 East Main Street, Weatherly, PA 18255. To construct and maintain a road crossing of a tributary to Big Wapwallopen Creek (locally known as Yeager Creek) (CWF), consisting of a 15.1-foot × 4.8-foot galvanized box culvert and including the placement of fill in a de minimis area of wetlands equal to 0.02 acre, for the purpose of providing access from Brandywyn Drive to a 16.2-acre single residential lot. The project was previously authorized by Permit No. E40-428, which authorized a 14.8-foot × 4.8-foot aluminum box culvert. The project is located on

Lot 19 of the Fox Run Subdivision, approximately 0.5 mile southeast of the intersection of S. R. 2045 and S. R. 3010 (Freeland, PA Quadrangle N: 19.1 inches; W: 8.1 inches), Wright Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

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

E05-276. Encroachment. **Bedford Boro Municipal Authority**, 244 W. Penn Street, Bedford, PA 15522. To construct and maintain an effluent pumping station and associated sewer line along the left bank floodway and floodplain of Shobers Run (HQ-CWF) located just upstream of U. S. Route 30 Bridge (Everett West, PA Quadrangle N: 3.0 inches; W: 16.18 inches) in Bedford Borough, **Bedford County**.

E21-293. Encroachment. **Kurt Williams**, 3830 Lisburn Rd., Mechanicsburg, PA 17055. To construct and maintain a 10-inch diameter by 125 feet poly vinyl chloride intake pipe and intake headwall along the left bank and floodway of the Yellow Breeches Creek (CWF) to irrigate a property at 3830 Lisburn Road, to maintain existing and future vegetative landscaping, lawns, trees, maintain formal and informal garden areas, and to maintain water levels in and provide maintenance for several ponds located on the property. The intake will be located just upstream of the LR 21051 bridge (Lemoyne, PA Quadrangle N: 9.5 inches; W: 6.9 inches) in Lower Allen Township, **Cumberland County**.

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

E14-349. Encroachment. **PA Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To construct and maintain two 60-inch reinforced concrete pipes (RCP), 579-feet and 907-feet, culverts 1 and 2, respectively; construct four permanent stormwater management basins; construct a temporary stream crossing with one 60-inch and six 48-inch corrugated metal pipes; modify an existing 30-foot span prestressed concrete box beam bridge; remove 0.006 acre of PEM wetlands adjacent to Waddle Creek and remove 0.184 acre of PEM wetlands along Ghaner Road. Culvert 1 (60-inch RCP) is located along S. R. 6220 Sta. 980+50, Segment 270; its upstream end is 2,651.5 feet from the confluence and its downstream end is 2,038.7' from the confluence. Culvert 2 (60-foot RCP) is located at Ramp D Sta. 318+00, Segment 21 and Ramp E Sta. 420+70, Segment 61; its upstream end is 1,345.1 feet from the confluence and its downstream end is 431.4 feet from the confluence. Culverts 1 and 2 are located in the Scotia Road interchange area and will flow into Waddle Creek. The four permanent stormwater management basin locations are as follows: Basin 6 is located within the inner loop of Ramp E, Sta. 974+00 Lt., 1,524 feet from the confluence; Basin 7 is located along existing S. R. 322 at Stevenson Road, Sta. 961+70 Lt., 332 feet from the confluence; Basin 8 is located along S. R. 6220 at ramps B & C, Sta. 974+00 Rt., 1,980 feet from the confluence; and Basin 9 is located along S. R. 6220 at ramps D & E, Sta. 970+00 Lt., 1,357 feet from the confluence. Temporary stream crossing no. 1 is located at approximate Sta. 203+00 and crosses Waddle Creek. Structure 323 is located along S. R. 3042 Sta. 203+00 and has a clear span of 30', an underclearance of 7.5 feet with an effective underclearance of 6.5 feet. (Julian, PA Quadrangle N: 12.0 inches; W: 5.8 inches). The project proposes to permanently impact 1,486 linear

feet of an UNT to Waddle Creek; permanently impact 30 linear feet of Waddle Creek; temporarily impact 135 linear feet of Waddle Creek, that has been classified as HQ-CWF; and permanently impact 0.190 acre of wetland, classified as PEM.

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

E10-304. Encroachment, **Marion Township**, 23 Creek Bottom Road, Harrisville, PA 16038. To remove the existing White Oak Bridge and to install and maintain a 14-foot-wide by 7.25-foot-high steel pipe arch culvert in North Branch Slippery Rock Creek (CWF) on T-477 (White Oak Road) approximately 1 mile east of SR 0008 (Barkeyville, PA Quadrangle N: 7.5 inches; 14.3 inches) located in Marion Township, **Butler County**.

E20-479. Encroachment, **DCNR—Region 2 Park Office**, 195 Park Road, P. O. Box 387, Prospect, PA 16052-0387. To place and maintain fill in approximately 0.6 acre of Pymatuning Reservoir to expand the existing parking and waterfowl/fish feeding area at the Linesville Spillway in Pymatuning State Park approximately 2.05 miles south of the intersection of SR 0006 and SR 3011 in the Borough of Linesville (Linesville, PA Quadrangle N: 1.0 inch; W: 9.0 inches) located in Pine and North Shenango Townships, **Crawford County**.

E20-480. Encroachment, **Meadville Area Industrial Comm.**, 18257 Industrial Drive, Meadville, PA 16335. To remove two existing 48-inch-diameter corrugated metal pipe culverts and to construct and maintain a reinforced concrete box culvert having a span of 10 feet and a rise of 4 feet on Painted Road across McMichael Run (WWF) for the initial phase of the Keystone Regional Industrial Park. The project is located approximately 800 feet north of the intersection of SR 3004 (Adamsville Road) and Painted Road at Halls Corners (Geneva, PA Quadrangle N: 4.5 inches; W: 15.5 inches) located in Greenwood Township, **Crawford County**.

ENVIRONMENTAL ASSESSMENT

The following Environmental Assessment and request for Water Quality Certification are being processed under §§ 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

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

EA10-011NW. Environmental Assessment, **Bio Most, Inc.**, 338 Glen Eden Road, Rochester, PA 15074. To remove approximately 20,000 cubic yards of mine refuse/gob which was placed adjacent to Seaton Run (WWF); locally known as Murrin Run, and within the Floodway of this tributary to Seaton Run and to revegetate the riparian corridor. This project is part of a restoration effort to improve water quality within the Slippery Rock Creek Watershed. This project will include the use of BDWM-GP-8, temporary road crossing, (GP081000607) to provide access across this tributary to Seaton Creek. The project is located approximately 4,000 feet southwest of the intersection of S. R. 0308 and Erico Road (Eau Claire, PA Quadrangle N: 1.2 inches; W: 16.8 inches) located in Venango Township, **Butler County**.

WATER ALLOCATIONS

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

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

WA4-1004. Water Allocation. **Conway Borough Municipal Authority**, PA 15716. The applicant is requesting the right to purchase 367,200 gallons per day from the Ambridge Water Authority, **Beaver County**.

WA2-131B. Water Allocation. **Pittsburgh Water & Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15222. The applicant is requesting a subsidiary permit to buy from the Pennsylvania American Water Company on an emergency basis.

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

WQM Permit No. 0999414. Sewerage. **Chalfont-New Britain Township Joint Sewer Authority**, 1645 Upper State Road, Doylestown, PA 18901. Approval for the

replacement of the existing chlorine disinfection system with UV light disinfection system located in Doylestown Township, **Bucks County**.

NPDES Permit No. PA0057011, Amendment No. 1 Sewage. **Thornbury Township**, 8 Township Drive, Cheyney, PA 19319-1019. Amendment to increase the flow for the Bridlewood STP located in Thornbury Township, **Chester County** to Radley Run.

NPDES Permit No. PA0040576. Sewage. **Valleybrook Homeowner's Association, Inc.**, P. O. Box 394, Chester Heights, PA 19017, is authorized to discharge from a facility located in Chester Heights Borough, **Delaware County** into West Branch Chester Creek.

NPDES Permit No. PA0057673. Sewage. **Candlewyck Estates Homeowner's Association**, 5022 Fernwood Avenue, Egg Harbor, NJ 08234, is authorized to discharge from a facility located at Candlewyck Estates STP, Route 29 and Knight Road, Green Lane, PA 18054, located at Marlborough Township, **Montgomery County** into an unnamed tributary to Perkiomen Creek.

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

Permit No. 4598407. Sewerage. **Penn Estates Utilities Inc.**, 503 Hallet Road, East Stroudsburg, PA 18301. Permit to expand existing sewage treatment plant, located in Stroud Township, **Monroe County**.

Permit No. 4899401. Sewerage. **Sovereign Bank**, 102 West Main Street, Bath, PA 18014. Permit to construct a sewage treatment facility to serve a single family residence, located in Lower Saucon Township, **Northampton County**.

NPDES Permit No. PA-0063924. Sewerage. **Commonwealth of Pennsylvania, Department of Conservation and Natural Resources**, Delaware Canal State Park, 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540, is authorized to discharge from a facility located in Williams Township, **Northampton County**, to Delaware River.

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

WQM Permit No. 4399406. Sewerage. **Harvey Byler and Tracy L. Deems SRSTP**, 106 Bend Rd., New Wilmington, PA 16142. Construction of Harvey Byler and Tracy L. Deems SRSTP located in Wilmington Township, **Mercer County**.

NPDES Permit No. PA0101010. Sewage. **Extendicare Homes, Inc., dba Abington Crest Nursing Center**, 1267 South Hill Road, Erie, PA 16509, is authorized to discharge from a facility located in Summit Township, **Erie County** to an unnamed tributary to Walnut Creek.

NPDES Permit No. PA0209961. Sewage. **Hill's Family Campground**, 6300 Sterrettania Road, Fairview, PA 16415, is authorized to discharge from a facility located in McKean Township, **Erie County** to an unnamed tributary to Bear Run.

NPDES Permit No. PA0027367, Amendment No. 1. Sewage. **Greenville Sanitary Authority**, 183 Hamburg Road, Greenville, PA 16125, is authorized to discharge from a facility located in Hempfield Township, **Mercer County** to the Shenango River.

NPDES Permit No. PA0222836. Sewage, **Harvey Byler and Tracy L. Deems**, 106 Bend Rd., New Wilmington, PA 16142, is authorized to discharge from a

facility located in Wilmington Township, **Mercer County** to Unnamed Tributary to the West Branch of Little Neshannock Creek.

INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G349	Battenkill Properties of PA, LTD 322 Kennett Pike, P. O. Box 895 Mendenhall, PA 19357	West Brandywine and Wallace Townships Chester County	Indian Run
PAS10-G364	Morgan Brothers Builders, Inc. 288 Lancaster Avenue P. O. Box 1074 Frazer, PA 19355	East Vincent Township Chester County	Unnamed Tributary to French Creek
PAS10-T016-R	The Cutler Group, Inc. P. O. Box 629 Horsham, PA 19044	Montgomery Township Montgomery County	Park Creek

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

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

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

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

List of NPDES and/or other General Permit Type

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

*General Permit Type—PAG-2**Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lehigh County Upper Saucon Township	PAR10Q123	Upper Saucon Township Bernard Rodgers 5500 Camp Meeting Rd. Center Valley, PA 18034	Saucon Cr.	Lehigh CD (610) 391-9583
Schuylkill County Walker Township and W. Penn Township	PAR105782	ICI Explosives, USA, Inc. ICI Americas Inc. Copperhead Chemical 1 River Road Tamaqua, PA 18252	Little Schuylkill River	Schuylkill CD (570) 622-3742
East Caln Township Chester County	PAR10-G317	PA DOT 200 Radnor Chester Rd. St. Davids, PA	East Branch Brandywine Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Downingtown Borough Chester County	PAR10-G322	Pennfield P. O. Box 98 Chadds Ford, PA 19317	East Branch Red Clay Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Radnor Township Delaware County	PAR10-J143	G & D Developers 315 Langford Rd. Broomall, PA 19008	Meadowbrook Run	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Chadds Ford Borough Concord Township Delaware County	PAR10-J153	PA DOT 200 Radnor Chester Rd. St. Davids, PA	West Branch Chester Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Moreland Township Montgomery County	PAR10-T507	Fred Betz and Sons, Inc. 670 Knowles Ave. Southampton, PA	Huntingdon Valley Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Philadelphia Philadelphia County	PAR10-5324	Pine Meadows Associates 111 Pheasant Hill Dr. Philadelphia, PA	Municipal Storm Sewer	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Butler County Cranberry Township	PAR10E088	Cranberry Commons Joint Venture 215 Executive Drive Cranberry Township, PA 16066	Brush Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Butler County Cranberry Township	PAR10E098	Home Depot USA 3096 Hamilton Boulevard South Plainfield, NJ 07080	Unnamed Tributary to Brush Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Butler County Slippery Rock Township	PAR10E100	DEP Bureau of Abandoned Mine Reclamation, P. O. Box 8476 Harrisburg, PA 17105-8476	Unnamed Tributary to Long Run	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Butler County Cranberry Township	PAR10E101	Windwood Heights Plan of Lots Hopeview Partners 241 Emmet Road Wexford, PA 15090	Kaufman Run	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Butler County Middlesex Township	PAR10E102	Pheasant Ridge Golf Course 6065 Pittman Road Gibsonia, PA 16044	Unnamed Tributary to Bull Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Butler County Cranberry Township	PAR10E104	SR 228 Widening Woodmont Corporation 6500 W. Freeway Suite 900 Fort Worth, TX 76116-2190	Unnamed Tributary to Brush Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501

<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>
Butler County Adams Township	PAR10E107	Mars Area School District 545 Rt. 228 Mars, PA 16046	Unnamed Tributary to Breakneck Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-6501
Lawrence County Pulaski Township	PAR103733	Kent and Darrell Mitcheltree Mitcheltree Brothers Sawmill P. O. Box 322, Rt. 551N Pulaski, PA 16143	Unnamed Tributary to Buchanan Run	Lawrence Cons District Lawrence Co. Gov't Center 430 Court Street New Castle, PA 16101-3593

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bucks County Falls Township	PAR800090	Joseph T. Moffitt, Regional Manager Parsec, Inc. East Cabot Boulevard Flynn Industrial Park Langhorne, PA 19047	Unnamed Tributary to Rock Run	Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Cranberry Township Butler County	PAR808368	CNF Transportation/Emery Worldwide Airlines—J57 51 Penn Wood Place Cranberry Township, PA 15086	Unnamed Tributary to Brush Creek	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481

General Permit Type—PAG-4

<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>
Allegheny County Forward County	PAG046182	Danner Doak P. O. Box 334 Elizabeth, PA 15037	Unnamed Tributary to the Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-7

<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>
Pike County Westfall Township	PAG07-2201	Pike County Environmental, Inc. P. O. Box 127 Matamoras, PA 18336	N/A	Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

**Plan Revision Approval granted June 18, 1999,
under the Pennsylvania Sewage Facilities Act (35
P. S. §§ 750.1—750.20).**

*Regional Office: Water Management Program Manager,
Southcentral Region, 909 Elmerton Avenue, Harrisburg,
PA 17110-8200.*

*Location: Lorne J. Bowser Subdivision, Single Family
Residence, West St. Clair Township, Bedford County.*

Approval of a revision to the Official Plan of **West St. Clair Township, Bedford County**. Project involves construction of a small flow treatment facility to serve one new single family residence, with sewage flows of 400 gpd. Located along Township Route 591, 1/2 mile north of its intersection with State Route 56. Treated effluent is to be discharged into an unnamed tributary to Barefoot Run, which is classified as a warm water fishery. Barefoot Run is a tributary to Dunnings Creek.

Required NPDES permits or water management permits must be obtained in the name of the owner.

SAFE DRINKING WATER

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

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

Permit No. 1596506. Public water supply. **Phillips Mushroom Farms**, 1011 Kaolin Road, Kennett Square, PA 19348. A permit has been issued to Phillips Mushroom Farms for the construction of Well Nos. PW2 and PW3 to serve the 70 onsite residents of the Phillips Mushroom Farms in Kennett Township, **Chester County**.

Type of Facility: Public Water Supply System

Consulting Engineer: Tetra Tech, Inc., P. O. Box 567, West Chester, PA 19381

Permit to Construct Issued: June 10, 1999

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

Permit No. 6498502. Public water supply. **PC Realty/Bethany Village**, RR 5, Box 170, Bethany, PA 18431, Laurie Aladovitz, CEO. This proposal involves the construction of a new wellhouse, with appurtenances (that is, meter, check valves, disinfection system, and the like) and modifications to the upper well terminus and existing storage facility. Construction permit issued on May 17, 1999.

Permit No. 3999502. Public water supply. **Nuss Mobile Home Park**, Donald Steffy, Manager, 3632 Old Post Road, Coplay, PA 18037. This proposal involves the injection of a blended phosphates solution into the well water (no. 2, no. 3) prior to disinfection at an existing MHP. It is located in **Lehigh County**. Construction permit issued on May 28, 1999.

Permit No. 4099501. Public water supply. **Monroe Bottling Company, Inc.**, 522 North Main Street, P. O. Box 865, Pittston, PA 18640. This proposal involves the addition of bulk water hauling. It is located in Pittston City, **Luzerne County**. Construction permit issued on June 8, 1999.

Operations Permit issued to **Jim Thorpe Borough—EastSide (Corrosion Control)**, Jim Thorpe Borough, **Carbon County**.

Operations Permit issued to **Jim Thorpe Borough—WestSide Filtration Plant (Corrosion Control)**, Jim Thorpe Borough, **Carbon County**.

Operation Permit issued to **PAWC—Crystal Lake System**, Wilkes-Barre City, **Luzerne County**.

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

Permit No. MA. The Department issued a construction permit to **Tiadaghton View Mobile Home Park**, GSP Management Company, P. O. Box 278, King of Prussia, PA 19406, Upper Fairfield Township, **Lycoming County**, for construction of a 2,000 gallon polyethylene finished water storage tank, a 4,000 gallon steel finished water storage tank, two 1 HP (capacity of 19 gpm at 164 feet TDH) booster pumps and related appurtenances.

Permit No. 1497502. The Department issued an operation permit to **Rebersburg Water Company**, P. O.

Box 157, Rebersburg, PA 16872, Miles Township, **Centre County**. This permit authorizes operation of well no. 3 and the transmission line.

Permit No. 5998501. The Department issued a construction permit to **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901, Wellsboro Borough, **Tioga County**, for construction of additional public water supply sources and related appurtenances, including Wooden Shanty Well, World's End Well and Rock Run Surface Water Intake.

Permit No. WA-59-1007. Water Allocation. **Borough of Wellsboro** (28 Crafton Street, Wellsboro, PA 16901), Duncan Township, **Tioga County**. Grants the right to relocate the Lower Clark Intake and withdraw an average of 250,000 gallons per day, on an annual average, from Rock Run located in Duncan Township, **Tioga County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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

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

The Department has received the following final reports:

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

Reiniger Brothers, Inc. and Reiniger Brothers, Upper Moreland Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals and pesticides. The report is intended to document remediation of the site to meet the Statewide health standard.

Unisys Corp., Blue Bell, PA, Whitpain Township, **Montgomery County**. William J. Ponticello, P.G., Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide health standard.

Witco Corp., Trainer Borough, **Delaware County**. Marc E. Gold, Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater, surface water and sediment contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Pennsylvania College of Optometry, City of Philadelphia, **Philadelphia County**. Michael Williams, Clayton Services, Corp., 1201 Bethlehem Pike, Suite 105, North Wales, PA 19454, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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 Final Report concerning remediation of the site Area of Concern-7 (surface stained soils) contaminated with lead and heavy metals. The report is intended to document remediation of the site to meet the Statewide health standard. A summary of the Final Report was published in the *Warren Times Observer* on April 14, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup

plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has acted upon the following plans and reports:

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

Progress Lighting Facility, City of Philadelphia, **Philadelphia County**. Michael S. Kozar, P.G. and Thomas A. Nowlan, P. E., O'Brien & Gere Engineers, Inc., 1777 Sentry Parkway West, Gwynedd Hall, Suite 302, Blue Bell, PA 19422, have submitted a Final Report concerning remediation of site soils contaminated with PCBs, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report demonstrated attainment of site-specific standards and was approved by the Department on June 8, 1999.

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

Home Depot, U.S.A., Richland Township, **Cambria County**. Home Depot, U.S.A., c/o Katherine E. Lee, Esq., 2455 Paces Ferry Road, NW, Building C, 20th Floor, Atlanta, GA 30339, Paramont Development, c/o Rex McQuaide, Esq., McQuaide Law Offices, 1405 Eisenhower Boulevard, Richland Square No. 1, Suite 200, Johnstown, PA 15904 and Claire G. Quadri, Urban Engineers of Erie, Inc., 502 West 7th Street, Erie, PA 16502, have submitted a final report concerning remediation of site soil contaminated with lead. The final report demonstrated attainment of the site-specific standard and was approved by the Department on May 17, 1999.

**SOLID AND HAZARDOUS WASTE
OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Permits revoked 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.

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.

Permit No. 603387. Hoffner Tract Farm, Altoona City Authority, (20 Greenwood Road, Altoona, PA 16602). This permit has been revoked at the request of the permittee for a site in Catherine Township, **Blair County.** Permit revoked in the Regional Office June 11, 1999.

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.

Southcentral Regional Office: Regional Solid Waste Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

Permit No. 100962. York County Sanitary Landfill, York County Solid Waste and Refuse Authority (2700 Blackbridge Road, York, PA 17402). Application for change of closure plan for construction of golf course for a site in Hopewell Township, **York County.** Permit issued in the Regional Office June 15, 1999.

**AIR QUALITY
OPERATING PERMITS**

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

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

23-323-003GP: Southco, Inc. (210 North Brinton Lake Road, Concordville, PA 19014), issued for burn off ovens in Concord Township, **Delaware County.**

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-323-011GP: First Quality Fibers, Inc. (P. O. Box 518, Hazleton, PA 18201), for construction and operation of a burn off oven in the Humboldt Industrial Park, Hazle Township, **Luzerne County.**

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

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

OP-46-0024: McNeil Consumer Healthcare (7050 Camp Hill Road, Fort Washington, PA 19428), issued June 10, 1999, for Facility VOCs/NOx RACT in Whitemarsh Township, **Montgomery County.**

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-310037B: American Asphalt & Paving Co. (500 Chase Road, Shavertown, PA 18708), for minor modification of a stone crushing plant in Plains Township, **Luzerne County.**

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

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

OP-46-0176: A. Talone, Inc. (318 West Lancaster Avenue, Ardmore, PA 19003), issued June 17, 1999, for operation of a Facility VOC/NOx RACT in Lower Merion Township, **Montgomery County.**

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

21-329-001: Naval Inventory Control Point (P. O. Box 2020, Mechanicsburg, PA 17055), issued June 14, 1999, for five emergency generators in Hampden Township, **Cumberland County.**

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

TVOP-18-00006: CNG Transmission Corp., Leidy Station (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15201), issued June 15, 1999, for operation of a natural gas transmission station in Leidy Township, **Clinton County.**

TVOP-60-00014: Evangelical Community Hospital (One Hospital Drive, Lewisburg, PA 17837), issued June 18, 1999, for operation of a hospital/medical/infectious waste incinerator in Kelly Township, **Union County.**

TVOP-59-00011: Soldiers and Sailors Memorial Hospital (32—36 Central Avenue, Wellsboro, PA 16901), issued June 16, 1999, for operation of a hospital/medical/infectious waste incinerator in Wellsboro, **Tioga County.**

TVOP-53-00011: Charles Cole Memorial Hospital (US Route 6 East, RR 1, Box 205, Coudersport, PA 16915), issued June 17, 1999, for operation of a hospital/medical/infectious waste incinerator in Coudersport, **Potter County.**

TVOP-08-00004: Rynone Mfg. Corp., Sayre Plant (P. O. Box 128, Sayre, PA 18840), issued June 5, 1999, for production of bathroom vanity tops in Sayre Borough, **Bradford County.**

TVOP-17-00005: Glen-Gery Corp., Bigler Plant (P. O. Box 338, State Route 970, Bigler, PA 16825), issued June 5, 1999, for production of brick and clay related products in Bradford Township, **Clearfield County.**

TVOP-59-00008: Tennessee Gas Pipeline Co., Station 315 Wellsboro (P. O. Box 2511, 1001 Louisiana Street, Houston, TX 77252-2511), issued revised Title V Operating Permit on June 16, 1999, for operation of a

natural gas transmission station, located in Charleston Township, **Tioga County**. The revision of this Title V operating permit is to incorporate the changes to permit conditions pertaining to emissions reporting requirements. The Title V Operating Permit was first issued on March 17, 1997.

PLAN APPROVALS

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

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

14-313-038: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801), on June 10, 1999, to modify a number of plan approval conditions pertaining to a chemical process facility (reduction in required caustic soda concentration in scrubbing solution, modification of sodium hydroxide scrubbing solution content limits from concentration basis to pH basis, increase in allowable condenser coolant temperature, and the like) in College Township, **Centre County**.

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

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

PA-46-0010B: Montenay Montgomery Ltd Partnership (1155 Conshohocken Road, Conshohocken, PA 19428), issued June 10, 1999, for the operation of a municipal solid waste combustor in Plymouth Township, **Montgomery County**.

PA-23-0047A: Degussa Corp. (1200 West Front Street, Chester, PA 19013), issued June 10, 1999, for operation of a spray dryer in City of Chester, **Delaware County**.

PA-23-0041: Tosco Refining Co. (4101 Post Road, Trainer, PA 19061), issued June 15, 1999, for operation of a storage tank in Trainer Borough, **Delaware County**.

PA-15-0086: Bakery Feeds (97 West Brook Drive, Honey Brook, PA 19344), issued June 17, 1999, for operation of a bakery waste recycling operation in West Brandywine Township, **Chester County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

54-320-064: Rest Haven Nursing Home (401 University Drive, Schuylkill Haven, PA 17972), issued June 4, 1999, for construction of a coal fired boiler in North Manheim Township, **Schuylkill County**.

54-310-010B: Northeastern Power Co. (P. O. Box 7, McAdoo, PA 18237), issued June 2, 1999, for modification of the fuel preparation plant in Kline Township, **Schuylkill County**.

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

22-317-012A: Hershey Foods, Inc. (100 Crystal A Drive, Hershey, PA 17033-0810), issued June 4, 1999, for

modification of a sugar conveying system controlled by fabric filters at the Hershey Plant in Derry Township, **Dauphin County**.

36-05015B: Dart Container Corp. (60 East Main Street, Leola, PA 17540), issued June 11, 1999, for modification of the direct injection foam processing operations at the Leola Plant in Upper Leacock Township, **Lancaster County**.

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

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

23-313-024C: Degussa Corp. (1200 West Front Street, Chester, PA 19013), issued June 8, 1999, for operation of a silica manufacturing process in City of Chester, **Delaware County**.

PA-15-0002B: Quebecor Printing Atglen, Inc. (Route 372, Lower Valley Road, Atglen, PA 19310), issued June 8, 1999, for operation of a publication rotogravure press in West Sadsbury Township, **Chester County**.

PA-46-0018A: Brown Printing Co. (668 Gravel Pike, East Greenville, PA 18041), issued June 15, 1999, for operation of lithographic printing presses in Upper Hanover Township, **Montgomery County**.

15-320-023: Dopaco, Inc. (241 Woodbine Road, Downingtown, PA 19335), issued June 15, 1999, for operation of a flexographic printing press in Downingtown Borough, **Chester County**.

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

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

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

23-313-046: Norquay Technology, Inc. (800 West Front Street, Chester, PA 19016), issued June 15, 1999, for operation of a specialty chemical process in City of Chester, **Delaware County**.

09-320-046: Fibermark, Inc. (45 North Fourth Street, Quakertown, PA 18951), issued June 16, 1999, for operation of a graphic art line no. 1 in Quakertown Borough, **Bucks County**.

09-320-047: Fibermark, Inc. (45 North Fourth Street, Quakertown, PA 18951), issued June 16, 1999, for operation of a graphic art line no. 2 in Quakertown Borough, **Bucks County**.

09-320-050: Superpac, Inc. (1220 Industrial Boulevard, Upper Southampton, PA), issued June 17, 1999, for operation of a flexographic printing press in Upper Southampton Township, **Bucks County**.

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

36-312-002A: Mobil Oil Corp. (Eight South Main Road, Frazer, PA 19355), issued March 19, 1999, to authorize temporary operation of a bulk gasoline terminal consisting of a three bottom bay loading rack controlled by a vapor combustion unit, covered under this Plan Approval until July 16, 1999, at 1360 Manheim Pike in Manheim Township, **Lancaster County**.

67-310-053: York Building Products Co., Inc. (P. O. Box 1708, York, PA 17405), issued March 31, 1999, to authorize temporary operation of stone crushing plants controlled by baghouses, covered under this Plan Approval until July 28, 1999, at the Lincoln Stone Quarry in Jackson Township, **York County**. This source is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

Coal Permits Issued

03960102. Walter L. Houser Coal Co., Inc. (R. D. 1, Box 434, Kittanning, PA 16201). Permit revised to change land use from wildlife habitat to pastureland at an existing bituminous surface/auger mine located in Sugarcreek Township, **Armstrong County**, affecting 300.8 acres. Receiving streams: unnamed tributary to Snyder Run to Snyder Run. Application received: March 18, 1999. Revision issued: June 14, 1999.

04890101R. Kerry Coal Company (R. D. 2, Box 2139, Wampum, PA 16157). Renewal issued for continued reclamation only of a bituminous surface mine located in South Beaver Township, **Beaver County**, affecting 186 acres. Receiving streams: Brush Run to the North Fork to Little Beaver Creek to the Ohio River. Application received: March 29, 1999. Reclamation only renewal issued: June 15, 1999.

03890116R. Rosebud Mining Company (R. R. 9, Box 379A, Kittanning, PA 16201-9642). Renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in Perry Township, **Armstrong County**, affecting 174.5 acres. Receiving streams: unnamed tributaries to the Allegheny River. Application received: January 29, 1999. Renewal issued: June 15, 1999.

30773006R. Chess Coal Company (R. D. 1, Box 151, Smithfield, PA 15478). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Dunkard Township, **Greene County**, affecting 66.5 acres. Receiving streams: unnamed tributary to

Crooked Run and Dunkard Creek. Application received: April 1, 1999. Renewal issued: June 15, 1999.

03960105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revision issued to mine through and relocate a portion of unnamed tributary 2, add sedimentation pond B-1 and associated collection ditches, and include postmining land use for the newly relocated 1.9 acres around unnamed tributary 2, at a bituminous surface/auger mine located in Cowanshannock Township, **Armstrong County**, affecting 501 acres. Receiving streams: unnamed tributaries to Huskins Run and Huskins Run. Application received: April 28, 1999. Revision issued: June 15, 1999.

03960108. Dutch Run Coal, Inc. (A02-Box 366, Shelocta, PA 15774). Revision issued to change the land use from forestland to pastureland/land occasionally cut for hay at a bituminous surface/auger mine located in Plumcreek Township, **Armstrong County**, affecting 39.6 acres. Receiving streams: unnamed tributary to Crooked Creek. Application received: April 14, 1999. Revision issued: June 21, 1999.

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

17753050. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847), renewal of an existing bituminous surface mine-tipple refuse disposal permit in Karthaus Township, **Clearfield County** affecting 642.8 acres. Receiving streams: unnamed tributaries to Saltlick Run, to Saltlick Run, unnamed tributaries to West Branch Susquehanna River, Saltlick Run, Mosquito Creek all to West Branch Susquehanna River. Application received February 25, 1999. Permit issued June 9, 1999.

17850120. M. B. Energy, Inc. (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), revision to an existing bituminous surface mine for a change in permit acreage from 902.4 to 924.7 acres, Bell Township, **Clearfield County**. Receiving streams: Haslett Run and two unnamed tributaries to Haslett Run to the West Branch of the Susquehanna River. Application received January 27, 1999. Permit issued June 9, 1999.

14663003. Power Operating Co., Inc. (P. O. Box 25, Osceola Mills, PA 16666), major revision to an existing bituminous surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation on a 920 acre site in Rush Township, **Centre County**. Application received September 10, 1999. Permit issued June 10, 1999.

17980120. R. B. Contracting (R. D. 1, Box 13, Curwensville, PA 16833), commencement, operation and restoration of a bituminous surface mine permit in Westover Borough, **Clearfield County** affecting 64.1 acres. Receiving streams: unnamed tributary #1 to Chest Creek, Chest Creek. Application received September 10, 1998. Permit issued June 11, 1999.

17970117. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine permit in Bell Township, **Clearfield County** affecting 36.4 acres. Receiving streams: unnamed tributaries to the West Branch of the Susquehanna River. Application received October 9, 1997. Permit issued June 11, 1999.

14940101. Power Operating Co., Inc. (P. O. Box 25, Osceola Mills, PA 16666), major permit modification to apply biosolids (stabilized sewage sludge) to enhance vegetation on an existing bituminous surface mine permit in Rush Township, **Centre County** affecting 522 acres.

Receiving streams: unnamed tributary to Moshannon Creek. Application received November 9, 1998. Permit issued June 18, 1999.

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

37890108. 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.

10980109. Ben Hal Mining Company (389 Irishtown Rd., Grove City, PA 16127). Commencement, operation and restoration of a bituminous strip operation in Muddy Creek Township, **Butler County** affecting 141.2 acres. Receiving streams: Unnamed tributary to Bear Run. Application received: September 15, 1998. Permit Issued: June 4, 1999.

16940107. RFI Energy, Inc. (555 Philadelphia, PA 15701). Transfer of an existing bituminous strip operation from C & K Coal Company in Perry Township, **Clarion County** affecting 224.0 acres. Receiving streams: Five unnamed tributaries to Cherry Run. Application received: April 9, 1999. Permit Issued: June 9, 1999.

24980907. Floyd Mottern Coal, Inc. (RR, Box 118, Penfield, PA 15849). Commencement, operation and restoration of an incidental coal extraction operation in the City of St. Marys, **Elk County** affecting 3.9 acres. Receiving streams: Unnamed tributary to Elk Creek and Unnamed tributary to South Fork. Application received: December 8, 1998. Permit Issued: June 9, 1999.

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

13990201. Rossi Excavating Company (9 West 15th Street, Hazleton, PA 18201), commencement, operation and restoration of a coal refuse reprocessing operation in Banks Township, **Carbon County** affecting 493.0 acres, receiving stream—none. Permit issued June 17, 1999.

54900101C3. Blackwood, Inc. (P. O. Box 639, Wind Gap, PA 18091), correction to an existing surface mine operation in Branch and Reilly Townships, **Schuylkill County** affecting 1,847.6 acres, receiving streams—Panther and Swatara Creeks. Correction issued June 18, 1999.

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

Noncoal Permits Issued

03990801. Mary A. Edwards (R. D. 1, Ford City, PA 16226). Permit issued for commencement, operation and reclamation of a small noncoal (shale) surface mine located in Manor Township, **Armstrong County**, affecting 1.2 acres. Receiving streams: unnamed tributary to the Allegheny River. Application received: March 16, 1999. Permit issued: June 9, 1999.

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

3175SM3. I. A. Construction Corp. (P. O. Box 8, Concordville, PA 19331). Transfer of an existing sand and gravel operation from A. Medure Sand & Gravel Co., Inc. in Plain Grove Township, **Lawrence County** affecting 153.0 acres. Receiving streams: Unnamed tributary to Jamison Run and Jamison Run. Application received: March 11, 1999. Permit Issued: June 1, 1999.

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

15830602C3. Allan A. Myers, Inc. d/b/a Independence Construction Materials (4042 State Street, P. O. Box 657, Devault, PA 19432), renewal of NPDES Permit No. PA0614203 in Charlestown Township, **Chester County**, receiving stream—unnamed tributary to Pickering Creek. Renewal issued June 16, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

59990801. Wesley J. Cole (R. R. 2, Box 328, Middlebury Center, PA 16935), commencement, operation and restoration of a small industrial mineral (topsoil/gravel) permit in Middlebury Township, **Tioga County** affecting 1 acre. Receiving streams: Crooked Creek, tributary to North Ives Run. Application received March 31, 1999. Permit issued June 9, 1999.

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

43992803. J. J. Cline Excavating (628 Hadley Road, Greenville, PA 16125). Commencement, operation and restoration of a small noncoal sand and gravel operation in Perry Township, **Mercer County** affecting 10.0 acres. Receiving streams: None. Application received: March 26, 1999. Permit Issued: May 27, 1999.

20982804. Andrew M. Kosturick (8565 State Highway 285, Conneaut Lake, PA 16316). Commencement, operation and restoration of a small noncoal sand and gravel operation in East Fallowfield Township, **Crawford County** affecting 5.0 acres. Receiving streams: None. Application received: December 11, 1998. Permit Issued: June 8, 1999.

Bureau of Deep Mine Safety

Request for Variance

Tanoma Mining Company, Inc.

The Bureau of Deep Mine Safety (BDMS) has approved Tanoma Mining Company, Inc.'s request for a variance from the requirements of section 242(c) of the Pennsylvania Bituminous Coal Mine Act at the Tanoma Mine. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Summary of the request: Tanoma Mining Company, Inc. requested a variance from section 242(c) of the Pennsylvania Bituminous Coal Mine Act to allow for the common ventilation of belt conveyor entry with other entries at the Tanoma Mine. This proposal accords protections to persons and property substantially equal to or greater than the requirements of section 242(c) of the Pennsylvania Bituminous Coal Mine Act.

The basis for the Bureau's approval is summarized in the following statements:

1. Tanoma's plan provides early warning fire detection by the use of CO detectors and audible alarm over the mine communication system.
2. Tanoma's plan provides a separate, isolated intake escapeway that will be maintained at a higher ventilation pressure than the belt and common entries.
3. Tanoma's plan provides for the belt and common entries to serve as an alternate intake escapeway.

4. There are significant health and safety benefits associated with allowing entries in common with the belt entry. Repair and maintenance work in the belt entry is isolated from other entries. All other terms and requirements of section 242(c) shall remain in effect. This approval applies to all areas developed after May 20, 1998. Continued authorization for operation under the approval is contingent upon compliance with the measures described in Tanoma's approved plan and the following condition. Common entries will only be permitted out by areas where the common entry is at a higher ventilation pressure than the intake escapeway.

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.)

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

E51-165. Encroachment Permit. **CSX Intermodal**, Southern Bell Towers, 301 West Bay Street, Suite 2400, Jacksonville, FL 32202. To perform the following activities at the CSX Intermodal Greenwich Yard Project: 1. To relocate, place fill in and modify approximately 2,520 linear feet of an unnamed tributary to the Delaware River (WWF, MF) and to construct and maintain 2,600 linear feet of trapezoidal open channel whose bottom width varies from 9 to 12 feet. Approximately 540 linear

feet of the existing channel is tidal and the entire proposed channel will be tidal; 2. To place and maintain fill within 6.92 acres of wetland (PEM) to accommodate an intermodal container cargo staging area and railroad tracks; 3. To remove an 18-inch CMP culvert measuring 30 linear feet in length and a 24-inch CMP culvert measuring 50 linear feet in length along the existing channel and to install and maintain approximately 84 linear feet of 8-foot by 6-foot reinforced concrete box culvert along the proposed channel; 4. To regrade and maintain fill associated with the track relocation of various railroad sidings and to install and maintain drainage facilities within the 100-year floodplain of Delaware River. The project is situated in an area south of Interstate 95, north and east of the former Philadelphia Naval Yard, and west of the Delaware River and Columbus Boulevard (a.k.a. Delaware Avenue) (Philadelphia, PA-NJ USGS Quadrangle N: 4.5 inches, W: 4.0 inches) in the City and **County of Philadelphia**. The permittee will construct 6.92 acres of onsite wetland replacement.

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

E01-206. Encroachment. **David LeVan**, 1094 Baltimore Pike, Gettysburg, PA 17325. To remove an existing structure and to (1) construct and maintain 20 linear feet of 57-inch by 38-inch corrugated metal pipe arch in an unnamed tributary to Rock Creek (WWF); (2) maintain a chain link privacy fence across the stream at this location; (3) restore approximately 100 linear feet of channel; and, (4) construct approximately 120 linear feet of a previously filled channel located upstream of the culvert. The site is located east of US 140 (Baltimore Pike) 1.2 miles south of Gettysburg Square (Gettysburg, PA Quadrangle N: 11.6 inches; W: 13.6 inches) in Cumberland Township, **Adams County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E06-520. Encroachment. **Upper Tulpehocken Township**, Ken Grimes, P. O. Box H, Strausstown, PA 19559. To remove an existing structure and to construct and maintain an 18-foot x 5 1/2-foot concrete box culvert in the channel of Northkill Creek at a point at Northkill Road (T-704) (Friedensberg, PA Quadrangle N: 2.7 inches; W: 0.6 inch) in Upper Tulpehocken Township, **Berks County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E22-399. Encroachment. **HC Partners**, Dennis Goodwin, 1770 E. Market St., York, PA 17402. To impact 0.03 acre of wetlands with a driveway crossing and to excavate an impoundment area within the floodway for construction of a stormwater collection basin in and along a tributary to Beaver Creek (WWF). The Hunt Club residential development is located upstream of Copperstone Road (Harrisburg East, PA Quadrangle N: 8.75 inches; W: 0.75 inch) in Lower Paxton Township, **Dauphin County**. The applicant will provide 0.05 acre of replacement wetlands. Issuance of this permit constitutes approval of the Environmental Assessment for the nonjurisdictional stormwater management embankment proposed at the project site. This permit also includes 401 Water Quality Certification.

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

E02-1264. Encroachment. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA

15233-1080. To construct and maintain a reinforced concrete box culvert having a span of 2.43 m (8 feet) and an underclearance of 1.83 m (6 feet) for a distance of approximately 217 m (710 feet), the invert of the box culvert will be depressed a minimum depth of 0.15 m (6 inches), to place and maintain 43 m (140 feet) of gabion mattress inlet protection and 55 m (180 feet) of gabion mattress outlet protection in a tributary to Piney Fork (TSF) for the purpose of permanently stabilizing the stream bank and protecting the rail line. The project is located along the west side of Brightwood Road between its intersections with Munroe Street and Winton Drive (Bridgeville, PA Quadrangle starts at N: 12.6 inches; W: 3.9 inches and ends at N: 13.1 inches; W: 4.1 inches) in the Municipality of Bethel Park, **Allegheny County**.

E02-1271. Encroachment. **Public Auditorium Authority of Pittsburgh and Allegheny County**, Regional Resource Center, 425 Sixth Avenue, Suite 1410, Pittsburgh, PA 15219-1819. To construct and maintain a new NFL stadium for the Pittsburgh Steelers Football Team within the floodway fringe of the Ohio River (WWF). The stadium will be located on the north side of North Shore Drive between Stadium Drive West and Allegheny Drive, on the right bank side of the Ohio River at the confluence of the Allegheny River and Monongahela River (Pittsburgh West, PA Quadrangle N: 13.0 inches; W: 2.2 inches) in the City of Pittsburgh, **Allegheny County**.

E11-272. Encroachment. **PA Department of Transportation**, 1620 North Juniata Street, Hollidaysburg, PA 16648. To rehabilitate, operate and maintain the existing Inclined Plan Access Bridge having a normal span of 232.0 feet and a minimum underclearance of 35.0 feet across Stony Creek (WWF) and to construct and maintain a temporary causeway and a temporary stream crossing consisting of 14 48-inch pipes in Stony Creek (WWF). The project is located on S. R. 3022, Section 001, Segment 0010, Offset 0000 (Johnstown, PA Quadrangle N: 13.8 inches; W: 7.0 inches) in the City of Johnstown, **Cambria County**.

E32-399. Encroachment. To place and maintain fill in 0.19 acre of wetlands (PEM) in an unnamed tributary to McCarthy Run (CWF) for the purpose of construction of a development. The project is located at the intersection of S. R. 286 and S. R. 6422 (Indian Springs Road), (Indiana, PA Quadrangle N: 18.9 inches; W: 8.5 inches) in White Township, **Indiana County**. The permittee shall make a monetary contribution to the National Fish & Wildlife Foundation Pennsylvania Wetland Project.

Permits Issued and Actions on 401 Certification

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

E20-475. Encroachment. **French Creek Recreational Trails, Inc.**, c/o Community Health Services, 747 Terrace Street, Meadville, PA 16335. To construct and maintain a covered bridge having a clear span of approximately 50 feet and an underclearance of 3.5 feet across Van Horne Creek on the former Bessemer and Lake Erie Railroad bed approximately 1,300 feet south of S. R. 322 for use as a bicycle/recreational trail (Geneva, PA Quadrangle N: 21.2 inches; W: 5.4 inches) located in Vernon Township, **Crawford County**.

SPECIAL NOTICES

Public Hearing

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

NPDES Discharge of Stormwater from Construction Activities

Kovatch Enterprises

One Industrial Complex

Nesquehoning, PA 18240

The Department of Environmental Protection (Department) will hold a public hearing on an individual National Pollution Elimination System (NPDES) permit application No. PAS101321 submitted by Kovatch Enterprises. The application is for discharges of stormwater, from construction activities, to Deep Run and First Hollow Run, both are exceptional value (EV) watersheds and also Dennison Run and Broad Run which are high quality (HQ) watersheds. The construction is related to the proposed Green Acres Industrial Park in Nesquehoning Borough, Carbon County.

The hearing is scheduled for Thursday, August 5 at 7 p.m. in the Nesquehoning Borough Building on West Catawissa Street in Nesquehoning.

The Department is in the final stages of review for the proposal and has received a recommendation for approval from the Carbon County Conservation District. The public hearing will only be held if significant public interest exists. If the Department does not receive comments regarding the proposal during the 30-day comment period, it will be understood that there is no significant interest and the public hearing will be canceled.

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent to Kate Crowley, Department of Environmental Protection, Water Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing.

The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. Written copies of oral testimony are requested. Relinquishing of time will not be allowed. All individuals attending the hearing will have the opportunity to testify if they so desire, however, individuals who preregister to testify will be given priority.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Richard Shudak of DEP at (570) 826-2060 or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department can accommodate their needs.

Those unable to attend the hearing can submit written testimony or comment to the Department until August 12, 1999.

The NPDES permit application is available for review at the Northeast Regional Office, 2 Public Square in Wilkes-Barre. Appointments for scheduling a review can be made by calling DEP's regional Records Management Section at (570) 826-2511. The permit application is also for review at the Carbon County Conservation District, 5664 Interchange Road, Lehigh, PA 18235-5114.

Availability of Grants for the Remediation of Waste Tire Piles in Pennsylvania Under the Waste Tire Remediation Grant Program for Municipalities for Fiscal Year 1999/2000

The Department of Environmental Protection (Department) hereby announces the availability of grants through the Waste Tire Recycling Act of 1996 (Act 190) for Fiscal Year 1999/2000 for the remediation of waste tire piles in Pennsylvania. The Waste Tire Remediation Grant Program for Municipalities for Fiscal Year 1999/2000 provides a grant program, which is funded through the general fund. The grants are limited to only those municipalities having a waste tire pile containing 5,000 or more waste tires.

Only municipalities are eligible to participate and receive funding. To be considered for a grant, a municipality must propose to remediate a waste tire pile on the Department's list of priority waste tire piles or piles containing 5,000 or greater waste tires. (Copies of the list of priority waste tire piles is available from the Division of Municipal and Residual Waste, (717) 787-7381, or may be obtained electronically by the Department's Internet site on the world wide web at: www.dep.state.pa.us under subject Waste Tire Recycling. Also to be considered for a grant, an applicant must not have contributed, in any manner, to the creation of a noncompliant waste tire pile and must have an identifiable end-use for the remediated waste tires.

Grant funds are intended for activities directly related to the remediation of waste tire piles (such as employe wages, operation of equipment, transportation, processing costs, and the like). Grants may not be used for the purchase of equipment and grant recipients shall use funds only for those activities approved by the Department.

All applicants must complete and submit an official two-part application for each proposed tire pile remediation. The Waste Tire Remediation Grant Part A and B Applications include all the materials and instructions necessary for applying for a grant. Copies of these documents are available by contacting the Division of Municipal and Residual Waste at (717) 787-7381 or may be obtained electronically from the Department's Internet site on the world wide web at: www.dep.state.pa.us under subject Waste Tire Recycling. Part A and Part B applica-

tions must be completed and submitted by 4 p.m. on September 17, 1999 to: Department of Environmental Protection, Division of Municipal and Residual Waste, 14th Floor—Rachel Carson State Office Building, 400 Market Street, P. O. Box 8472, Harrisburg, PA 17105-8472. Applications which are incomplete or arrive after the deadline will not be considered.

At a minimum, all applications must contain: (1) a description of the applicant's or their contractors experience in waste tire remediation, (2) markets or end-uses for the remediated tires, (3) a schedule for the remediation of tires at the site, (4) proposed cost of the waste tire pile remediation, and (5) any additional information the Department deems necessary. Please follow the instructions in the Part A and B Grant Applications to assure you are submitting all of the necessary information in the correct format.

Persons who have questions about this grant program should contact the Division of Municipal and Residual Waste at (717) 787-7381.

Recycling Grant Awards Under the Municipal Waste Planning, Recycling and Waste Reduction Act

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101), (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Municipalities Financial Recovery Act (53 P. S. §§ 11701.101—11701.501) are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

Act 101

Section 902 Recycling Development and Implementation Grants

Bureau of Land Recycling and Waste Management

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
1 Bucks County	Institutional Recycling	\$ 14,026
2 Lower Makefield Township Bucks County	Yardwaste Collection	\$ 32,760
3 Chester County	Home Composting Program	\$ 52,775
4 City of Coatesville Chester County	Recycling Education	\$ 1,890
5 Wallace Township Chester County	Wood Waste Recycling	\$ 21,097
6 West Whiteland Township Chester County	Recycling Education	\$ 1,200
7 Collingdale Borough Delaware County	Curbside Recycling	\$ 21,816

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
8 Lansdowne Borough Delaware County	Curbside Recycling	\$ 21,308
9 Upper Darby Township Delaware County	Recycling Education	\$ 23,209
10 Cheltenham Township Montgomery County	Curbside & Drop-off Recycling	\$ 303,213
11 Douglass Township Montgomery County	Processing Equipment	\$ 6,871
12 Hatboro Borough Montgomery County	Yardwaste Composting	\$ 16,281
13 Lower Merion Township Montgomery County	Yardwaste Composting	\$ 416,313
14 Montgomery Township Montgomery County	Drop-off Recycling	\$ 6,219
15 Pennsburg Borough Montgomery County	Wood Waste Recycling	\$ 27,382
16 Upper Merion Township Montgomery County	Yardwaste Composting	\$ 273,800
17 Lehighton Borough Carbon County	Curbside Recycling	\$ 19,248
18 Summit Hill Borough Carbon County	Curbside Recycling	\$ 13,526
19 Covington Township Lackawanna County	Drop-off Recycling	\$ 208,057
20 Lackawanna County	Recycling Center Improvements	\$1,551,476
21 Taylor Borough Lackawanna County	Curbside Recycling	\$ 6,075
22 Lehigh County	Office Recycling & Recycling Education	\$ 59,907
23 Lower Macungie Township Lehigh County	Yardwaste Composting	\$ 71,010
24 Lynn Township Lehigh County	Curbside & Drop-Off Recycling	\$ 4,122
25 Exeter Borough Luzerne County	Recycling Center Improvements	\$ 154,953
26 Forty Fort Borough Luzerne County	Yardwaste Collection	\$ 9,765
27 Jenkins Township Luzerne County	Curbside Recycling	\$ 78,750
28 Kingston Borough Luzerne County	Curbside Recycling	\$ 89,100
29 Luzerne County	Recycling Education	\$ 28,800
30 White Haven Borough Luzerne County	Curbside Recycling	\$ 2,976
31 City of Wilkes-Barre Luzerne County	Yardwaste Composting	\$ 44,217
32 Bangor Borough Northampton County	Curbside Recycling	\$ 4,933
33 City of Bethlehem Northampton County	Curbside & Drop-off Recycling	\$ 320,606
34 Lower Mt. Bethel Township Northampton County	Curbside Recycling	\$ 2,383
35 Pike County	Drop-off Recycling	\$ 194,304
36 Frackville Borough Schuylkill County	Curbside & Drop-off Recycling	\$ 51,821
37 Schuylkill Haven Borough Schuylkill County	Yardwaste Collection	\$ 12,319

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
38 Susquehanna County	Recycling Center	\$ 365,215
39 Wayne County	Recycling Center Improvements	\$ 36,221
40 Straban Township Adams County	Wood Waste Processing	\$ 18,877
41 Bedford County	Curbside Recycling	\$ 4,275
42 City of Reading Berks County	Yard Waste Composting	\$ 54,808
43 Robesonia Borough Berks County	Yardwaste Collection	\$ 11,601
44 Sinking Spring Borough Berks County	Yardwaste Collection	\$ 18,450
45 Spring Township Berks County	Yardwaste Collection	\$ 27,603
46 City of Altoona Blair County	Yardwaste Collection	\$ 33,075
47 Blair County	Curbside & Drop-off Recycling	\$ 235,380
48 Camp Hill Borough Cumberland County	Yardwaste Collection	\$ 99,057
49 Cumberland County	Yardwaste Composting	\$ 148,162
50 Lower Allen Township Cumberland County	Curbside Recycling and Yardwaste Composting	\$ 47,385
51 Steelton Borough Dauphin County	Wood Waste Processing	\$ 13,792
52 Huntingdon County	Recycling Education	\$ 14,211
53 Fayette Township Juniata County	Drop-off Recycling	\$ 25,645
54 Elizabethtown Borough Lancaster County	Wood Waste Processing	\$ 14,895
55 Ephrata Borough Lancaster County	Wood Waste Processing	\$ 18,000
56 Ephrata Township Lancaster County	Yardwaste Collection	\$ 15,390
57 Manheim Borough Lancaster County	Recycling Education	\$ 594
58 Annville Township Lebanon County	Yardwaste Collection	\$ 26,775
59 Lebanon County	Curbside Recycling & Yardwaste Composting	\$ 174,735
60 North Lebanon Township Lebanon County	Curbside Recycling & Yardwaste Composting	\$ 67,114
61 Spring Grove Borough York County	Yardwaste Collection	\$ 94,875
62 York County	Curbside Recycling	\$ 44,856
63 Bradford County	Processing Equipment	\$ 142,326
64 Potter Township Centre County	Wood Waste Processing	\$ 17,460
65 State College Borough Centre County	Yardwaste Composting	\$ 290,114
66 Clinton County	Drop-off Recycling	\$ 137,014
67 Lock Haven Borough Clinton County	Curbside & Drop-off Recycling	\$ 40,103
68 Town of Bloomsburg Columbia County	Curbside Recycling	\$ 59,857
69 Columbia County	Office Recycling	\$ 2,555
70 Lycoming County	Commercial Recycling	\$ 130,500

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
71 Northumberland County	Office Recycling & Recycling Education	\$ 29,340
72 New Berlin Borough Union County	Wood Waste Processing	\$ 20,250
73 Union County	Newsprint-to Animal Bedding	\$ 7,200
74 Allegheny County	Drop-off Recycling & Recycling Education	\$ 488,700
75 Coraopolis Borough Allegheny County	Curbside Recycling & Yardwaste Collection	\$ 70,326
76 Municipality of Monroeville Allegheny County	Curbside Recycling & Yardwaste Composting	\$ 52,845
77 Plum Borough Allegheny County	Curbside Recycling	\$ 5,700
78 Robinson Township Allegheny County	Yardwaste Collection	\$ 257,789
79 Scott Township Allegheny County	Curbside Recycling	\$ 133,560
80 Beaver Borough Beaver County	Yardwaste Collection	\$ 65,664
81 Cambria County	Drop-off Recycling	\$ 148,491
82 City of Johnstown Cambria County	Yardwaste Collection	\$ 22,500
83 Fayette County	Public Area Recycling	\$ 5,040
84 Point Marion Borough Fayette County	Curbside Recycling	\$ 3,834
85 Redstone Township Fayette County	Curbside Recycling	\$ 14,868
86 South Union Township Fayette County	Recycling Education	\$ 36,000
87 City of Uniontown Fayette County	Yardwaste Composting	\$ 57,832
88 New Baltimore Borough Somerset County	Drop-off Recycling	\$ 4,770
89 Quemahoning Township Somerset County	Wood Waste Processing	\$ 19,030
90 Somerset Borough Somerset County	Wood Waste Processing	\$ 14,400
91 Canton Township Washington County	Curbside Recycling	\$ 36,657
92 North Strabane Township Washington County	Curbside Recycling & Yardwaste Collection	\$ 20,875
93 City of Washington Washington County	Yardwaste Collection	\$ 39,213
94 City of New Kensington Westmoreland County	Yardwaste Collection	\$ 67,563
95 Westmoreland County	Home Composting & Recycling Education	\$ 117,918
96 City of Titusville Crawford County	Yardwaste Collection	\$ 21,780
97 West Mead Township Crawford County	Processing Equipment	\$ 353,624
98 Edinboro Borough Erie County	Yardwaste Collection	\$ 24,167
99 City of Erie Erie County	Recycling Education	\$ 122,500
100 Harborcreek Township Erie County	Yardwaste Collection	\$ 38,666

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
101 Millcreek Township Erie County	School Recycling	\$ 62,160
102 North East Township Erie County	Wood Waste Processing	\$ 18,074
103 Platea Borough Erie County	Yardwaste Collection	\$ 7,354
104 Summit Township Erie County	Recycling Education	\$ 9,471
105 Brockway Borough Jefferson County	Curbside Recycling	\$ 6,302
106 Lawrence County	Recycling Education	\$ 164,051
107 City of New Castle Lawrence County	Curbside Recycling	\$ 85,500
108 Greenville Borough Mercer County	Yardwaste Composting	\$ 58,897
TOTAL		\$9,312,339

[Pa.B. Doc. No. 99-1053. Filed for public inspection July 2, 1999, 9:00 a.m.]

Availability of Final General Plan Approval and General Operating Permit for Nonheatset Web Offset Lithographic Printing Presses (BAQ-GPA/GP-10)

The Department of Environmental Protection (Department) finalized the General Plan Approval and General Operating Permit No. BAQ-GPA/GP-10 for nonheatset web offset lithographic printing presses. Notice regarding the availability of the draft general permit was published at 29 Pa.B. 1662 (April 24, 1999).

The Nonheatset Web Press General Permit and associated documents were drafted in consultation with the Graphic Arts Association and the Graphic Arts Technical Foundation. A 45-day comment period was provided and no comments were received, therefore the general permit has been finalized as originally published.

The general permit is now available for use by qualifying applicants. Copies are now available of the final general permit BAQ-GPA/GP-10 and an application form. These documents may be obtained 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 on the Internet which can be accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

JAMES M. SEIF,
Secretary

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 nonheatset web offset lithographic printing press(es) (hereinafter referred to as "Nonheatset Web Press General Permit").

2. *Applicability/Source Coverage Limitations*—This Nonheatset Web Press General Permit is designed to serve as either a general plan approval or as a general operating permit for printers who exclusively use

nonheatset web offset lithographic printing presses or have one or more nonheatset web offset lithographic presses located in a facility. The specific use of the general permit will depend upon permit status, emission levels and location of the facility as outlined below.

Approval herein granted to operate under this Nonheatset Web Press General Permit is limited to a facility engaged in printing on nonheatset web offset lithographic printing press(es) as defined in Condition 16 of this permit. This Nonheatset Web Press General Permit has been established in accordance with the provisions described in 25 Pa. Code Subchapter H of Chapter 127. If additional types of printing or manufacturing is conducted at the facility that can not be regulated by the requirements of this general permit, an operating permit issued in accordance with 25 Pa. Code Subchapter F of Chapter 127 will be required, or, if the facility is a Title V facility, a Title V operating permit issued in accordance with Subchapters F and G will be required.

Operating Permit

This Nonheatset Web Press General Permit is not intended for use by a Title V facility as defined in 25 Pa. Code § 121.1. A "Title V facility" includes sources that have actual emissions or a potential to emit (PTE) equal to or greater than the maximum permitted emission levels shown in the following table for a single facility: A facility is eligible to operate under this Nonheatset Web Press General Permit if its actual emissions will remain below the maximum permitted emission levels listed below. A nonheatset web offset lithographic printing press facility is exempted from the permit requirements of § 127.402 if it is demonstrated that the facility's actual emissions are less than the permit exemption levels in this section.

<i>Pollutant</i>	<i>Maximum Permitted Emission Levels/Facility</i>	<i>Facility Permit Exemption Levels</i>
CO	<100 TPY	<20 TPY
NOx	<100 TPY*	<10 TPY
SOx	<100 TPY	<8 TPY
VOCs	<50 TPY*	<8 TPY
PM ₁₀	<100 TPY	<3 TPY

<i>Pollutant</i>	<i>Maximum Permitted Emission Levels/Facility</i>	<i>Facility Permit Exemption Levels</i>
HAP **	<10 TPY	<1 TPY
HAPs	<25 TPY	<2.5 TPY

*<25 TPY for Severe nonattainment area including Bucks, Chester, Delaware, Montgomery and Philadelphia counties.

**See Table A for a list of hazardous air pollutants.

This Nonheatset Web Press General Permit can be used for any facility engaged in nonheatset web offset printing with actual emissions less than those identified above as the maximum permitted emission levels.

Plan Approval

This Nonheatset Web Press General Permit shall also serve as a general plan approval for nonheatset web offset lithographic printing press that meet the requirements specified in Conditions 17, 18, 19 and 20 of the general permit. The installation or modification of each nonheatset web offset lithographic printing press that meets the following criteria is exempt from plan approval requirements if the press:

- emits volatile organic compounds (VOCs) at a rate less than 2.7 tons per year (tpy), and;
- emits a single hazardous air pollutant (HAP) at a rate less than 1 tpy, and;
- emits a combination of hazardous air pollutants (HAPs) rates less than 2.5 tons of all HAPs combined per year, or;
- has a cylinder width 17 inches or less.

Facilities claiming an exemption based on the emissions-based criteria (a) through (c) must provide a 15-day prior written notification to the Department indicating that VOC/HAP emission increases will not exceed the emissions-based criteria.

The modification of a nonheatset web offset lithographic printing press includes the addition of a printing unit, coating unit, or other changes that would increase the facility's emission of VOCs or HAPs above the exemption levels specified in criteria (a) through (c).

3. *Application for Use*—Any person proposing to operate, install, or modify a nonheatset web offset lithographic press under this Nonheatset Web Press General Permit shall notify the Department using the Nonheatset Web Offset Lithographic Printing Press General Permit Application provided by the Department. In accordance with 25 Pa. Code § 127.621 (relating to application for use of general plan approvals and general operating permits), the applicant shall receive prior written approval from the Department prior to operating under the general permit.

4. *Compliance*—Any applicant authorized to operate a nonheatset web offset lithographic printing press(es) under this Nonheatset Web Press General Permit shall comply with the terms and conditions of the general permit. The nonheatset web offset lithographic printing press(es) shall be:

- Operated in such a manner as not to cause air pollution.
- Operated and maintained in a manner consistent with good operating and maintenance practices.
- Operated and maintained in accordance with the manufacturer's specifications and the applicable terms and conditions of this Nonheatset Web Press General Permit.

5. *Permit Modification, Suspension and Revocation*—This Nonheatset Web Press General Permit may be modified, suspended or revoked if the Department determines that affected nonheatset web offset lithographic printing press(es) cannot be regulated under this general permit. Authorization to use this Nonheatset Web Press General Permit shall be suspended or revoked if the permittee fails to comply with applicable terms and conditions of the Nonheatset Web Press General Permit.

The approval herein granted to operate the nonheatset web offset lithographic printing press(es) 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 nonheatset web offset lithographic printing press(es) covered by this general permit. Upon suspension of the general permit, the permittee may not continue to operate or use said nonheatset web offset lithographic printing press(es). If warranted, the Department will require that the nonheatset web offset lithographic printing press(es) be permitted under the state operating permit and/or Title V operating permit program requirements in 25 Pa. Code Chapter 127, as appropriate.

6. *Notice Requirements*—The applications and notifications required by 25 Pa. Code § 127.621 shall be submitted to the appropriate Regional Office responsible for issuing general permits in the county in which the nonheatset web offset lithographic printing press is, or will be, located. As required under § 127.621(b), the application shall be either hand delivered or transmitted by certified mail return receipt requested.

The permittee shall notify the Department, in writing, within 24 hours of the discovery of any malfunction during a business day or by 5 p.m. on the first business day after a weekend or holiday of any malfunction of the nonheatset web offset lithographic printing press(es) which results in, or may result 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*—The permittee shall, upon the request of the Department, provide input material analyses, or input material samples used in any nonheatset web offset lithographic printing press(es) authorized to operate under this general permit.

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 and the applicable regulations under the acts.

9. *Term of Permit*—The Nonheatset Web Press General Permit is issued for a fixed term of 5 years. The Department will notify each applicant, by letter, when approval to operate under this general permit is granted.

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

- Two hundred fifty dollars during the 1999 calendar year.
- Three hundred dollars during the 2000-2004 calendar years.
- Three hundred seventy-five dollars beginning in the 2005 calendar year.

An additional plan approval application fee as indicated above is required each time the permittee installs or modifies a nonheatset web offset lithographic printing press. The installation or modification of a nonheatset web offset lithographic printing press must be conducted according to the terms and conditions of this general permit. Two or more nonheatset web offset lithographic printing presses may be installed under a single plan approval fee.

11. *Expiration and Renewal of Permit*—The permittee's right to operate under this Nonheatset Web Press General Permit terminates on the date of expiration of this permit unless a timely and complete application for the renewal of the general permit is submitted to the Department at least 30 days prior to the permit expiration date.

Upon receipt of a complete and timely application for renewal, the nonheatset web offset lithographic printing press(es) 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 Nonheatset Web Press General Permit application for renewal shall include the identity of the owner or operator, location of the nonheatset web offset lithographic printing press(es), current permit number, description of source category, the appropriate renewal fee listed in Condition 10 of this permit 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 Nonheatset Web Press General Permit.

12. *Applicable Laws*—Nothing in this Nonheatset Web Press 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 Nonheatset Web Press General Permit. Title V facilities may use this Nonheatset Web Press General Permit as a general plan approval when the major new source review and prevention of significant deterioration requirements are not applicable.

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

15. *Plan Approval*—This Nonheatset Web Press General Permit authorizes the construction and operation of nonheatset web offset lithographic printing press(es) 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, the emission limits specified in Conditions 17, 18, 19 and 20 of this general permit are BAT for nonheatset web offset lithographic printing press(es).

16. *Definitions*—For purposes of this Nonheatset Web Press General Permit, the following definitions apply:

a. *Alcohol*—A class of compounds containing a single hydroxyl group OH. When used as a fountain solution additive for offset lithographic printing, the term includes: ethanol, n-propanol and isopropanol.

b. *Alcohol Substitutes*—Nonalcohol additives that contain VOCs and are used in the fountain solution. The term includes additives used to reduce the surface tension of water or prevent piling (ink build-up).

c. *Automatic Blanket Wash System*—Equipment used to remotely clean lithographic blankets which may include, but is not limited to those utilizing a cloth and expandable bladder, brush, spray or impregnated cloth system.

d. *Batch*—A supply of fountain solution that is prepared and used without alteration until completely used or removed from the printing process. For the purposes of this general permit, this term includes solutions that are either prepared in discrete batches or solutions that are continuously blended with automix units.

e. *Cleaning Solution*—Liquid solvents or solutions used to remove ink and debris from the operating surfaces of the printing press and its parts.

f. *Dampening System*—Equipment used to deliver the fountain solution to the lithographic plate.

g. *Fountain Solution*—A mixture of water, nonvolatile printing chemicals and an additive (liquid) that reduces the surface tension of the water so that it spreads easily across the printing plate surface. The fountain solution wets the nonimage area so that the ink is maintained within the image areas. Nonvolatile additives include mineral salts and hydrophilic gums. For the purpose of this general permit, the additives may include a VOC content of 5.0% or less. Alcohol and alcohol substitutes, including isopropyl alcohol, glycol ethers and ethylene glycol, are the most common VOC additives used to reduce the surface tension of the fountain solution.

h. *Fountain Solution Recirculating Reservoir*—The collection tank which accepts fountain solution recirculated from printing unit(s). The tanks typically contains a coarse filter to remove contaminants from the fountain solution and in some cases, are equipped with cooling coils for refrigeration of the fountain solution.

i. *Inking System*—A series of rollers used to meter the ink onto the lithographic plate. The system can include agitators, pumps, and totes and other types of ink containers.

j. *Lithography*—A planographic printing process where the image and nonimage areas are chemically differentiated; the image area is oil receptive and the nonimage area is water receptive. This method differs from other printing methods, where the image is typically printed from a raised or recessed surface.

k. *Nonheatset*—A lithographic printing process where the printing inks are set without the use of heat. Traditional nonheatset inks set and dry by absorption and/or oxidation of the ink oils. For the purposes of this general permit, ultraviolet-cured and electron beam-cured inks are considered nonheatset, although radiant energy is required to cure these inks.

l. *Offset*—A printing process that transfers the ink film from the lithographic plate to an intermediary surface (blanket), which, in turn, transfers the ink film to the substrate.

m. *Press*—For purposes of this general permit, a printing production assembly composed of one or more units

used to produce a printed substrate or a web. The term includes any associated coating, spray powder application or infra-red heating units.

n. *Unit*—The smallest complete printing component, composed of inking and dampening systems, of a printing press.

o. *VOC Composite Partial Vapor Pressure*—The sum of the partial pressure of the compounds defined as VOCs. VOC composite partial pressure is calculated as follows:

$$PP_c = \sum_{i=1}^n \frac{(W_i)(VP_i)/MW_i}{\frac{W_w}{MW_w} + \frac{W_c}{MW_c} + \sum_{i=1}^n \frac{W_i}{MW_i}}$$

Where:

W_i = Weight of the "i"th VOC compound, in grams
 W_w = Weight of water, in grams
 W_c = Weight of exempt compound, in grams
 MW_i = Molecular weight of the "i"th VOC compound, in g/g-mole
 MW_w = Molecular weight of water, in g/g-mole
 MW_c = Molecular weight of exempt compound, in g/g-mole
 PP_c = VOC composite partial pressure at 20°C, in mm Hg
 VP_i = Vapor pressure of the "i"th VOC compound at 20°C, in mm Hg

p. *Web*—A continuous roll of paper used as the printing substrate in a printing process.

17. *Equipment Standards for Fountain Solutions*—Any nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall meet one of the following requirements for the fountain solution used on that press:

a. Maintain the as applied VOC content of the fountain solution at or below 5.0% by weight, and;

b. The fountain solution shall contain no alcohol.

18. *Equipment Standards for Blanket and Roller Cleaning Solutions*—Any blanket and roller cleaning solution used on a nonheatset web offset lithographic printing press subject to the terms and conditions this Nonheatset Web Press General Permit shall meet one of the following requirements:

a. VOC content, as applied, is less than or equal to 30 percent by weight, or;

b. VOC composite partial vapor pressure, as used, is less than or equal to 10 mm Hg at 20°C (68°F).

c. The use of cleaning solutions not meeting Conditions 18 a. or b. is permitted provided that the quantity used does not exceed 55 gallons over any twelve consecutive months.

19. *Equipment Standards for Solvent Containers*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall keep all solvent containers closed at all times unless filling, draining or performing cleanup operations.

20. *Equipment Standards for Solvent Laden Shop Towels*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall keep all solvent laden shop towels in a closed container when not being used.

21. *Testing of Fountain Solutions*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall determine the VOC content of fountain solution by one of the following procedures:

a. Analysis by USEPA Method 24 of a fountain solution sample,

b. Calculation which combines USEPA Method 24 analytical VOC content data for the concentrated materials used to prepare the press ready fountain solution and records of the proportions in which they are mixed. The calculation shall only be performed once for each press ready fountain solution and kept in the form of a batch log. See the Fountain Solution Batch VOC Content Form and Fountain Solution VOC Addition Form attached to this general permit. The analysis of the concentrated fountain solution may be performed by the supplier(s) of those materials.

22. *Testing of Blanket and Roller Cleaning Solutions*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall determine the VOC content or VOC composite partial vapor pressure of cleaning solutions by one of the following procedures:

a. Analysis by USEPA Method 24 of a cleaning solution sample for VOC content or by an appropriate method for composite partial vapor pressure,

b. Calculation which combines USEPA Method 24 analytical VOC content data for the concentrated materials used to prepare the press ready cleaning solution and records of the proportions in which they are mixed. The calculation shall only be performed once for each press ready cleaning solution and kept in the form of a batch log. See the Cleaning Solution Batch VOC Content Form attached to this general permit. The analysis of the concentrated cleaning solution may be performed by the supplier(s) of those materials,

c. Calculation for VOC composite partial vapor pressure which combines analytical VOC vapor pressure data for the concentrated materials used to prepare the press ready cleaning solution and records of the proportions in which they are mixed. The analysis and vapor pressure determinations of the concentrated material(s) may be performed by the suppliers(s) of the material(s).

23. *Monitoring Requirements for Automatic Blanket Wash Systems*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit using an automatic blanket wash system that mixes cleaning solution at the point of application must demonstrate compliance with the VOC limitation in Condition 18 a. or b. shall document that flow meters or fixed volume spray systems result in the VOC content of the mixed solution complies with Condition 18 a. or b. of the general permit.

24. *Recordkeeping Requirements*—Any owner/operator of a nonheatset web offset lithographic printing press(es) subject to this Nonheatset Web Press General Permit shall collect and record the applicable information specified in this Condition. The information shall be maintained at the facility for a minimum of 5 years. The Department or an authorized representative of the Department shall, at reasonable times, have access to and require the production of books, papers or records, as the Department may reasonably prescribe relevant to compliance with the terms and conditions in this general permit. The information required includes the following:

a. For each nonheatset web offset lithographic ink or conventional varnish used: the monthly consumption in pounds or gallons; the percent by weight VOC and HAP content, as applied; and, an estimate of VOC and HAP emissions. Alternately, the ink with the highest VOC and HAP content may be used to represent all inks used by all nonheatset web offset lithographic printing presses.

b. For each fountain solution and additive: the monthly consumption in pounds or gallons; the percent by weight or weight to volume ratio (lbs/gal) VOC and HAP content and an estimate of VOC and HAP emissions.

c. For each blanket and roller cleaning solution used: the monthly consumption in pounds or gallons; the percent by weight or weight to volume ratio (lbs/gal) VOC and HAP content and an estimate of VOC and HAP emissions.

d. For each month of operation, the volume of all cleaning solution used which does not meet Condition 18 a. or b.

e. For each month of operation, an estimate of VOC and HAP emissions during the latest 12 months.

Fountain Solution Batch VOC Content Form

Fountain Solution Concentrate

Name: _____

Formula Number: _____

Density(lbs/gal)*: _____

VOC Content (lbs/gal)**: _____

Fountain Solution Additive

Name: _____

Formula Number: _____

Density(lbs/gal)*: _____

VOC Content (lbs/gal)**: _____

* Density may be obtained from data on the Material Safety Data Sheet or determined by multiplying the specific gravity from the MSDS by 8.33 pounds per gallon.

** VOC content may be determined by either using the Material Safety Data Sheet, conducting USEPA Method 24, or by summing the percent composition of each individual VOC and multiplying it by the density. Do not include exempt VOCs, especially Methylene Chloride and 1,1,1-Trichloroethane.

_____ Ounces of Fountain Concentrate Added Per Gallon of Water.

_____ Ounces of Fountain Additive Added Per Gallon of Water.

Press Ready VOC Concentration:

$$1. \text{ Weight of VOC in Concentrate} = \frac{\text{Oz. Concentrate} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$$

$$2. \text{ Weight of VOC in Additive} = \frac{\text{Oz. Additive} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$$

$$3. \text{ Weight Percent VOC} = \frac{\text{Result of Steps 1+2}}{\text{Result of 1+2} + 8.33}$$

Fountain Solution VOC Addition Form

Indicate When Any VOC Is Added To Press Ready Fountain Solution

<i>Date</i>	<i>Press or Fountain Recirculator</i>	<i>Material Added</i>	<i>Amount Added In Ounces</i>	<i>Final VOC Content In Weight Percent</i>

Final Press Ready VOC Concentration:

$$1. \text{ Weight of VOC in Concentrate} = \frac{\text{Oz. Concen.} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$$

$$2. \text{ Weight of VOC in Additive} = \frac{\text{Oz. Additive} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$$

$$3. \text{ Weight of VOC Added} = \frac{\text{Oz. Added VOC} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$$

4. Weight Percent VOC = $\frac{\text{Result of Steps 1+2+3}}{\text{Result of 1+2+3} + 8.33}$

Cleaning Solution Batch VOC Content Form

Cleaning Solution Concentrate

Name: _____

Formula Number: _____

Density(lbs/gal)*: _____

VOC Content (lbs/gal)**: _____

Cleaning Solution Additive

Name: _____

Formula Number: _____

Density(lbs/gal)*: _____

VOC Content (lbs/gal)**: _____

* Density may be obtained from the Material Safety Data Sheet or by multiplying the specific gravity from the MSDS by 8.33 pounds per gallon.

** VOC content may either be obtained from the Material Safety Data Sheet, conducting USEPA Method 24, or determined by summing the percent composition of each individual VOC and multiplying it by the density. Do not include exempt VOCs, especially Methylene Chloride and 1,1,1-Trichloroethane.

_____ Ounces of Cleaning Solution Concentrate Added Per Gallon of Water.

_____ Ounces of Cleaning Solution Additive Added Per Gallon of Water.

Press Ready VOC Concentration:

1. Weight of VOC in Concentrate = $\frac{\text{Oz. Concentrate} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$

2. Weight of VOC in Additive = $\frac{\text{Oz. Additive} \times \text{VOC Content (lbs/gal)}}{128 \text{ oz/gal}}$

3. Weight Percent VOC = $\frac{\text{Result of Steps 1+2}}{\text{Result of 1+2} + 8.33}$

NONHEATSET WEB PRESS GENERAL PERMIT RECORDKEEPING FORMAT

Month: _____

Inks:

Vendor	Color	Formula #	VOC Content ¹	HAP	HAP Content ²	Usage ³	VOC ⁷ Emissions	HAP ⁷ Emissions
ABC Inks	Black	P-45701	15%	N/A	N/A	10,000 lbs.		

Fountain Solution Concentrate:

Vendor	Formula #	VOC Content ⁴	VOC Content As Applied ¹	HAP	HAP Content ⁵	Usage ³	VOC ⁷ Emissions	HAP ⁷ Emissions
Wet All I	WA-001	2.3	4.5%	2-Butoxy-ethanol	2.3	200 gal		

Fountain Solution Additive:

Vendor	Formula #	VOC Content ⁴	VOC Content As Applied ¹	HAP	HAP Content ⁵	Usage ³	VOC ⁷ Emissions	HAP ⁷ Emissions
Wet All II	WA-002	6.0	4.5%	2-Butoxy-ethanol	6.0	200 gal		

Cleaning Solutions:

Vendor	Formula #	VOC Content ⁴	VOC Content As Applied ¹	Vapor Pressure ⁶	HAP	HAP Content ⁵	Usage ³	VOC ⁷ Emissions	HAP ⁷ Emissions
Clean All	CA-010	7.5	100%	5 mmHg	Xylene, cumene	2-Butoxy-ethanol	2.0	850 gal	

Coatings:

Vendor	Formula #	VOC Content ^{1,4}	VOC Content As Applied ^{1,4}	HAP	HAP Content ^{2,5}	Usage ³	VOC ⁷ Emissions	HAP ⁷ Emissions
Coatings, Inc.	P-46400	42.6%	42.6%	N/A	N/A	2,000 lbs		

- ¹VOC content in weight percent
- ²HAP content in weight percent
- ³Usage in pounds or gallons
- ⁴VOC Content in pounds/gallon
- ⁵HAP Content in pounds/gallon
- ⁶Vapor pressure in millimeters of mercury (mm Hg)
- ⁷Use appropriate emission/retention factors as identified in permit application

12-Month Totals

The U.S. Environmental Protection Agency requires the Department to track emissions on a 12-month total basis rather than on a calendar basis. This means that emission estimates should be recalculated each month totaling emissions that occurred during the last 12 months. For example, at the end of March, 1998 you would total the emissions which occurred from April, 1997 through March, 1998; at the end of April, 1998 you would total the emissions which occurred from May, 1997 through April, 1998, etc.

Sample Form

12-Month Totals for Calendar Year - - - -

<i>Month</i>	<i>VOCs</i>	<i>HAPs</i>	<i>12-Mon. Tot. VOCs</i>	<i>12-Mon. Tot. HAPs</i>
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

[Pa.B. Doc. No. 99-1054. Filed for public inspection July 2, 1999, 9:00 a.m.]

**Small Water Systems Technical Assistance Center
Advisory Board; Special Committee Meeting**

The Capability Enhancement Committee will hold a meeting on Tuesday, July 13, 1999, from 9:30 a.m. to 12 noon in the 11th Floor Conference Room of the Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting will be to continue discussion of the two parts of the Department's proposed public water system capacity development strategy: (1) Capability Enhancement Priority Rating System and (2) Public Participation Strategy.

Questions concerning this schedule or agenda items can be directed to Donna Green at (717) 787-0122 or e-mail at Green.Donna@dep.state.pa.us. This schedule, an agenda for the meeting, and notices of meeting changes will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Donna Green directly at (717) 787-0122 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1055. Filed for public inspection July 2, 1999, 9:00 a.m.]

**State Board for Certification of Sewage Treatment
Plant and Waterworks Operators; Special Committee Meeting**

The Water Workgroup will hold a special meeting on Tuesday, July 20, 1999 from 9:30 a.m. to 3:30 p.m. at the PA Municipal Authorities Association in Wormleysburg, PA. The purpose of the meeting will be to discuss the results of the Water Training Priority Assessment Survey and to review the final draft training matrix.

Questions concerning this schedule or agenda items can be directed to Christine Sowers at (717) 787-0122 or e-mail at Sowers.Christine@dep.state.pa.us. This schedule, an agenda for the meeting, and notices of meeting changes will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Christine Sowers directly at (717) 787-0122 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1056. Filed for public inspection July 2, 1999, 9:00 a.m.]

Wetlands Protection Advisory Committee; Cancellation of Meeting

The Wetlands Protection Advisory Committee meeting scheduled for July 6, 1999, has been canceled. The next meeting is scheduled for September 7, 1999, in the first floor conference room of the Rachel Carson State Office Building.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1057. Filed for public inspection July 2, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, July 21, 1999, and Thursday, July 22, 1999.

The meeting will be held at the Sheraton Inn Harrisburg East, 800 East Park Avenue, Harrisburg, PA, from 10 a.m. to 4 p.m.

For additional information please contact Thomas M. DeMelfi, Department of Health, Division of HIV/AIDS, PO Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0574.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, should also contact Thomas DeMelfi at (717) 783-0574, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at 1 (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1058. Filed for public inspection July 2, 1999, 9:00 a.m.]

Laboratories Approved to Determine Blood Alcohol Content Under the Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood and/or serum and plasma. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories. Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the analysis of serum proficiency testing specimens are approved to analyze both serum and

plasma. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to hunting or furtaking under the influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood and/or serum and plasma. Laboratories located outside this Commonwealth may not provide blood and/or serum and plasma alcohol testing services in Pennsylvania unless they are specifically licensed by the Department under the Clinical Laboratory Act.

Persons seeking forensic blood and/or serum and plasma analysis services from the following designated laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes, and that the director of the facility is agreeable to performing determinations for this purpose. The list of approved laboratories will be revised approximately semi-annually and published in the *Pennsylvania Bulletin*.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the United States Department of Health and Human Services (HHS) in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Health Care Financing Administration (HCFA). Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 363-8500.

Persons with a disability who require an auxiliary aid service should contact Dr. Shoemaker at V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Service at (800) 654-5984 [TT].

The symbols S and B indicate the following:

S = approved for serum and plasma analyses
B = approved for blood analyses
SB = approved for serum, plasma and blood analyses

Abington Memorial Hospital-S
1200 Old York Road
Abington, PA 19001
215-576-2350

Albert Einstein Medical Center-Northern Division-S
5501 Old York Road
Philadelphia, PA 19141
215-456-6100

Allegheny County Coroner's Office-SB
Division of Laboratories
10 County Office Building
Pittsburgh, PA 15219
412-355-6873

Allegheny General Hospital-Dept. Lab. Medicine-S
320 East North Avenue
Pittsburgh, PA 15212
412-359-3521

Allegheny Valley Hospital Laboratory-SB
1300 Carlisle Street
Natrona Heights, PA 15065
412-224-5100

Altoona Hospital-SB
620 Howard Avenue
Altoona, PA 16601
814-946-2340

American Medical Laboratories, Inc.-SB
14225 Newbrook Drive
Chantilly, VA 20153
703-802-6900

Analytic Bio-Chemistries, Inc.-SB
1680-D Loretta Avenue
Feasterville, PA 19053
215-322-9210

Armstrong County Memorial Hospital-S
R. D.# 8, Box 50
Kittanning, PA 16201
412-543-8122

Associated Clinical Laboratories-SB
1526 Peach Street
Erie, PA 16501
814-453-6621

Associated Regional and University Pathologists-SB
500 Chipeta Way
Salt Lake City, UT 84108
800-242-2787

Ayer Clinical Laboratory-Penn Hospital-S
8th & Spruce Streets
Philadelphia, PA 19107
215-829-3541

Bon Secours-Holy Family Regional Health-SB
2500 Seventh Avenue
Altoona, PA 16602
814-949-4495

Braddock Medical Center-S
412 Holland Avenue
Braddock, PA 15104
412-636-5000

Bradford Hospital Laboratory-SB
116-156 Interstate Parkway
Bradford, PA 16701
814-834-8282

Brandywine Hospital and Trauma Center-S
Route 30 Bypass
Coatesville, PA 19320
610-383-8000

Brownsville General Hospital Laboratory-S
125 Simpson Road
Brownsville, PA 15417
724-785-7200

Butler Memorial Hospital-S
911 East Brady Street
Butler, PA 16001
724-284-4510

Canonsburg General Hospital-SB
R. D.# 1, Box 147, Route 519
Canonsburg, PA 15317
724-745-6100

Carlisle Hospital-S
245 Parker Street
Carlisle, PA 17013
717-249-1212

Centre Community Hospital-B
1800 East Park Avenue
State College, PA 16803
814-234-6117

Chambersburg Hospital-S
112 North Seventh Street
Chambersburg, PA 17201
717-267-7152

Charles Cole Memorial Hospital-S
R. D. # 1, Box 205
Coudersport, PA 16915
814-274-9300

Chester County Hospital-S
701 East Marshall Street
West Chester, PA 19380
610-431-5182

Chestnut Hill Hospital-S
8835 Germantown Avenue
Philadelphia, PA 19118
215-248-8630

Childrens Hospital of Philadelphia-S
One Children's Center, 34th and Civic Center Blvd.
Philadelphia, PA 19104
215-590-1000

Citizens General Hospital-SB
651 Fourth Avenue
New Kensington, PA 15068
412-337-5031

City Avenue Hospital-S
4150 City Avenue
Philadelphia, PA 19131
215-871-1000

Clarion Hospital-SB
One Hospital Drive
Clarion, PA 16214
814-226-9500

Clearfield Hospital Laboratory-S
809 Turnpike Avenue, P. O. Box 992
Clearfield, PA 16830
814-765-5341

Clintox Laboratories-S
601 Gay Street
Phoenixville, PA 19460
610-933-6550

Community Hospital-B
North Fraley Street
Kane, PA 16735
814-837-8585

Community Hospital of Lancaster-S
1100 East Orange Street
Lancaster, PA 17602
717-397-3711

Community Medical Center-S
1822 Mulberry Street
Scranton, PA 18510
717-969-8000

Conemaugh Valley Memorial Hospital-SB
1086 Franklin Street
Johnstown, PA 15905
814-534-9000

Corry Memorial Hospital-S
612 West Smith Street
Corry, PA 16407
814-664-4641

Crozer-Chester Medical Center-Springfield-S
190 West Sproul Road
Springfield, PA 19064
610-328-9200

Crozer Chester Medical Center-S
1 Med Ctr. Blvd.
Upland, PA 19013
610-447-2000

Delaware County Memorial Hospital-S
501 N. Lansdowne Avenue
Drexel Hill, PA 19026
610-284-8100

Department of Pathology & Lab Med-HUP-SB
3400 Spruce Street
Philadelphia, PA 19104
215-662-6880

Doylestown Hospital-S
595 West State Street
Doylestown, PA 18901
215-345-2250

DrugScan, Inc.-SB
1119 Mearns Road, P. O. Box 2969
Warminster, PA 18974
215-674-9310

DuBois Regional Medical Center-West Unit-S
100 Hospital Avenue
DuBois, PA 15801
814-371-2200

Easton Hospital-SB
250 South 21st Street
Easton, PA 18042
610-250-4140

Elk County Regional Medical Center-S
94 Hospital Street
Ridgway, PA 15853
814-776-6111

Elkins Park Hospital-S
60 East Township Line Road
Elkins Park, PA 19027
215-663-6753

Ellwood City General Hospital-S
724 Pershing Street
Ellwood City, PA 16117
724-752-0081

Endless Mountains Health Systems-B
3 Grow Avenue
Montrose, PA 18801
717-278-3801

Ephrata Community Hospital-S
169 Martin Avenue, P. O. Box 1002
Ephrata, PA 17522
717-733-0311

Episcopal Hospital-S
100 East Lehigh Avenue
Philadelphia, PA 19125
215-427-7333

Evangelical Community Hospital-SB
1 Hospital Drive
Lewisburg, PA 17837
717-522-2510

Forbes Regional Health Center-SB
2570 Haymaker Road
Monroeville, PA 15146
412-858-2560

Frankford Hospital Bucks County Campus-S
380 North Oxford Valley Road
Langhorne, PA 19047
215-934-5227

Frankford Hospital-Frankford Division-S
Frankford Avenue and Wakeling Street
Philadelphia, PA 19124
215-831-2068

Frankford Hospital-Torresdale Division-S
Red Lion and Knights Road
Philadelphia, PA 19114
215-612-4000

Frick Hospital-S
508 South Church Street
Mount Pleasant, PA 15666
412-547-1500

Fulton County Medical Center-S
216 South First Street
McConnellsburg, PA 17233
717-485-3155

Geisinger Medical Center-SB
North Academy Road
Danville, PA 17822
717-271-6338

George Tolstoi Laboratory-Uniontown Hospital-S
500 W. Berkeley Street
Uniontown, PA 15401
724-430-5143

Germantown Hospital and Medical Center-S
One Penn Boulevard
Philadelphia, PA 19144
215-951-8800

Gettysburg Hospital-SB
147 Gettys Street
Gettysburg, PA 17325
717-334-2121

Gnaden Huetten Memorial Hospital-SB
Eleventh and Hamilton Streets
Lehighon, PA 18235
610-377-1300

Good Samaritan Hospital-SB
Fourth and Walnut Streets, P. O. Box 1281
Lebanon, PA 17042
717-270-7500

Good Samaritan Regional Medical Center-B
700 East Norwegian Street
Pottsville, PA 17901
717-621-4000

Graduate Hospital-S
1800 Lombard Street
Philadelphia, PA 19146
215-893-2240

Grand View Hospital-S
700 Lawn Avenue
Sellersville, PA 18960
215-257-3611

Greene County Memorial Hospital-S
Bonar Avenue
Waynesburg, PA 15370
724-627-3101

Guthrie Clinic Pathology Laboratory-S
Guthrie Square
Sayre, PA 18840
717-888-5858

Hahnemann University Hospital-S
Broad and Vine Streets, MS 435
Philadelphia, PA 19102
215-762-1783

Hamot Medical Center-S
201 State Street
Erie, PA 16550
814-455-6711

Hanover General Hospital-SB
300 Highland Avenue
Hanover, PA 17331
717-637-3711

Harrisburg Hospital-SB
South Front Street
Harrisburg, PA 17101
717-782-3131

Hazleton General Hospital-SB
East Broad Street
Hazleton, PA 18201
717-450-4156

Health Network Laboratories-SB
2024 Lehigh Street
Allentown, PA 18103
610-402-8150

Health Network Laboratories-S
2545 Schoenersville Road
Bethlehem, PA 18017
610-861-2261

Highlands Hospital and Health Center-S
401 East Murphy Avenue
Connellsville, PA 15425
412-628-1500

Holy Spirit Hospital-SB
503 North 21st Street
Camp Hill, PA 17011
717-763-2206

Horizon Hospital System-Greenville Campus-SB
110 North Main Street
Greenville, PA 16125
412-588-2100

Horizon Hospital System-Shenango Campus-SB
2200 Memorial Drive
Farrell, PA 16121
412-981-3500

Indiana Hospital-Department of Lab Medicine-S
P. O. Box 788
Indiana, PA 15701
724-357-7166

Jameson Memorial Hospital-S
1211 Wilmington Avenue
New Castle, PA 16105
412-658-9001

J. C. Blair Memorial Hospital-S
Warm Springs Avenue
Huntingdon, PA 16652
814-643-8645

Jeanes Hospital-S
7600 Central Avenue
Philadelphia, PA 19111
215-728-2347

Jeannette District Memorial Hospital-S
Jefferson Avenue
Jeannette, PA 15644
724-527-3551

Jefferson Regional Health Services, Inc.-Brookville Div.-S
100 Hospital Road
Brookville, PA 15825
814-849-2312

John F. Kennedy Memorial Hospital-S
Cheltenham Avenue and Langdon Streets
Philadelphia, PA 19124
215-831-7203

Kensington Hospital-S
136 W. Diamond Street
Philadelphia, PA 19122
215-426-8100

LabOne, Inc.-SB
10101 Renner Boulevard
Lenexa, KS 66219
913-888-1770

Lab Corp Occupational Testing Services, Inc.-SB
4022 Willow Lake Blvd
Memphis, TN 38118
901-795-1515

Lab Corp. of America Holdings-SB
69 First Avenue, P. O. Box 500
Raritan, NJ 08869
201-526-2400

Lab Corp. of America Holdings-SB
6370 Wilcox Road
Dublin, OH 43016
800-282-7300

Laboratory Specialists, Inc.-B
1111 Newton Street
Gretna, Louisiana 70053
504-361-8989

Lancaster General Hospital-S
555 North Duke Street, P. O. Box 3555
Lancaster, PA 17603
717-299-5511

Lancaster General Hospital-Susquehanna Division-S
306 North Seventh Street
Columbia, PA 17512
717-684-2841

Latrobe Area Hospital-B
West Second Avenue
Latrobe, PA 15650
724-537-1550

Lewistown Hospital-S
Highland Avenue
Lewistown, PA 17044
717-248-5411

Lock Haven Hospital-B
24 Cree Drive
Lock Haven, PA 17745
717-893-5000

Main Line Clinical Laboratories-Bryn Mawr-CP-S
Bryn Mawr Avenue
Bryn Mawr, PA 19010
610-526-3554

Main Line Clinical Laboratories-Lankenau-CP-S
100 East Lancaster Avenue
Wynnewood, PA 19096
610-645-2615

Main Line Clinical Laboratories-Paoli Memorial-CP-S
255 W. Lancaster Avenue
Paoli, PA 19301
610-648-1000

- Marian Community Hospital-S
100 Lincoln Avenue
Carbondale, PA 18407
717-281-1042
- McKeesport Hospital Laboratory-S
1500 Fifth Avenue
McKeesport, PA 15132
412-664-2233
- Meadville Medical Center-Liberty Street-S
751 Liberty Street
Meadville, PA 16335
814-336-3121
- The Medical Center, Beaver, PA, Inc.-SB
1000 Dutch Ridge Road
Beaver, PA 15009
724-728-7000
- Medical Center of Delaware-Department of Pathology-S
4755 Ogletown-Stanton Road
Newark, DE 19718
312-733-3625
- Medical Center of Delaware-Department of Pathology-S
501 W. 14th Street
Wilmington, DE 19899
302-733-3625
- Medical College of Pennsylvania Hospital-S
3300 Henry Avenue
Philadelphia, PA 19129
215-842-6615
- MedTox Laboratories, Inc.-SB
402 West County Road D
St. Paul, MN 55112
612-636-7466
- Memorial Hospital-SB
325 South Belmont Street, P. O. Box 15118
York, PA 17403
717-843-8623
- Memorial Hospital Lab-SB
1 Hospital Drive
Towanda, PA 18848
717-265-2191
- Mercy Health Laboratory, Mercy Fitzgerald Hospital-S
Lansdowne Avenue and Bailey Road
Darby, PA 19023
610-237-4175
- Mercy Health Laboratory, Mercy Hospital/Philadelphia-S
5301 Cedar Avenue
Philadelphia, PA 19143
215-748-9170
- Mercy Health Laboratory, Mercy Community Hospital-S
2000 Old West Chester Pike
Havertown, PA 19083
610-645-3600
- Mercy Health Partners-S
746 Jefferson Avenue
Scranton, PA 18510
717-348-7100
- Mercy Hospital-S
Pride and Locust Streets
Pittsburgh, PA 15219
412-232-7831
- Mercy Hospital-S
25 Church Street
Wilkes-Barre, PA 18765
717-826-3100
- Mercy Hospital-Nanticoke-S
128 West Washington Street
Nanticoke, PA 18634
717-735-5000
- Mercy Providence Hospital Laboratory-S
1004 Arch Street
Pittsburgh, PA 15212
412-323-5783
- Mercy Suburban Hospital-S
2701 DeKalb Pike
Norristown, PA 19404
610-278-2075
- Methodist Hospital Division/TJUH, Inc.-S
2301 South Broad Street
Philadelphia, PA 19148
215-952-9059
- MidValley Hospital-S
1400 Main Street
Peckville, PA 18452
717-489-7546
- Miner's Hospital Lab of North Cambria-B
2205 Crawford Avenue
Spangler, PA 15775
814-948-7171
- Monongahela Valley Hospital, Inc.-S
Country Club Road, Route 88
Monongahela, PA 15063
412-258-2000
- Monsour Medical Center-S
70 Lincoln Way East
Jeannette, PA 15644
724-527-1511
- Montgomery Hospital Laboratory-S
Powell and Fornance Streets
Norristown, PA 19401
610-270-2173
- Moses Taylor Hospital-S
700 Quincy Avenue
Scranton, PA 18510
717-963-2100
- Nason Hospital-B
Nason Drive
Roaring Spring, PA 16673
814-224-6215
- National Medical Services, Inc.-Laboratory-SB
3701 Welsh Road
Willow Grove, PA 19090
215-657-4900
- National Medical Services, Inc.-SB
2300 Stratford Avenue
Willow Grove, PA 19090
215-784-1600
- Nazareth Hospital-S
2601 Holme Avenue
Philadelphia, PA 19152
215-335-6245
- North Penn Hospital-S
100 Medical Campus Drive
Lansdale, PA 19446
215-368-2100
- Northwest Medical Center-Franklin-S
1 Spruce Street
Franklin, PA 16323
814-437-7000

Northwest Medical Center, Oil City Campus-SB
174 East Bissell Avenue
Oil City, PA 16301
814-677-1711

Ohio Valley General Hospital-S
Heckel Road
McKees Rocks, PA 15136
412-777-6244

Omega Medical Laboratories, Inc.-SB
2001 State Hill Road, Suite 100
Wyomissing, PA 19610
610-378-1900

PA Department of Health, Bureau of Laboratories-SB
P. O. Box 500
Exton, PA 19341-0500
610-363-8500

PA State Police Lab-Bethlehem-SB
2932 Airport Road
Bethlehem, PA 18017
610-861-2103

PA State Police Lab-Erie-SB
4310 Iroquois Avenue
Erie, PA 16511
814-899-8447

PA State Police Lab-Greensburg-SB
P. O. Box P, PA State Police
Greensburg, PA 15601
724-832-3299

PA State Police Lab-Harrisburg-SB
1800 Elmerton Avenue
Harrisburg, PA 17110
717-783-5548

PA State Police Lab-Lima-SB
350 N. Middletown Road
Media, PA 19063
610-566-9066

PA State Police Lab-Wyoming-SB
479 Wyoming Avenue
Wyoming, PA 18644
717-826-2230

Palmerton Hospital-S
135 Lafayette Avenue
Palmerton, PA 18071
610-826-3141

Parkview Hospital-S
1331 East Wyoming Avenue
Philadelphia, PA 19124
215-537-7430

Penn State-Geisinger WVMC-S
1000 East Mountain Drive
Wilkes-Barre, PA 18711
717-826-7830

Philipsburg Area Hospital-SB
210 Lock Lomond Road
Philipsburg, PA 16866
814-342-7112

Phoenixville Hospital Laboratory-S
140 Nutt Road, Department of Pathology
Phoenixville, PA 19460
610-983-1612

Pinnacle Health/Community General Osteopathic
Hospital-S

4300 Londonderry Road, P. O. Box 3000
Harrisburg, PA 17109
717-657-7214

Pittsburgh Criminalistics-SB
1320 Fifth Avenue
Pittsburgh, PA 15219
412-391-6118

Pocono Medical Center Laboratory-SB
206 East Brown Street
East Stroudsburg, PA 18301
717-476-3544

Polyclinic Hospital-S
2601 North Third Avenue
Harrisburg, PA 17110
717-782-4141

Pottstown Memorial Medical Center-S
1600 East High Street
Pottstown, PA 19464
610-327-7111

Pottsville Hospital and Warne Clinic-SB
420 South Jackson Streets
Pottsville, PA 17901
717-621-5262

Presbyterian Medical Center of Phila.-S
3400 Spruce Street, Dept. of Pathology
Philadelphia, PA 19104
215-662-3435

Quest Diagnostics of PA, Inc.-S
900 Business Center Drive
Horsham, PA 19044
215-957-9300

Quest Diagnostics of PA, Inc.-SB
875 Greentree Road
4 Parkway Center
Pittsburgh, PA 15220
412-920-7600

Quest Diagnostics, Incorporated-SB
One Malcolm Avenue
Teterboro, NJ 07608
201-288-0900

Reading Hospital and Medical Center-S
Sixth and Spruce Streets
Reading, PA 19611
610-378-6080

Riddle Memorial Hospital-S
Baltimore Pike Highway 1
Media, PA 19063
610-566-9400

Roxborough Memorial Hospital-S
5800 Ridge Avenue
Philadelphia, PA 19128
215-483-9900

Sacred Heart Hospital-S
Fourth and Chew Streets
Allentown, PA 18102
610-776-4727

Saint Agnes Medical Center-S
1900 South Broad Street
Philadelphia, PA 19145
215-339-4100

Saint Clair Memorial Hospital-S
1000 Bower Hill Road
Pittsburgh, PA 15243
412-561-4900

Saint Francis Hospital-S
1000 South Mercer Street
New Castle, PA 16101
412-658-3511

Saint Joseph Hospital-S
250 College Avenue, P. O. Box 3509
Lancaster, PA 17604
717-291-8022

Saint Lukes Hospital-S
801 Ostrum Street
Bethlehem, PA 18015
610-691-4141

Saint Mary Medical Center-S
Langhorne-Newtown Road
Langhorne, PA 19047
215-750-2162

Saint Vincent Health Center-S
232 West 25th Street
Erie, PA 16544
814-452-5383

Sewickley Valley Hospital Laboratory-S
Blackburn Road and Fitch Drive
Sewickley, PA 15143
412-741-6600

Shadyside Hospital-S
5230 Centre Avenue
Pittsburgh, PA 15232
412-622-2315

Sharon Regional Health System-SB
740 East State Street
Sharon, PA 16146
724-983-3911

Sierra Analytical Laboratories-SB
625 East Drinker Street
Dunmore, PA 18512
717-341-2224

SmithKline Beecham Clinical Laboratories, Inc.-SB
400 Egypt Road
Norristown, PA 19403
610-631-4200

Soldiers & Sailors Memorial Hospital-S
Central Avenue
Wellsboro, PA 16901
717-724-1631

Somerset Hospital Laboratory-SB
225 South Center Avenue
Somerset, PA 15501
814-443-2626

South Hills Health System-Jefferson-SB
575 Coal Valley Road
Pittsburgh, PA 15236
412-469-5723

Southern Chester County Medical Center-S
1015 West Baltimore Pike
West Grove, PA 19390
610-869-1080

Specialty Laboratories-SB
2211 Michigan Avenue
Santa Monica, CA 90404
310-828-6543

St. Francis Central Hospital-S
1200 Centre Avenue
Pittsburgh, PA 15219
412-562-3060

St. Francis Hospital-Cranberry-S
One St. Francis Way
Cranberry Township, PA 16066
412-772-5300

St. Francis Medical Center-S
400-45th Street
Pittsburgh, PA 15201
412-622-4838

St. Joseph Quality Medical Laboratory-SB
215 North 12th Street, Box 316
Reading, PA 19603
215-378-2200

St. Joseph's Hospital-Div. of NPHS-S
16th Street and Girard Avenue
Philadelphia, PA 19130
215-787-9000

St. Lukes Hospital-Allentown Campus-S
1736 Hamilton Street
Allentown, PA 18104
610-439-4000

St. Lukes Quakertown Hospital-S
Eleventh Street & Park Avenue, P. O. Box 9003
Quakertown, PA 18951
215-536-2400

St. Marys Regional Medical Center-B
763 Johnsonburg Road
St. Marys, PA 15857
814-834-8519

Suburban General Hospital-S
100 South Jackson Avenue
Bellevue, PA 15202
412-734-6000

Taylor Hospital Division of CCMC-S
175 East Chester Pike
Ridley Park, PA 19078
610-595-6450

Temple East, Inc., NE-S
2301 East Allegheny Avenue
Philadelphia, PA 19134
215-291-3671

Temple East, Inc.-NMC-S
1741 Frankford Avenue
Philadelphia, PA 19125
215-291-2118

Temple Lower Bucks Hospital Lab-S
501 Bath Road
Bristol, PA 19007
215-785-9200

Temple University Hospital-S
3401 N. Broad Street
Philadelphia, PA 19140
215-221-3453

Thomas Jefferson University Hospital-S
125 South 11th Street, 204 Pavillion
Philadelphia, PA 19107
215-955-6374

Titusville Area Hospital-S
406 West Oak Street
Titusville, PA 16354
814-827-1851

Toxi-Con-SB
120 Monahan Avenue, Suite 101
Dunmore, PA 18512
717-963-0722

Tyler Memorial Hospital-S
RD #1, Route 6
Tunkhannock, PA 18657
717-836-2161

Tyrone Hospital-SB
Clay Avenue Extension
Tyrone, PA 16686
814-684-1255

United Community Hospital-S
631 North Broad Street Ext.
Grove City, PA 16127
412-458-5442

University Hospital-M.S. Hershey Medical Center-S
500 University Avenue
Hershey, PA 17033
717-531-8353

University of Pittsburgh Medical Center/Beaver Valley-B
2500 Hospital Drive-Pathology Dept.
Aliquippa, PA 15001
412-857-1238

University of Pittsburgh Medical Center-CLSI-S
200 Lothrop Street, CLSI Room 5929 MT
Pittsburgh, PA 15213
412-647-7813

UPMC Bedford Memorial-SB
10455 Lincoln Highway
Everett, PA 15537
814-623-3506

UPMC Lee Regional Hospital-SB
320 Main Street
Johnstown, PA 15901
814-533-0130

UPMC Passavant-S
9100 Babcock Boulevard
Pittsburgh, PA 15237
412-367-6700

UPMC Saint Margaret Hospital-S
815 Freeport Road
Pittsburgh, PA 15215
412-784-4000

Warminster Hospital-S
225 Newtown Road
Warminster, PA 18974
215-441-6700

Warren General Hospital-SB
212 Crescent Park West
Warren, PA 16365
814-723-3300

Washington Hospital-S
155 Wilson Avenue
Washington, PA 15301
412-225-7000

Wayne Memorial Hospital-S
601 Park Street
Honesdale, PA 18431
717-253-1300

Waynesboro Hospital-SB
East Main Street
Waynesboro, PA 17268
717-765-3403

West Virginia University Hospital-S
Clinical Laboratories

1 Medical Center Drive, P. O. Box 8009
Morgantown, WV 26506
304-598-4241

Western Pennsylvania Hospital-S
4800 Friendship Avenue
Pittsburgh, PA 15224
412-578-5779

Western Reserve Care System-SB
500 Gypsy Lane
Youngstown, OH 44504
216-740-3794

Westmoreland Hospital-S
532 W. Pittsburgh Street
Greensburg, PA 15601
412-832-4365

Williamsport Hospital and Medical Center-SB
777 Rural Avenue
Williamsport, PA 17701
717-321-2300

Windber Medical Center-B
600 Somerset Avenue
Windber, PA 15963
814-467-6611

WVHCS Hospital, General Campus-SB
Corner North River and Auburn Streets
Wilkes-Barre, PA 18764
717-829-8111

York Hospital-SB
1001 South George Street
York, PA 17405
717-771-2696

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1059. Filed for public inspection July 2, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Bingo Doubler 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 Bingo Doubler.

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

3. *Play Symbols:* Each Pennsylvania Bingo Doubler instant lottery game ticket will contain four play areas designated as "Card 1," "Card 2," "Card 3" and "Card 4." The 77 play symbols and their captions located in the four play areas are: The numbers 1 through 75, DBL and FREE. Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares in a 3 x 10 grid. The play symbols that may be located in each square are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N

with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$100, \$250, \$500 and \$25,000. The player can win up to four times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Pennsylvania Bingo Doubler instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 4," shall be entitled to a prize of \$25,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 3," shall be entitled to a prize of \$500.

(c) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4," shall be entitled to a prize of \$250.

(d) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 2," shall be entitled to a prize of \$250.

(e) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$100.

(f) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and

columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(g) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$20.

(h) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$20.

(i) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$10.

(j) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a DBL play symbol, on "Card 3," shall be entitled to a prize of \$10.

(k) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 3," shall be entitled to a prize of \$5.

(l) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a DBL play symbol, on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$4.

(m) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$2.

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

<i>Get Bingo With Prizes Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 9,000,000 Tickets</i>
Line-Card 1	\$2	1:15	600,000
Line-Card 2	\$2	1:37.50	240,000
Line-Card 4	\$2	1:30	300,000
Line-Card 1 Doubler	\$4	1:75	120,000
Line-Card 2 Doubler	\$4	1:93.75	96,000
Line-Card 4 Doubler	\$4	1:107.14	84,000
Line-Cards 1 & 2	\$4	1:50	180,000
Line-Cards 2 & 4	\$4	1:75	120,000
Line-Card 3	\$5	1:30	300,000
Line-Cards 1, 2 & 4	\$6	1:50	180,000
Line-Card 3 Doubler	\$10	1:250	36,000
Corner-Card 1	\$10	1:375	24,000
Line-Cards 1, 2, 3 & 4	\$11	1:150	60,000
Corner-Card 2	\$20	1:375	24,000
Corner-Card 3	\$20	1:750	12,000
Corner-Card 4	\$20	1:750	12,000
Diamond-Card 1	\$20	1:750	12,000
Corner-Cards 1 & 4	\$30	1:895.52	10,050
Corner-Cards 1 & 3	\$30	1:895.52	10,050
Corner-Cards 3 & 4	\$40	1:4,000	2,250
Diamond-Card 1 + Corner-Card 4	\$40	1:6,000	1,500
Diamond-Card 2	\$100	1:12,000	750
Diamond-Card 3	\$100	1:12,000	750
X-Card 1	\$100	1:15,000	600
X-Card 2	\$250	1:120,000	75
Diamond-Card 4	\$250	1:120,000	75
X-Card 2 + Diamond-Card 4	\$500	1:40,000	225

<i>Get Bingo With Prizes Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 9,000,000 Tickets</i>
X-Card 3	\$500	1:40,000	225
X-Card 4	\$25,000	1:750,000	12

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

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

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

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

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-1060. Filed for public inspection July 2, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Multijurisdictional Permit Agreement

Notice is hereby given by the Department of Transportation, under the authority contained in Section 6146.1 of the Vehicle Code, Act of June 17, 1976, P. L. 162, No. 81, as amended by the Act of April 29, 1994, P. L. 148, No. 28 (75 Pa.C.S. § 6146.1), that the Department, on behalf of the Commonwealth of Pennsylvania, has executed a Memorandum of Understanding (MOU) with the Northeast Association of State Transportation Officials (NASTO) and has thereby joined as a participating member of the NASTO system for regional overweight and oversize trip permits for vehicles with nondivisible loads. The MOU was adopted by the NASTO Highway Transport Committee on January 28, 1993, and was amended on October 16, 1996. The participating NASTO States who have executed the MOU have agreed to consider proposals, beginning on January 4, 1999, from permit services. Permit services that the participating NASTO States have authorized may then apply for and compile NASTO multijurisdictional permits and amendments (i.e., supplements). This authorization process is

expected to last approximately sixty days before the Department will issue any permits under terms of the NASTO MOU. However, the Department will issue no multijurisdictional permit until this notice is published in the *Pennsylvania Bulletin*.

The NASTO MOU establishes a formal agreement for processing permit applications for oversize or overweight combinations with nondivisible loads among participating jurisdictions within the NASTO region that propose to cross participating state borders. The MOU also establishes conditions of movement under the permit. Other states, provinces and jurisdictions within the NASTO region that have executed or will execute the MOU by November 1999, include Maryland, Delaware, New Jersey, New York, and Ontario. States, provinces and jurisdictions within the NASTO region that have not yet agreed to execute the MOU include Connecticut, Puerto Rico, Quebec, New Brunswick, Nova Scotia and Newfoundland. New York City and Washington, D.C. are exploring the possibility of executing the MOU. The states of Rhode Island, Massachusetts, Vermont, New Hampshire and Maine have executed the MOU but they have not yet decided whether or when they will abandon their long-existing New England Transportation Consortium (NETC) agreement for issuing oversize/overweight permits for multi-state movements.

In accordance with Section 6146.1(b) of the Vehicle Code, the MOU executed by the Secretary of Transportation has been drafted to be in the best interest of this Commonwealth and its citizens. The MOU is fair and equitable to this Commonwealth and its citizens. The MOU will benefit the economy of this Commonwealth by facilitating the uninterrupted flow of commerce, and will continue to preserve the safety of the motoring public, the orderly movement of traffic and the structural integrity of the highways.

Section 6146.1(c) of the Vehicle Code provides for enforcement of the provisions of the executed MOU and the multijurisdictional permit. Multijurisdictional permits will be enforced in Pennsylvania in the same manner as any other oversize or overweight permits issued under authority of Chapter 49 of the Vehicle Code and Chapter 179 of Department Regulations (67 Pa. Code, Chapter 179). Relevant rules contained in the MOU and its appendices are in addition to current Federal and State laws and regulations governing the movement of oversize or overweight vehicles, combinations and loads.

Section 6146.1 (d) of the Vehicle Code requires that, to implement this law and the provisions of a multijurisdictional permit agreement, the Secretary shall publish the agreement and relevant rules as a notice in the *Pennsylvania Bulletin*. Accordingly, a copy of the MOU executed by the Department and relevant rules are included in this notice. The Department will also post a copy of the current MOU and relevant rules on the Internet at the following Department address: www.dot.state.pa.us. The MOU can then be viewed at this site by clicking on "Roads and Highways," then "Permits," then "Hauling Permits," then "NASTO."

Under this MOU, an authorized permit service must submit an application for a NASTO Multijurisdictional

permit. In Pennsylvania, the permit service must apply via the Internet. The permit service may submit an application for a motor carrier having a combination with sizes and weights that do not exceed the envelope vehicle limitations contained in Appendix A of the MOU. Currently, the NASTO envelope vehicle has the following maximum limits: 90 feet in length, 14 feet in width, 14 feet, six inches in width at the roof eave of a manufactured housing unit, 13 feet, six inches in height, 3 foot front load overhang, 108,000 pounds gross weight on a five-axle combination, 120,000 pounds gross weight on a combination with six or more axles, 6,000 to 12,000 pounds on a steering axle, 25,000 pounds on any other single axle, 25,000 pounds on each axle in a two-tandem axle group (commonly called tandem axles), 20,000 pounds on each axle in a three-tandem axle group (commonly called tridem axles), 600 pounds per inch of nominal tire width or the tire manufacturer's ratings, whichever is less, and at least four tires on all nonsteering axles. In addition, retractable or variable load suspension axles may not be counted as axles nor will they be considered capable of carrying any load. Only a nondivisible load being hauled on a combination will qualify for a NASTO multijurisdictional permit.

Appendix B of the MOU will be used by participating jurisdictions as a member jurisdiction point-of-contact list in the future. Appendix B will contain no relevant rules and, therefore, does not need to be published as a notice when NASTO develops it.

Combinations operating under authority of a multijurisdictional permit will be subject to both the common safety standards contained in Appendix C of the MOU and 67 Pa. Code, Chapter 179. Additionally, Department Form M-938 shall be in the driver's possession along with the multijurisdictional permit when operating a permitted vehicle along Pennsylvania State highways. Department Form M-938 is a document that includes Sections 179.10 and 179.11 from 67 Pa. Code, Chapter 179 and a map that governs authorized travel periods within urbanized areas designated on the map. It is important that the driver know and comply with this information to promote safe movement.

Under this MOU, multijurisdictional permits will be submitted only by permit services who have executed an agent agreement and form identified in Appendix D and Appendix D-1 of the MOU. Once each participating jurisdiction issues their permit, the authorized permit service will compile these permits on a permit form identified in Appendix D-2 of the MOU. These permit services will also be authorized to compile amendments (or supplements) to the multijurisdictional permits on an amendment form identified in Appendix D-3 of the MOU, after the request is approved by each participating jurisdiction.

It is anticipated that the NASTO MOU will be amended as participating jurisdictions gain experience in administering the provisions of the MOU. The Department intends to publish future notices as relevant rules are modified by the participating NASTO jurisdictions.

Questions, comments, or suggestions may be forwarded to Mr. Walter Knerr, Permit Manager, P. O. Box 8210, Harrisburg, PA 17105-8210, (717) 783-6473.

BRADLEY L. MALLORY,
Secretary

N A S T O
MEMORANDUM OF UNDERSTANDING

for

Regional Overweight and Over-Dimensional Trip Permits
for Vehicles with Nondivisible Loads

Adopted by NASTO Highway Transport Committee on:
January 28, 1993

Amended: October 16, 1996

ENDORSEMENT PAGE

We, the undersigned, endorse and subscribe to the common set of procedures described in this Memorandum of Understanding for the issuance of one way single trip permits for nondivisible oversize and overweight loads on vehicles engaged in interstate, inter-provincial or international travel to the extent such travel is within the boundaries of our respective Jurisdictions, effective as of the date noted below:

Jurisdiction	Chief Adm. Officer/designee	
_____	_____	_____ Date
_____	_____	_____ Date
_____	_____	_____ Date

1.0 INTRODUCTION

Governmental agencies and the trucking industry in the United States and Canada have recognized the need for uniformity and simplification of procedures for the regulation, registration, taxation or permitting of trucks involved in interstate, inter-provincial or international travel. The Federal Highway Administration (FHWA) and the American Association of State Highway and Transportation Officials (AASHTO) have identified the issuance of overweight and over-dimensional one way, single trip permits for vehicles carrying nondivisible loads in interstate travel as a matter of high priority for improvement through the development of procedures for the issuance of permits on a regional basis. All of the regional organizations of AASHTO, including the Northeastern Association of State Transportation Officials (NASTO) have developed or are developing such procedures.

This Memorandum of Understanding (MOU) sets forth the procedures and applicability of the regional permitting arrangement developed by the northeastern states and adjacent provinces through the NASTO Highway Transport Committee.

2.0 PURPOSE, SCOPE AND GOAL/OBJECTIVE OF THIS MOU

2.1 Purpose

The purpose of this MOU is to provide for the issuance and processing of one way, single trip overweight and over-dimensional permits for Envelope Vehicles with Nondivisible Loads engaged in interstate, inter-provincial or international travel on designated routes in or between the northeast states and/or adjacent provinces.

2.2 Scope

This MOU applies only to the issuance of one way, single trip permits for vehicles with Nondivisible Loads that are within the limits of the Envelope Vehicle, as defined herein, on the network of highways designated or approved for such travel by the jurisdictions that are parties to this MOU.

2.3 Goal/Objective

The longer term goal of the jurisdictions entering into this MOU is the implementation of a formal agreement for the issuance of NASTO regional trip permits on an ISSUING JURISDICTION basis, as defined herein, after the future development of required common procedures and supporting systems as described in Article 5.0. The immediate objective of this MOU is to provide an interim alternative method for issuance of permits authorizing trips through several jurisdictions on a timely basis, and to utilize a common set of safety standards for permitted travel in all Participant Jurisdictions.

3.0 DEFINITIONS

The definitions below are in relation to the use of these terms in connection with this MOU, including those required in the future for the issuance of permits on an "Issuing Jurisdiction" basis, as described in Article 5.0.

3.1 Access Highway(s)—Highways connecting the points of origin and destination for nondivisible oversize or overweight loads with the regional highway network, within the boundaries of a participant jurisdiction.

3.2 Axle—The common axis of rotation of two or more wheels extending the full width of the vehicle, whether power driven or freely rotating, and whether in one or more segments, and regardless of the number of wheels carried thereon.

3.3 Envelope Vehicle—A combination vehicle with specific limits as to length, height, width, gross weight, axle spacing, axle weight, and tire load. The limits for the NASTO envelope vehicle are established based on the maximum limits that can be routinely permitted in all of the Participant Jurisdictions. The NASTO envelope vehicle applicable to this MOU is described in APPENDIX A, following hereto.

3.4 Gross Weight—The weight of any vehicle without load, plus the weight of any load thereon.

3.5 Height—The total vertical dimension of any vehicle above the ground surface including any load or load-holding device thereon.

3.6 Issuing Jurisdiction—The one jurisdiction that will approve and issue, and collect all applicable fees for a NASTO regional trip permit for a vehicle within the limitations of the Envelope Vehicle with a nondivisible load, on behalf of all jurisdictions included in the routing for the permit. (NOTE-The issuance of NASTO regional permits on an issuing jurisdiction basis is a longer term goal of this MOU as described in Article 5.0 Future Development).

3.7 Length—The total longitudinal dimension of any vehicle, including any load or load-holding devices thereon.

3.8 Nondivisible load—Any vehicle, or any load with carrying vehicle heavier, longer or wider than the legal limit, that cannot be separated into two or more lighter or smaller components without destroying the value of the shipment. A containerized load is considered nondivisible only if the content of the container is identified, is separately indivisible and cannot be separated into two or more lighter or smaller components without destroying the value of the shipment.

3.8A Overhang—Overhang means the distance from the front/rear of the vehicle or combination vehicle exclusive of load, to the frontmost or rearmost part of the load.

3.9 Participant jurisdictions—States, Provinces, or other authorities that have signed this MOU.

3.10 Permittee—Any person(s), company, corporation or legal entity responsible for the movement of any oversize or overweight vehicle or load in accordance with the provisions of this MOU.

3.11 Regional Highway Network—Routes selected and approved by each participant jurisdiction over which envelope vehicles are permitted to travel in accordance with the provisions of this MOU.

3.12 Single Axle—An axle with two or more wheels, whose centers are in one transverse plane, which is not a steering axle.

3.13 Steering Axle—The axle or axles of a combination of vehicles which is guided or steered.

3.14 Tandem Axles—Any two consecutive axles, excluding retractable or variable load suspension axles, whose centers are at least 48 inches, but not more than 96 inches apart, and are individually attached to and/or articulated from a common attachment to the vehicle including a connection mechanism designed to equalize the load between axles.

3.15 Tridem Axles—Any three consecutive axles, excluding retractable or variable load suspension axles, whose extreme centers are not more than 144 inches apart, with individual centers at least 48 inches apart, and are individually attached to a common attachment to the vehicle including a connecting mechanism designed to equalize the load among axles.

3.16 Retractable or variable load suspension axles - Axles which can be regulated by the driver of the vehicle. These axles are controlled by hydraulic and air suspension systems, mechanically, or by a combination of these methods.

3.17 Width—The total outside transverse dimension of a vehicle including any load or load-holding devices thereon, excluding approved safety devices and tire bulge due to load.

4.0 PERMITTING PROCEDURES

4.1 Interim procedures

As an interim method for providing NASTO Regional trip permits covered by this MOU, each Participant Jurisdiction will accept permit applications in accordance with their procedures. Each Participant Jurisdiction will continue to approve and issue permits and to enforce its laws and regulations governing all permitted movements within its boundaries, and to collect permit fees directly from the permittee or FAX companies/permit agents in accordance with currently existing procedures. Therefore, each Participant Jurisdiction will continue to receive revenues for permitted travel within its boundaries on the same basis that existed prior to this MOU.

4.2 Timeliness of permit issuance

Participant Jurisdictions agree that four (4) hours is a reasonable turnaround time for permits issued pursuant to this MOU and will use their best efforts to approve permit applications within that time frame, from the time a request is received, subject to the normal days and hours of operation of the issuing jurisdiction.

4.3 Permits for routes on turnpikes, toll roads or bridges, local highways, and roads and streets or other facilities not under the authority of the Participant Jurisdictions

If a particular trip permit requires the use of a turnpike, toll road, bridge, tunnel or local highways, roads and streets or other facilities not under the author-

ity of the Participant Jurisdiction, the permittee, or his agent must obtain those permits as may be required, in the same manner as under previously existing procedures.

4.4 Establishment and collection of permit fees

Each Participant Jurisdiction will continue to establish and collect its own fees.

4.5 Common safety standards

Safety standards related to the issuance of truck permits are set forth in Appendix C.

4.6 Notifications

If notifications are to be made to or from Participant Jurisdictions for any matters related to the issuance of permits, such notifications will be made by letter, facsimile transmission (FAX), telephone call, or other accepted method of communication to the person designated by each Participant Jurisdiction for that purpose as set forth in Appendix B, attached hereto and made a part hereof. Changes in the names of the designated officials or other information on Appendix B will be forwarded to the official designated for the Delaware Department of Transportation for distribution to all other Participant Jurisdictions.

5.0 FUTURE DEVELOPMENT

The Participant Jurisdiction will continue to cooperate in the designation of a Regional Highway Network and in the development of common procedures and supporting systems required for the issuance of trip permits on an Issuing Jurisdiction basis, as defined herein.

5.1 Designation of Regional Highway Route Network

Participant Jurisdictions will identify the highways within their boundaries over which Envelope Vehicles will be permitted to travel in accordance with a future regional permitting agreement.

A NASTO Regional Highway Network map (NOOPA Form 2), excluding access routes, will be developed and included in a future regional permitting agreement. An appendix to that agreement will identify and describe current restrictions and conditions that are in place on the regional network, as of its effective date. Each time a temporary restriction must be put into effect, or to remove a restriction from the map, or to amend the identified routes and/or the restrictions or limitations thereon, the designated officials for the applicable Participant Jurisdiction will notify all other Participant Jurisdictions as quickly as possible of that change, by forwarding such information in writing, or by facsimile transmission, to the officials designated by each of the other Participant Jurisdictions to be identified in an appendix to a future regional permitting agreement.

5.2 Common procedures and supporting systems required for issuance of permits on an Issuing Jurisdiction basis:

- continued use of the uniform permit form acceptable to all Participant Jurisdictions (NOOPA Form 1);
- establishment of a Regional Highway Route network over which any Participant Jurisdiction may issue permits;
- establishment of a permit amendment procedure;

- communication systems for advising all other Participant Jurisdictions of highway construction work zone limitations or detours on a current basis;

- computerized systems for permit routing and accounting for permit fees collected on behalf of other jurisdictions;

- notification on a timely basis to applicant and to all affected Participant Jurisdictions of permits approved by an Issuing Jurisdiction for travel within their boundaries;

- timely settlement or exchanges of permit fees collected including documentation for audit verification by comparison to listings of permits issued;

- development of a manual of administrative or operating standards and procedures, including days and hours of operations, arrangements for holidays, permit office locations and telephone numbers;

- accommodation of individual jurisdiction requirements;

- consideration of legal liability issues and development of model legislation as may be required by the individual Participant Jurisdictions;

- consideration of standardized enforcement policies;

- establishment of a governing body to resolve administrative matters.

6.0 PROCEDURES FOR ENTERING INTO OR WITHDRAWAL FROM THIS MOU

A jurisdiction desiring to become a participant in this MOU may make arrangements through the chairperson of the NASTO Highway Transport Committee to affix the signature of its chief administrative officer, or other properly authorized official to the original signed copy of this MOU which is on file with the Committee.

A jurisdiction may withdraw as a participant in this MOU by giving at least three months advance notice to all other Participant Jurisdictions. However, withdrawal by one jurisdiction will not invalidate this MOU for the other participants.

7.0 CHANGES TO APPENDICES

Recognizing that safety rules and regulations and the detailed description of the Envelope Vehicle along with any required appurtenances may alter as innovations occur or experience dictates, it is agreed that changes in the appendices will be permitted without the need to amend this Memorandum of Understanding (MOU) under the following two conditions:

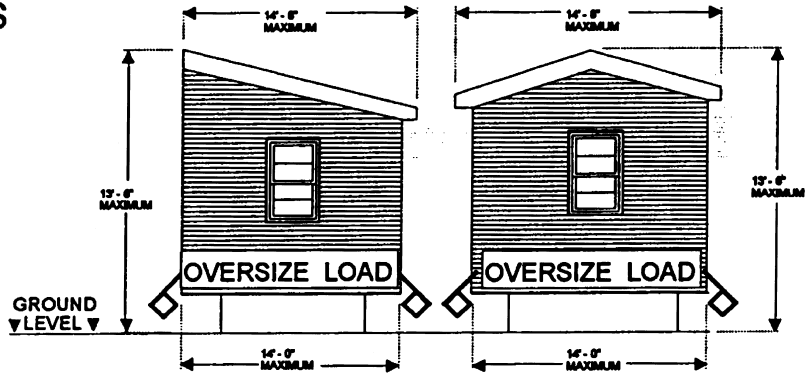
1) The designated official for each participating jurisdiction on the NASTO Highway Transport Committee for those jurisdictions who have signed the MOU shall be authorized to approve changes to the appendices of this document without requiring any additional approvals.

2) To protect each jurisdiction, any changes made to the appendices must be by unanimous consent of the designated officials for jurisdictions participating in the MOU.

APPENDIX A

**NASTO ENVELOPE VEHICLE CONFIGURATIONS
FOR NON-DIVISIBLE OVERSIZE AND/OR OVERWEIGHT PERMIT TRIPS**

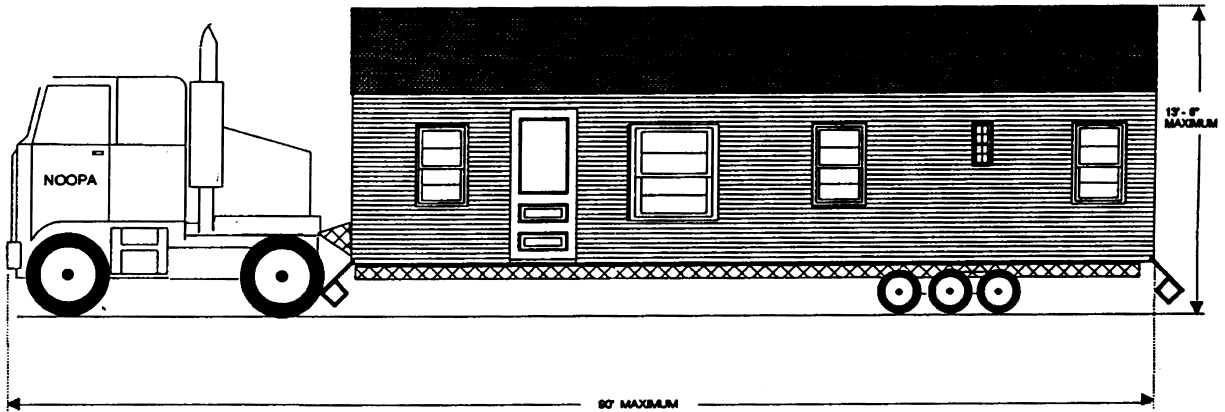
**CONFIGURATIONS
FOR VEHICLES
W/NON-DIVISIBLE LOADS
THAT ARE
OVERSIZE ONLY
(LEGAL WEIGHT)****



MAXIMUM SIZE LIMITS:

- LENGTH: 90'-0" OR LESS
- HEIGHT: 13'-6" OR LESS
- WIDTH: 14'-0" OR LESS

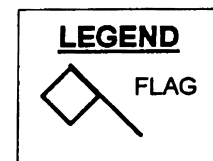
FOR MODULAR AND MOBILE HOMES, AN ADDITIONAL 6 INCHES OF OVERHANG FOR EAVE(S) ONLY WILL BE ALLOWED PROVIDING THE GREATER OVERHANG IS ON THE RIGHT-HAND SHOULDER SIDE OF THE HIGHWAY.



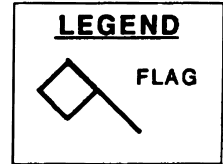
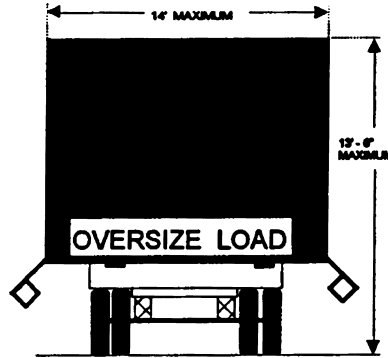
**** LEGAL WEIGHT IS DEFINED TO BE A VEHICLE WITH LOAD THAT MEETS THE BRIDGE FORMULA AND INTERSTATE AXLE AND GROSS WEIGHT LIMITS AS SET FORTH IN SECTION 127 of the UNITED STATES CODE TITLE 23**

OTHER RESTRICTIONS:

1. FRONT OVERHANG, IF ANY, SHALL NOT EXCEED 3' 0" FROM FRONT BUMPER.
2. MAXIMUM WEIGHT ON TIRES SHALL NOT EXCEED THE LESSER OF EITHER 600 LBS PER INCH OF NOMINAL TIRE WIDTH OR THE MANUFACTURER'S RATINGS.
3. RETRACTABLE OR VARIABLE LOAD SUSPENSION AXLES SHALL NOT BE COUNTED AS AXLES NOR SHALL THEY BE CONSIDERED CAPABLE OF CARRYING ANY LOAD.

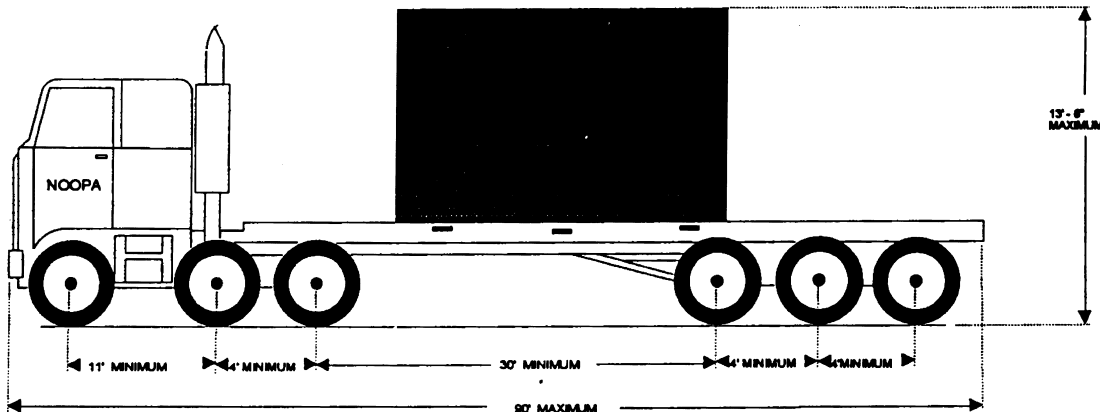
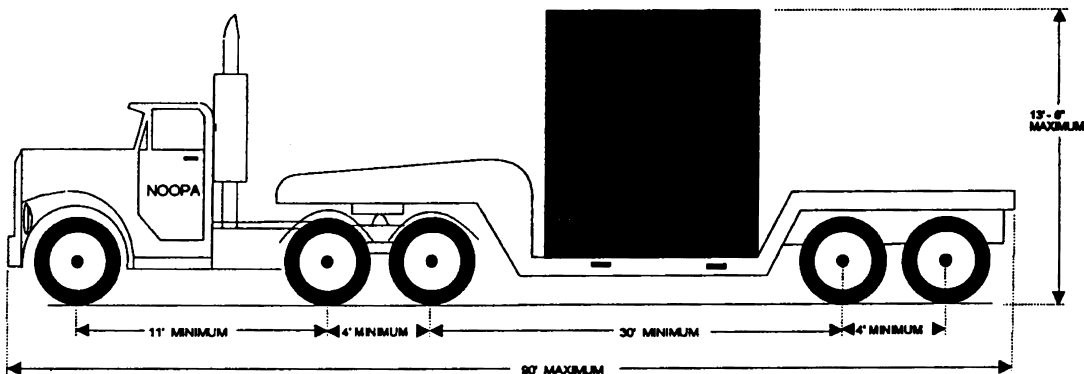


**CONFIGURATIONS
FOR VEHICLES
W/NON-DIVISIBLE LOADS
THAT ARE
OVERWEIGHT
OR
OVERSIZE AND OVERWEIGHT**



MAXIMUM GROSS WEIGHT LIMITS:

108,000 LBS. ON VEHICLES WITH FIVE AXLES
120,000 LBS. ON VEHICLES WITH SIX OR MORE AXLES
(SEE MINIMUM AXLE SPACING AND MAXIMUM AXLE WEIGHTS BELOW)



NOTE: VEHICLES WITH THE TANDEM AND TRIDEM AXLES INTERCHANGED ARE ACCEPTABLE UNDER THE SAME AXLE SPACING AND WEIGHT GUIDELINES.

AXLE WEIGHT RESTRICTIONS:

MAX. WEIGHT ON SINGLE AXLE = 25k EXCEPT FOR STEERING AXLE:
MAX. WEIGHT ON STEERING AXLE = 12k MAX., 6k MIN.
MAX. WEIGHT ON TANDEM = 25k/AXLE
MAX. WEIGHT ON TRIDEM = 20k/AXLE

OTHER RESTRICTIONS:

1. FRONT OVERHANG, IF ANY, SHALL NOT EXCEED 3' 0" FROM FRONT BUMPER.
2. MAXIMUM WEIGHT ON TIRES SHALL NOT EXCEED THE LESSER OF EITHER 600 LBS PER INCH OF NOMINAL TIRE WIDTH OR THE MANUFACTURER'S RATINGS.
3. RETRACTABLE OR VARIABLE LOAD SUSPENSION AXLES SHALL NOT BE COUNTED AS AXLES NOR SHALL THEY BE CONSIDERED CAPABLE OF CARRYING ANY LOAD.
4. ALL AXLES (EXCEPT STEERING AXLE) SHALL HAVE A MINIMUM OF FOUR(4) TIRES.

APPENDIX C

COMMON SAFETY STANDARDS

C.1 INTRODUCTION

Participating NASTO states and provinces have adopted the following common safety standards for use by permittees when in transit within their respective jurisdictions.

The safety standards have been adapted from the "Guide for Maximum Dimensions and Weights of Motor Vehicles and for the Operation of Nondivisible Load Oversize and Overweight Vehicles" prepared by the Subcommittee on Highway Transport and officially adopted by the American Association of State Highway and Transportation Officials (Revised November 1991). To help cross reference AASHTO's publication, AASHTO's numbering system is included parenthetically.

C.2 DAYS AND HOURS OF OPERATION (AASHTO 3.05)

Permitted vehicles may move Monday through Friday, from sunrise to sunset, unless otherwise authorized or prohibited by this section or the permit.

Individual jurisdictions may authorize overweight vehicles that are not overdimensional to move within their jurisdiction between sunset and sunrise if the overweight vehicle can flow with traffic.

Individual jurisdictions may authorize permitted vehicles to move within their jurisdiction at other times, subject to permit requirements.

Individual jurisdictions may authorize permitted vehicles to move within their jurisdiction an additional thirty (30) minutes before sunrise and/or after sunset.

In designated congested areas, individual jurisdictions may prohibit permitted vehicles from moving during AM and/or PM commuter travel periods; and/or authorize permitted vehicles to move during designated times between sunset and sunrise, subject to special lighting requirements identified in section C.8

Due to the amount of highway traffic on holidays, vehicles and loads requiring oversize and/or overweight permits shall be prohibited from traveling on those days. Prohibited holidays include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas. Movement of such vehicles and loads may also be prohibited on any other days or hours when such movements may substantially affect the safety or the motoring public.

C.3 INCLEMENT WEATHER (AASHTO 3.06)

No movement shall be permitted when road conditions, weather conditions, or visibility make traveling hazardous to the operator or the driving public. If a permitted vehicle is underway when such conditions occur, the driver shall be required to proceed to a safe place off the roadway and park until conditions warrant safe travel.

C.4 SPEED LIMITS (AASHTO 3.07)

Vehicles and loads requiring permits may travel at the posted maximum speed limits unless specifically prohibited by the permit.

C.5 ROUTING (AASHTO 3.08)

The permit shall authorize movement only on the pavement portion of those highways specified in the permit which are on the jurisdictions' highway systems. The permit does not authorize movement upon shoulders.

Vehicles and loads requiring permits should be routed around highway construction and maintenance projects and shall be routed around certain bridges or roadways in a way that creates the least hazard and inconvenience to both the mover and the public.

The permit is only for the route designated. Individual jurisdictions' rules/regulations govern movement off the permitted route.

Each jurisdiction in conjunction with its bordering jurisdictions may work to establish mutually acceptable connecting routes.

Every effort should be made to use the most suitable road network which is closest to a straight line projected between the point of origin and final designation of the load. Only one international crossing shall be authorized unless agreed to by all affected jurisdictions.

C.6 ESCORTS (AASHTO 3.10)

Escort vehicles shall be a single unit nonpermitted vehicle, no smaller than a compact car. The escort vehicle shall not be attached to any other vehicle.

Escort vehicle(s) shall escort only one oversize vehicle or load. Jurisdictions may require more restrictive conditions on high volume highways or when the lane width is less than twelve (12) feet.

One escort vehicle is required for vehicles and loads more than twelve (12) feet in width. The escort vehicle shall be behind an overwidth vehicle or load on a multi-lane highway, and in front of an overwidth vehicle or load on a two-lane highway.

Envelope Vehicles and loads eighty (80) feet or more in overall length are required to have one (1) rear escort vehicle on two lane highways.

Envelope Vehicles and loads with fifteen (15) feet or greater rear overhang shall have one (1) rear escort regardless of road type.

Two (2) escort vehicles, one (1) in front and one (1) behind the oversize vehicle are required when previous paragraphs separately require one (1) escort in the front and one (1) behind for multiple conditions.

Vehicles and loads that are only overweight or are twelve (12) feet or less in width and that cannot move freely with the flow of traffic may be subject to escort requirements.

Escort Vehicles shall have visual contact with the permitted vehicle and have two-way radio communication with the driver of the permitted vehicle.

C.7 WARNING FLAGS (AASHTO 3.11)

Required warning flags shall be in evidence during daylight hours. Red or orange fluorescent warning flags shall be at least eighteen (18) inches square. Flags shall be securely fastened to the vehicle or load by at least one corner of the flag or securely mounted on a staff.

Warning flags are required on vehicles and loads which exceed legal width. These vehicles and loads are required to bear flags at the extremities of the vehicle or load as shown in Figure C-1.

Flags are also required on vehicles and loads which exceed legal length or which have a rear overhang in excess of four (4) feet. There shall be a single flag at the extreme rear if the overlength or projecting portion is two (2) feet wide or less. Two (2) flags are required if the

overlength or projecting portion is wider than two (2) feet and shall be located to indicate maximum width. (See Figure C-2)

C.8 WARNING LIGHTS (AASHTO 3.12)

General Lighting Requirements

(i) Load hauling vehicles and escort vehicles shall travel with low beam headlights on at all times.

(ii) Load hauling vehicles may be required to display a flashing 360 degree yellow (amber) light at an elevation above the highest point of the vehicle. A second flashing 360 degree light may be required at the rear of the load if the load obstructs the visibility of the 360 degree light on the load hauling vehicle. The 360 degree light shall be visible in all directions from a distance of 1,000 feet during daylight hours with a flash rate of 60 to 90 flashes per minute (FPM). The 360 degree light lens shall be at least 4 inches high whose minimum width or diameter at that height is 4 3/4 inches.

(iii) Warning lights for escort vehicles shall be located on the roof of the vehicle perpendicular to the length of the escort vehicle. The warning light bar shall be a minimum of 43 inches and a maximum of 52 inches long, a minimum of 10 inches and a maximum of 13 inches wide, and a minimum of 4 inches with a maximum of 8 inches high, consisting of flashing or strobe lights. Each warning light bar shall consist of a minimum of four lights. If flashing lights are used, they shall consist of at least two 95 and two 150 minimum FPM rotators; mirrors shall be placed diagonally between lights (mirrors to be reflective on both sides). All lights shall be visible on a 360 degree basis from the vehicle for a distance of 1,000 feet and arranged with at least two lights in each end of the bar light. The dome cover color shall be amber. New Jersey requires that the bar light not be illuminated while in New Jersey.

(iv) Whenever the rear running lights, stop lights, turn signals, or hazard warning lights are obstructed by the load on a vehicle, lighting equipment shall be displayed on the rear of the load equivalent to the obstructed lights or signals.

Load Warning Lights

Warning lights shall be used for authorized night operations as shown in Figures C-3 and C-4.

(i) For overwidth loads uniform in width, place amber lights on the forward corners of the load and red lights on the rear corners of the load as shown in Figure C-3.

(ii) If the load is overwidth for its entire length with a wider portion near the middle of the load, place red and amber lights at the rear and front corners of the load,

respectively, with amber lights on the sides at the extreme limits of the load as shown in Figure C-3.

(iii) If the load is nonuniform in width, place red and amber lights at the rear and front corners, respectively of the overwidth portion as shown in Figure C-3.

(iv) For loads of legal width that are overlength with a rear overhang exceeding four (4) feet, place four red lights on the rear and sides of the overhanging portion of the load. Amber lights are required at least every 6 feet on both sides of the overhang as shown in Figure C-4.

C.9 WARNING SIGNS (AASHTO 3.13)—WITHIN U.S.

Warning signs shall be in evidence during all oversize movements. In the U.S., load hauling vehicle warning signs shall be at least seven (7) feet long and eighteen (18) inches high. The sign's background shall be yellow with black lettering, and for night moves, of high-intensity reflective material. Letters shall be at least ten (10) inches high with a 1.41 inch brush stroke. Note: If Series E Modified is used, the brush stroke is to be two (2) inches. In Canada, the "D" sign shall be used.

Vehicles and loads exceeding legal width shall display two signs with the wording "OVERSIZE LOAD" (In Canada, "D"). One sign shall be on the front of the vehicle. The other shall be on the rear of the load; however, if the sign cannot be attached to, or is not legible on the load, then the sign shall be attached to the rear of the vehicle itself. Refer to Figure C-5.

Vehicle and loads exceeding legal length or rear overhang shall be required to display two signs with the wording "OVERSIZE LOAD" (In Canada, "D"). One sign shall be on the rear of the overlength or overhanging part of the load; however, if the sign cannot be attached or is not legible here, then the sign shall be attached to the rear of the vehicle itself. The other sign shall be attached to the front of the vehicle. Refer to Figure C-6.

Escort vehicles shall display a sign on the roof or front and rear of the escort vehicle that is at least five (5) feet long and twelve (12) inches high with eight (8) inch high letters. For roof mounted signs, the sign shall be legible on both sides with the wording "OVERSIZE LOAD" (In Canada, "D"). The sign shall be mounted on the roof perpendicular to the length of the escort vehicle. For front and rear mounted signs the legend shall read "OVERSIZE LOAD" (In Canada, "D").

Warning signs shall not obstruct lights and other safety devices on the vehicle with load or on the escort vehicle.

APPENDIX C Common Safety Standards for Permit Move

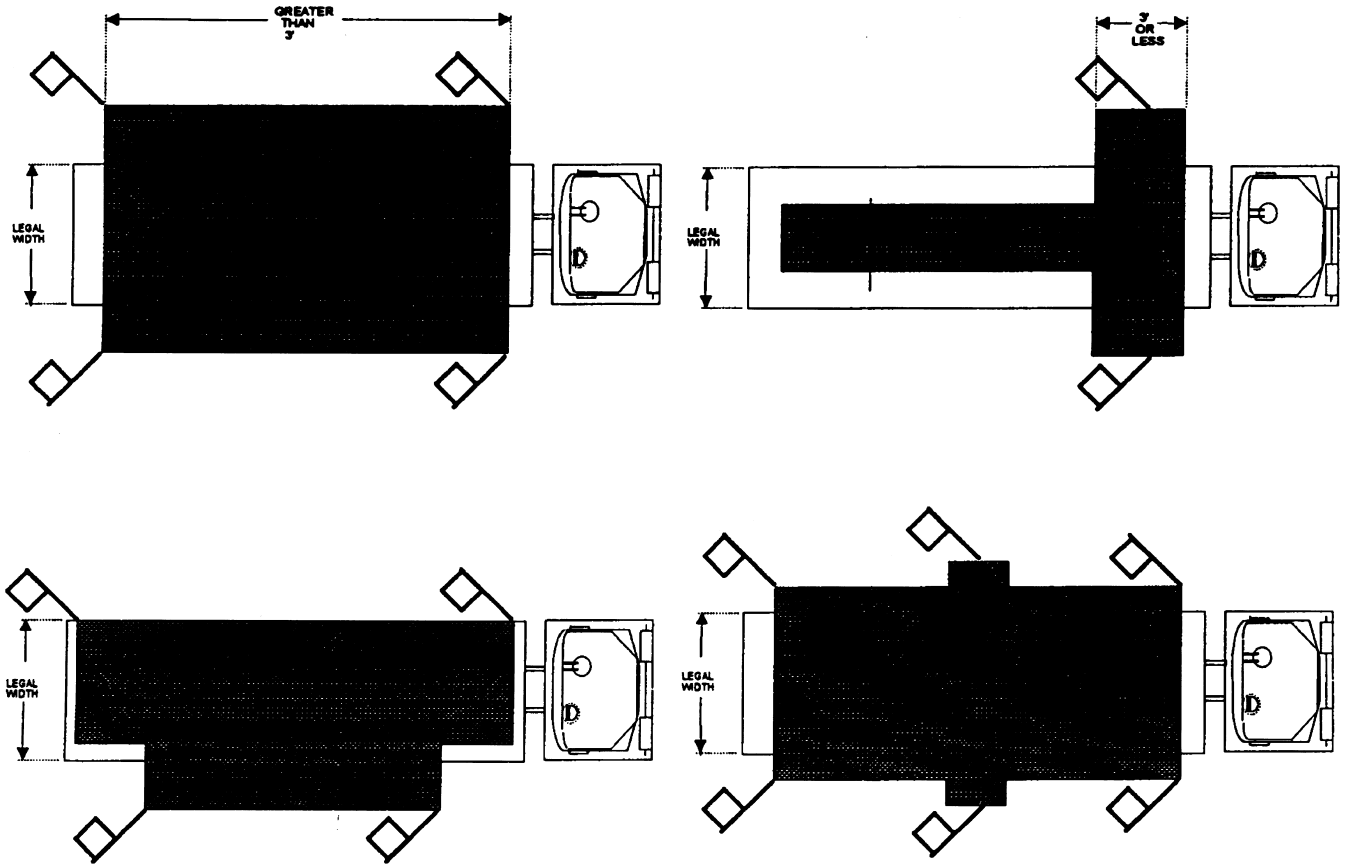


Figure C-1 Required Warning Flags on Overwidth Loads.
Note: Use of flags is not to increase the overall load width.

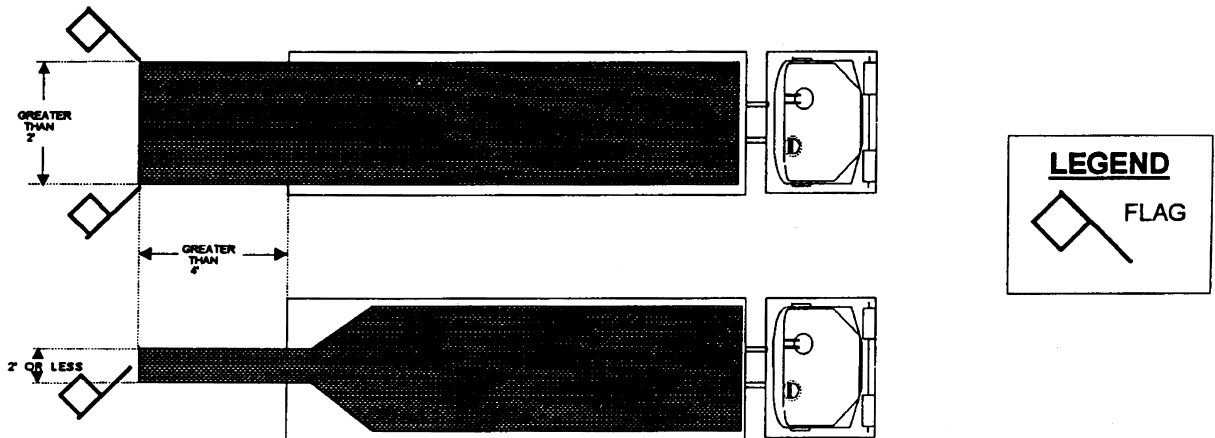


Figure C-2 Required Warning Flags on Overlength Load or Loads with a Rear End Overhang of more than four(4) feet.
Note: Use of flags is not to increase the overall load width.

APPENDIX C
Common Safety Standards for Permit Move

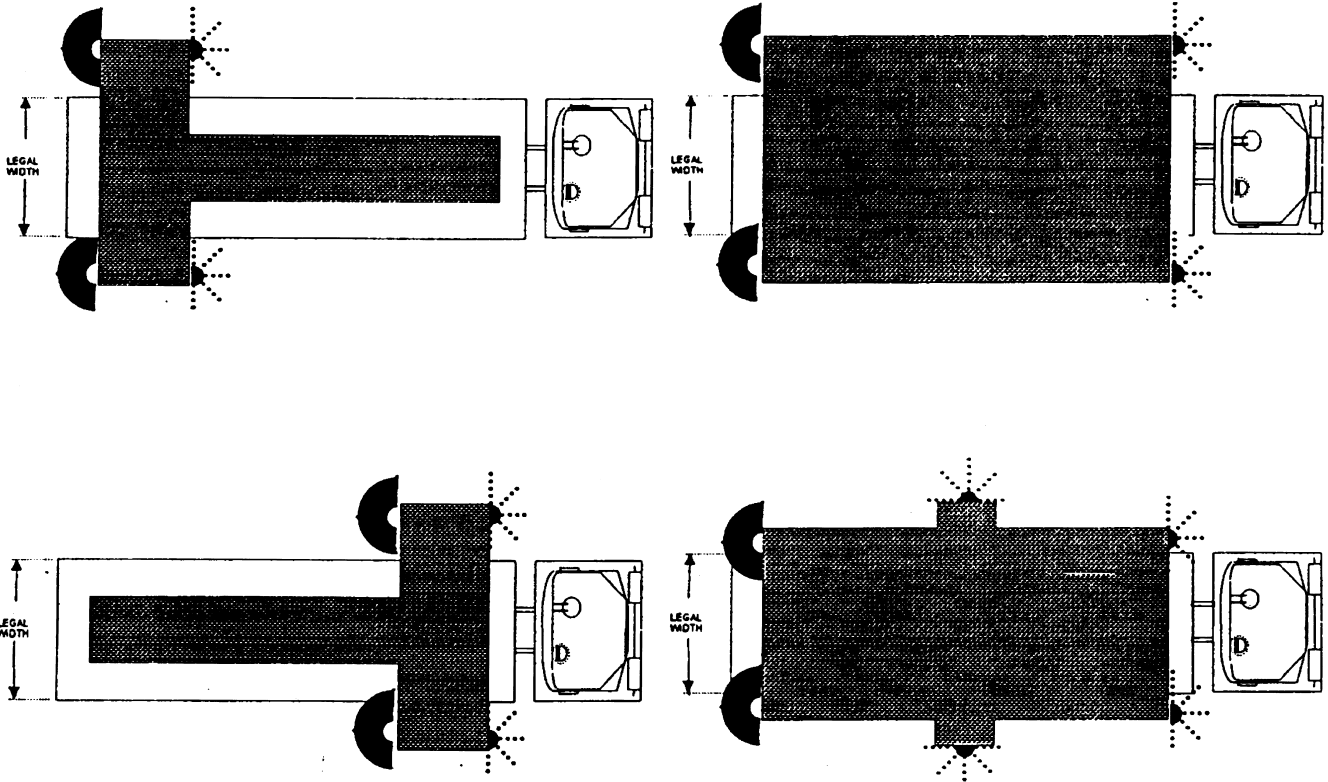


Figure C-3 Required Warning Lights on Overwidth Loads.

NOTE: Amber reflectors or amber lights are required at least every 6 feet along both sides of the overwidth portion of the vehicle or load.

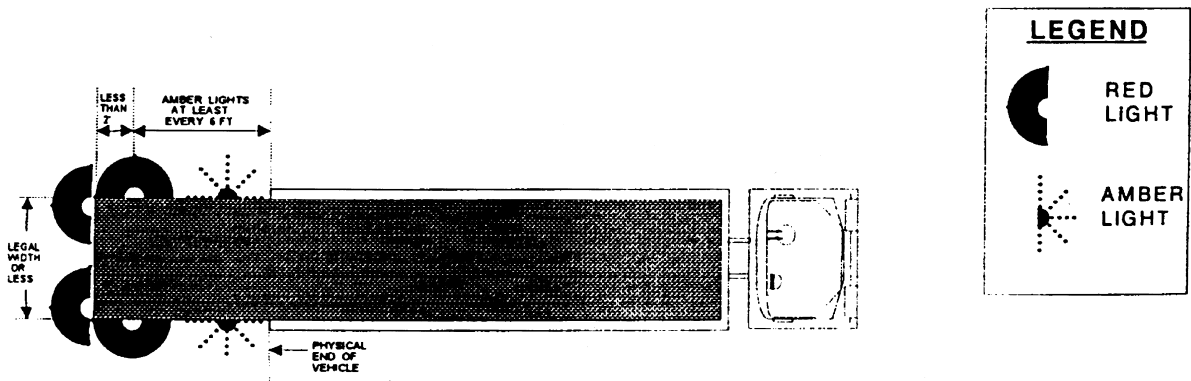


Figure C-4 Required Warning Lights on Overlength Load or Loads with a Rear End Overhang of more than four(4) feet

APPENDIX C

Common Safety Standards for Permit Move

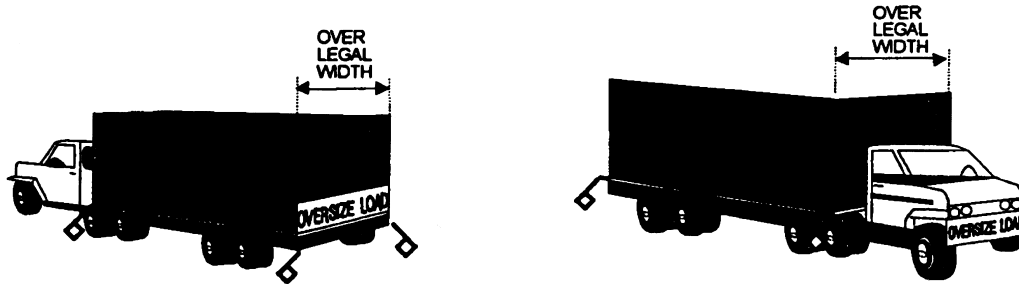


Figure C-5 Warning Signs on Vehicle or Load Over Legal Width.

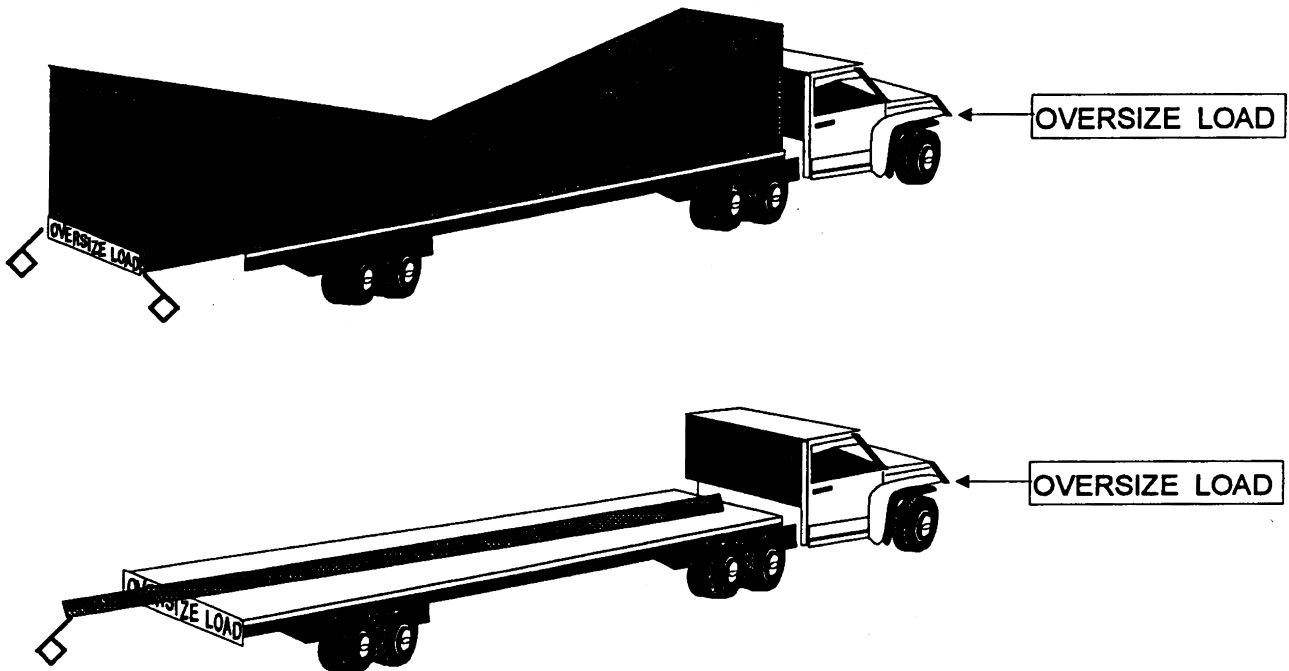


Figure C-6 Warning Signs on Loads Overlength or With Rear End Overhang

APPENDIX D

NASTO MULTI-JURISDICTION AGENT AGREEMENT

D.1 PURPOSE OF THIS AGREEMENT

D.1.1 Purpose

The purpose of this agreement is to implement an interim regional permitting system for the NASTO region.

D.1.2 Qualifications

This Agreement only applies to envelope vehicles and loads as described in the NASTO Memorandum of Understanding for Regional Overweight and Over-Dimensional Trip Permits for Vehicles with Nondivisible Loads, APPENDIX A.

D.1.3 Member Jurisdictions

Member jurisdictions are those jurisdictions that have signed the NASTO Memorandum of Understanding.

D.2 INTENT

The intent of this Agreement is to ease the burden of obtaining oversize/overweight documents for the trucking industry. Each jurisdiction will continue to do business in the usual manner for all other permit applications.

The Permit Agent (as defined herein) will be the central mechanism for processing a Multi-Jurisdiction oversize/overweight permit under this Agreement.

D.3 PERMIT AGENT

D.3.1 Definition

A permit agent (permit service) is defined as any persons, company, corporation or legal entity agreeing in writing to the terms and conditions of this Agreement and assuming responsibility for processing multi-jurisdiction permit requests under the provisions of this Agreement and for compiling permits issued by member jurisdictions for the movement of an oversize/overweight vehicle or load that is consistent with the conditions and specifications of this Agreement, as approved by a governmental entity authorized to issue such permits for that jurisdiction. Such permit agency shall be an independent service agency not affiliated with motor carriers engaged in the movement of oversize/overweight goods and agreeing to and capable of successfully performing the duties of a permit agent as provided for in this Agreement.

D.3.2 Qualifications

Participating permit agents must be authorized to operate in each member jurisdiction either directly or through third party contracts as provided for under Section I of the NASTO Agent Agreement Form. All permit agents must comply with all contracts with each member jurisdiction.

D.3.3 Common Permit Form

All Agents must utilize the same NASTO Common Permit Form. A sample of this form is provided in APPENDIX D-2, of this Agreement.

Any changes to be made to the NASTO Common Permit Form will allow for a 60 day written notice to both the states and Permit Agents, to allow the proper lead time for everyone involved to make the adjustments.

D.3.4 Permit Numbers

All Multi-Jurisdiction permit numbers issued by a Permit Agent will begin with the last digit of the year (digit #1), the month (digits #2 & #3), the day (digits #4 & #5), a 4-digit sequential number to be assigned by the

permit agent (digits #6 - #9), and a unique two-letter code to be assigned to the managing permit agent by the Chair of the NASTO Highway Transport Committee (digits #10 & #11). (Example: 306110001AB).

D.3.5 Number of Pages Per Form

The current approved NASTO Common Permit Form is a single page document unless designated otherwise on the face of the permit.

D.3.6 Form Limitation

The NASTO Common Permit Form will be used only to issue permits in accordance with the Multi-Jurisdiction Permit Agreement.

D.3.7 Permit Amendments

Any change or modification to a permit must be noted on the NASTO Common Permit Amendment Form. A sample NASTO Permit Amendment Form is provided in APPENDIX D-3. Changes allowed include: a three day extension due to weather or breakdown, route change due to physical limitations, substitution of power unit or trailer unit due to breakdown, and power unit and/or trailer unit prior to effective date. Mobile home and other loads where the trailer unit is an integral part of the load, cannot amend the trailing unit.

Amendments to the permit must be issued by the same Permit Agent. The Permit Agent shall follow the same procedures to obtain the amendment by contacting each of the effected jurisdictions. Only one permit amendment is allowed.

D.3.8 Acceptance of Permit

Upon receipt of the permit, the driver(s) shall be responsible to verify the accuracy of the information and sign each page of the NASTO Common Permit Form.

D.4 ORDERING METHODS

D.4.1 Motor Carrier

All Multi-Jurisdiction Agreement permits must be obtained through a qualified Multi-Jurisdiction Permit Agent and it is recommended that permits be ordered with a 24-hour lead-time to coordinate all jurisdictions' responses.

D.4.2 Permit Agents

All orders must be submitted by the qualified Permit Agent to the appropriate jurisdiction for approval. This request must be identified as a Multi-Jurisdictional Permit Application unless waived.

D.4.3. Jurisdiction Turnaround Time

The jurisdiction will utilize a goal of turnaround time for approving/denying the permit applications in less than four (4) business hours from time of receipt.

D.5 DENIED PERMITS

D.5.1 Notification

Permit applications will be reviewed thoroughly for problems. The permit application will be sent back to the Permit Agent with identified problems.

D.5.2 Alternate Routing

If an application is received by a jurisdiction and a route cannot be used, alternate routes may be sent back to the Permit Agent applying for the permit.

D.5.3 Jurisdiction Routing Notification

The jurisdictions will supply, upon request, to the Multi-Jurisdiction Authorized Permit Agent any highway restriction(s) to better control the possible denials to the Agreement permits.

D.6 AMENDMENTS TO AGREEMENT

All changes made to the Multi-Jurisdiction Agreement will go into effect no earlier than 60 days after approval to allow sufficient amount of time for the authorized Permit Agent to implement the changes.

D.7 FINANCE ACCOUNTING

D.7.1 Payment

The authorized Permit Agent will use each Jurisdiction's current payment method.

D.7.2 Changes to Payment Systems

All options for changing a jurisdiction payment system of the Multi-Jurisdiction Agreement will remain open but no changes can be made without a 60-day written notice to all Permit Agents. The 60-day written notice can be modified if agreed to by all affected parties.

D.8 REPORTS

On a quarterly basis, all authorized Multi-Jurisdiction Permit Agents will supply to each jurisdiction, unless waived, the individual jurisdiction's list of the permits that have been issued under this Agreement for moves within that jurisdiction. This report is to include name of applicant, date issued, applicable jurisdiction permit number, Multi-Jurisdiction Permit Number, and jurisdiction fee charged for the permit. The list shall be in sequential order using the multi-jurisdiction permit number skipping those permits that do not traverse through the reported jurisdiction. The report shall be broken down by month with subtotals for each month and a total for the quarter. A separate summary report shall be provided that shows, by month, the total number of multi-jurisdictional permits that have been issued, and the total number that have been issued for each jurisdiction. The reports shall be based on a calendar year with the reports due fifteen days after the end of the quarter, i.e. reports due April 15, July 15, October 15, and January 15.

D.9 AUDIT

At any time, a jurisdiction may inspect any permit or permit issuing process involved with the Multi-Jurisdiction Agreement. The jurisdiction should give 24-hour notice before showing up at any Permit Agent's location.

D.10 IMPLEMENTATION

Before being authorized to participate in the NASTO MULTI-JURISDICTION PERMITTING AGREEMENT process, the Requesting Permit Agent must sign a copy of the Agent Agreement Form, which is APPENDIX D-1 to this document.

D.11 PROCEDURES FOR ENTERING OR WITHDRAWING FROM THE MULTI-JURISDICTION PERMIT AGENT AGREEMENT

D.11.1 Entering Agreement

A Permit Agent applying for membership shall submit their request to the Chair of the NASTO Highway Transport Committee along with a signed NASTO Agent Agreement form, a sample multiple page permit, and sample quarterly reports for the purpose of format approval. The request will be circulated among member jurisdictions who will indicate to the Chair either accep-

tance or rejection of the request with explanation. Upon acceptance of all member jurisdictions, the Chair of the NASTO Highway Transport Committee shall sign and return the Agent Agreement form or indicate rejection within 60 days of receipt of request.

D.11.2 Withdrawal by Agent

A Permit Agent may withdraw from the Agreement by giving at least 30 days written notice to the Chair of the NASTO Highway Transport Committee.

D.11.3 Withdrawal by NASTO

The member jurisdictions, through the Chair of the NASTO Highway Transport Committee, reserve the right to cancel the Agreement at any time for any reason upon giving thirty (30) days written notice to the Permit Agent of the intent to cancel. Member jurisdictions, through the Chair of the NASTO Highway Transport Committee, reserve the right to immediately cancel without notice, for good cause.

APPENDIX D-1

NASTO

AGENT AGREEMENT FORM

This Agreement is entered into between signatory member jurisdictions of the NASTO Memorandum of Understanding for Regional Overweight and Over-Dimensional Trip Permits for Vehicles with Nondivisible Loads (and its successor organization(s) and _____ for the sole purpose of processing multi-jurisdiction oversize/overweight permits authorized under the NASTO MULTI-JURISDICTION PERMITTING AGREEMENT hereinafter known as the "Agreement".

WITNESS THAT:

WHEREAS, the member jurisdictions of the Agreement may authorize permit agents to process multi-jurisdiction permits, and

WHEREAS, the member jurisdictions of the Agreement and the Permit Agent wish to enter into a written agreement which will establish the terms and conditions for the issuance of multi-jurisdiction permits,

THEREFORE, in consideration of these facts and of mutual covenant set forth herein, the member jurisdictions of the Agreement and the Permit Agent or Agents named herein mutually agree to the following:

SECTION I—Responsibilities

A. The Permit Agent shall:

1. Provide for a method to conduct business that is acceptable to each member jurisdiction.
2. Permit Agents with transmitting networks servicing the NASTO region, agree to enter into an written agreement with credible and creditworthy Permit Agent applicants to supply access to their network on a customary and usual transaction fee basis.
3. Maintain a surety bond or escrow account, as required by member jurisdictions, for the entire term of this agreement.
4. Abide by all procedures and policies as provided to Permit Agents by member jurisdictions.
5. Provide a complete transmitting network for the transmitting of permits issued under the provisions of the Agreement or provide legitimate written authority/agreements to utilize the transmitting networks of others.
6. Use the NASTO Common Permit Form identified in Appendix D-2. The information entered onto the form

must be typed or computer generated using a single font. The routing portion of the form shall be filled out sequentially from the origin to the destination for member jurisdictions without skipping any lines. Any blank lines after the last entry shall be filled with asterisks. A maximum of five jurisdictions shall be listed on any one page of the permit. For multiple page permits, each page shall contain identical information with the exception of the routing portion and the page designation.

7. Use the NASTO Common Permit Amendment Form identified in Appendix D-3 when applicable.

B. Member Jurisdiction shall:

1. Initially, and upon request, provide the Permit Agent with information necessary to comply with the regulations of the member jurisdiction.

2. Allow only those Permit Agents to process multi-jurisdiction permits under the Agreement that have their own transmitting networks or that have legitimate written authority/agreements to utilize the transmitting networks of others.

SECTION II—Duration

This Agreement shall be in full force effective the date signed by the Chair of the NASTO Highway Transport Committee until such time as cancelled as provided for under Section III.

SECTION III—Cancellation

Member jurisdictions and the Permit Agent each reserve the right to cancel this Agreement at any time for any reason upon giving thirty (30) days written notice to the other party(s) of the intent to cancel. Member jurisdictions reserve the right to immediately cancel without notice, for good cause.

SECTION IV—Amendments

All changes in the terms or conditions of this agreement shall be made in writing.

SECTION V—Laws

The laws of member jurisdictions shall govern the interpretation, validity, and effect of this Agreement within the member jurisdiction.

SECTION VI—General

The Permit Agent herein named and the member jurisdictions acknowledge that they have read this Agreement and its attachment(s) and understand it and agree to be bound by its terms and further agree that it is the complete and exclusive statement of the Agreement.

In witness whereof, the parties hereby have duly executed the Agreement by their proper offices and representatives.

PERMIT AGENT:

COMPANY NAME

BY:

SIGNATURE OF AUTHORIZED OFFICER

PRINTED NAME AND TITLE

DATE

NASTO:

CHAIR, NASTO HIGHWAY TRANSPORT COMMITTEE

DATE

NORTHEAST MULTI-JURISDICTIONAL PERMIT OVERSIZE/OVERWEIGHT NONDIVISIBLE LOADS

APPENDIX D-2 11/98

PAGE ___ OF ___

PERMIT AGENT		REQUESTED START DATE				SEND PERMIT TO:			OVERALL LENGTH	FEET	INCHES*	OVERALL HEIGHT	FEET	INCHES*
LOAD DESCRIPTION - MAKE, MODEL, SERIAL No., OR BILL OF LADING No.					LOAD CODE		WIDTH			OVERHANG FRONT		FEET		INCHES*
					# OF PIECES					REAR				
MOTOR CARRIER'S NAME AND ADDRESS							USDOT / FEIN / SS #							
							VEHICLE	LIC. PLATE # IF NONE : VIN		ST/ JUR	# OF AXLES	REGISTERED GW		
							POWER UNIT					LBS.		
							TRAILER					LBS.		
AXLE #	STEERING AXLE	2	3	4	5	6	7	GROSS WEIGHT						
AXLE WEIGHTS								LBS.						
AXLE SPACINGS FEET/INCHES"		' "	' "	' "	' "	' "	' "							
SPECIFIC ADDRESS OF TRIP ORIGIN					SPECIFIC ADDRESS OF TRIP DESTINATION									
VIA JURISDICTION	ROUTING INFORMATION						TRIP LENGTH IN MILES	APPROVAL #	FEES OFFICIAL USE ONLY					
<p>(WE) HAVE READ THIS FORM AND HEREBY CERTIFY: THAT THE ABOVE DATA IS CORRECT TO THE BEST OF MY(OUR) KNOWLEDGE AND BELIEF, THAT THE LOAD IS NONDIVISIBLE, THAT SATISFACTORY ARRANGEMENTS HAVE BEEN MADE WITH THE PROPER AUTHORITIES TO TRAVEL ROADS AND CROSS OVER AND UNDER ALL STRUCTURES OPERATED BY AUTHORITIES NOT PARTY TO THIS MULTI-JURISDICTIONAL PERMIT. APPLICANT'S REPRESENTATIVE CERTIFIES THAT THE DRIVER WILL BE PROVIDED WITH A COPY OF APPENDIX C. THE DRIVER(S) CERTIFY(IES) RECEIPT OF A COPY OF APPENDIX C.</p>														
NAME OF APPLICANT'S REPRESENTATIVE					REP'S PHONE NUMBER			DRIVER SIGNATURE						
DATE & TIME OF APPLICATION					REP'S FAX NUMBER			DRIVER SIGNATURE						
OFFICIAL USE ONLY														
EFFECTIVE DATE :				ISSUE DATE :										
EXPIRATION DATE :				ISSUE TIME :				PERMIT NUMBER :						
SPECIAL PROVISIONS:														
NUMBER OF ESCORTS REQUIRED: _____														
<p>THE SIGNED PERMIT MUST BE WITH THE VEHICLE DURING THE MOVE. AUTHORIZATION AND PERMISSION IS HEREBY GRANTED TO MOVE THE VEHICLE/LOAD ON THE ROUTING AS DESCRIBED ABOVE. THIS MOVEMENT SHALL ALSO BE MADE IN COMPLIANCE WITH THE PROVISIONS LISTED IN APPENDIX C. THIS PERMIT MAY BE CONFISCATED AND/OR INVALIDATED IF ANY LAWS, RULES, REGULATIONS, OR PROVISIONS OF A MEMBER JURISDICTION AND/OR THE NASTO REGIONAL PERMITTING AGREEMENT ARE VIOLATED. ALL POSTED HIGHWAY/BRIDGE LIMITS MUST BE OBSERVED UNLESS SPECIFICALLY EXEMPTED HEREIN.</p>														

APPENDIX D-3

NASTO MULTI-JURISDICTION PERMIT

AMENDMENT FORM

This form will amend the referenced permit and must be attached and carried with the vehicle at all times for inspection by appropriate authorities. Any other changes to the permit that are not covered by this official form will nullify/void it for further use under the NASTO Multi-jurisdiction Permit Agreement and a separate permit must be obtained for any continued movement.

AMENDMENT

Effective Date: _____ Multi-Jurisdiction Permit Number _____

Extension Expiration Date: _____

Jurisdiction	Original Permit #	Amendment #	Jurisdiction Amendment Fees
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Motor Carrier: _____

Power Unit Lic. #: _____

Trailer Unit Lic. #: _____

Requested Reason for Amendment

_____ Extension of time—weather _____ Extension of time—Breakdown

_____ Substitution of equipment due to breakdown _____ Substitution of equipment prior to effective date

_____ Other _____

_____ Route change due to physical limitations

Jurisdiction	Route Changes
_____	_____
_____	_____
_____	_____

Special Provisions—Official Use Only

Authorized by: _____
Authorized Permit Agent

Driver Acceptance: _____
Driver's Signature

ATTEST:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Susan H. Kuehn
Signature DATE

Gravelly M. Ryan 5/14/97
Secretary of DATE
Transportation

Secretary
Title
(SEAL)

ATTEST:

Helen F. Kuen 5/13/97
Signature DATE

M. M. Ryan 5/13/97
Deputy Secretary DATE
for Highway Administration

Exec. Sec.
Title
(SEAL)

APPROVED AS TO LEGALITY
AND FORM

Michael H. Albine
for Chief Counsel DATE 5/14/97 Office of General Counsel DATE
5-14-97

Approved for Form
and Legality

JUN 18 1997

Blair R. Gull
Deputy General Counsel

RECORDED NO. 464103
CERTIFIED FUNDS AVAILABLE UNDER
ACTIVITY PROGRAM
SYMBOL
AMOUNT

BY David C. Boone 7/2/97
Signature DATE
for ASSISTANT COMPTROLLER
Title

APPROVED FOR:
OFFICE OF THE BUDGET

[Signature] 7/2/97
Comptroller DATE

PRELIMINARILY APPROVED

BY Joanne L. Subard 5-13-97
Assistant Counsel

Notice to all Consultants; Anticipated Consultants Solicitations

The Department of Transportation anticipates soliciting Letters of Interest from Consultant firms interested in providing work and services for the following specific project agreements or open-end contracts between the date of this advertisement and December 31, 1999:

Engineering District 2-0

1. S. R. 0219, Section C09
McKean County
Preliminary and Final Design
2. S. R. 6220, Section B12
Centre County
Construction Inspection
I-99
3. S. R. 6220, Section A12
Centre County
Construction Inspection
I-99
4. S. R. 6220, Section C12
Centre County
Construction Inspection
I-99
5. S. R. 6220, Section E10
Centre County
Construction Inspection
I-99
6. S. R. 6220, Section C10
Centre County
Construction Inspection
I-99
7. S. R. 6220, Section A10
Centre County
Construction Inspection
I-99
8. S. R. 6220, Section C11
Centre County
Construction Inspection
I-99
9. S. R. 6220, Section A11
Centre County
Construction Inspection
I-99
10. S. R. 0080, Section B21
Clinton County
Construction Inspection
Lamar Inter.
11. S. R. 0022, Section C02
Mifflin County
Construction Inspection
Lewistown Bypass
12. S. R. 0022, Section A02
Mifflin County
Construction Inspection
Lewistown Bypass

Engineering District 3-0

1. S. R. 0015, Section C41
Lycoming County
Preliminary Engineering and
Final Design

2. S. R. 0220, Section 075
Lycoming County
Preliminary Engineering
3. S. R. 0405, Section 063
Lycoming County
Preliminary Engineering and
Final Design
4. S. R. 0061, Section 079
Northumberland County
Preliminary Engineering and
Environmental Studies

Engineering District 4-0

1. S. R. 0029, Section 770
Wyoming County
Bridge Replacement
Preliminary Engineering and
Final Design
2. S. R. 2001, Sections 401 and 402
Pike County
Highway Rehabilitation
Preliminary Engineering and
Final Design
3. S. R. 0434, Section 470
Pike County
Bridge Replacement
Preliminary Engineering and
Final Design
4. S. R. Souci, Section 000
(LCCC Connector Road)
Luzerne County
New Highway on New Location
Preliminary Engineering and
Final Design
5. Four (4) Open-End Contracts
Engineering and Environmental Services
6. One (1) Open-End Contract
Cultural Resources Services

Engineering District 5-0

1. S. R. 0061, Section 15S
Berks County
Safety and Betterment Upgrade
Preliminary Engineering and
Final Design
2. S. R. 0183/3055, Section 05S
Berks County
Reconstruction of Interchange
Preliminary Engineering and
Final Design
3. S. R. 006, Section 014
Berks County
Feasibility Study for Safety Improvement
4. S. R. 0222, Section 021
Berks County
Feasibility Study for Safety Improvement
5. S. R. 0611, Section 095
6 Points Intersection
Monroe County
Upgrade/Relocation of Intersection
Preliminary Engineering and
Final Design
6. S. R. 1018, Section 02B
Messinger Street Bridge
Northampton County

Bridge carrying S. R. 1016
Preliminary Engineering and
Final Design

7. S. R. 422 Corridor Improvements
Berks County
Construction of Safety Improvements
Preliminary Engineering and
Final Design
8. S. R. 0080, Section R18
Carbon County
Rest Area and Weigh Station
Construction Inspection
9. S. R. 0078, Section 07M
Berks County
Reconstruction of Interstate 78
Construction Inspection
10. S. R. 0987, Sections 001 and 002
Lehigh County
Widening, Relocation, and Rehabilitating of
Race Street, Airport Road to Schoenersville Road
Construction Inspection
11. S. R. 0033, Section 001
Northampton County
New Construction of S.R. 0033, including the bridge
over the Lehigh River
Construction Inspection
12. S. R. 0412, Section DLY
Northampton County
4th Street and Daly Avenue Bridge Replacement
Construction Inspection
13. S. R. 0061, Section 13S
Schuylkill County
Pottsville Safety Rehabilitation of S. R. 0061
Construction Inspection

Engineering District 6-0

1. S. R. 0001, Section H05
Delaware County
Construction Inspection
2. S. R. 0095, Section FUN
Delaware and Philadelphia Counties
Construction Inspection
3. S. R. 0095, Section CON
Delaware and Philadelphia Counties
Construction Inspection
4. S. R. 0095, Section NW2
Delaware County
Construction Inspection
5. S. R. 0001, Section NW1
Delaware County
Construction Inspection
6. S. R. 0095, Section RS2
Philadelphia County
Construction Inspection
7. S. R. 0202, Section 300
Chester County
Preliminary Engineering and
Final Design
8. S. R. 0202, Section 610
Montgomery County
Preliminary Engineering and
Final Design
9. S. R. 0476, Section PM7
Montgomery County

Environmental Studies,
Preliminary Engineering and
Final Design

10. S. R. 0095, Section BR1
Philadelphia County
Environmental Studies,
Preliminary Engineering and
Final Design
11. S. R. 0095, Section BS1
Philadelphia County
Environmental Studies,
Preliminary Engineering and
Final Design
12. S. R. 0095, Section AFC
Philadelphia County
Environmental Studies,
Preliminary Engineering and
Final Design
13. S. R. 0113, Section 08B
Chester County
Environmental Studies,
Preliminary Engineering and
Final Design
14. S. R. 0202, Section 83S
Delaware County
Environmental Studies,
Preliminary Engineering and
Final Design

Engineering District 8-0

1. S. R. 0015, Section 006
Cumberland County
U. S. 15 Highland Park/Shiremanstown
Interchange and U. S. 15 PA 581 Interchange
Interchange Reconstruction
Environmental, Preliminary Design and
Final Design
Multi-Phase Agreement
Project Manager: Bill Greene (717) 783-5148
2. S. R. 0022, Section 010
Dauphin County
S. R. 0022, Section 004
Lebanon County
Safety Improvements
Blue Ribbon Avenue in Dauphin County to I-78
in Lebanon County
Environmental, Preliminary Design and
Final Design
Multi-Phase Agreement
Project Manager: Bill Greene (717) 783-5148
3. S. R. 2006, Section 001
Lancaster County
Pine Grove Bridge
Covered Bridge over the Octorara Creek
Bridge Rehabilitation or Replacement
Preliminary Engineering and
Final Design
Multi-Phase Agreement
Project Manager: Bill Greene (717) 783-5148
4. S. R. 0081, Section 023
Lebanon County
Interstate 81 Reconstruction
Roadway and Bridge Reconstruction and
Rehabilitation
No Right-of-Way anticipated
CEE with minimal environmental issues
anticipated

- Preliminary Engineering and Final Design
Possible Lump Sum Agreement
Project Manager: John Bachman (717) 783-4519
5. S. R. 3005
Perry County
Shermans Creek Bridge 2
Over Shermans Creek
Southwest Madison Township
S. R. 3008
Adairs, Cisna Mill Bridge
Over Shermans Creek
Southwest Madison Township
S. R. 4001
Saville Bridge
Over Buffalo Creek
Saville Township
Replacement or Rehabilitation of Three (3)
Covered Bridges
Environmental, Preliminary Design and Final Design
Multi-Phase Agreement
Project Manager: Divyang Pathak (717) 787-7883
 6. S. R. 0015
York County
US 15 Corridor Study
Dillsburg Area
Study
Preliminary Engineering and Final Design
Multi-Phase Agreement
Project Manager: Rich Deen (717) 787-5596
 7. S. R. 0074
York County
Corridor Improvements
Red Lion Borough to Maryland State Line
Environmental, Preliminary Design and Final Design
Multi-Phase Agreement
Project Manager: Divyang Pathak (717) 787-7883
 8. S. R. 0083
York County
I-83 Exits 7 & 8
Interchange Improvements
Study, Environmental, Preliminary Design and Final Design
Multi-Phase Agreement
Project Manager: Doug Murphy (717) 783-3752
 9. S. R. 0295, Section 001
York County
Susquehanna Trail Bridge
Bridge Replacement over Big Conewago Creek
Newberry and Conewago Townships
Preliminary Engineering and Final Design
Project Manager: Bill Greene (717) 783-5148
 10. District-wide
Highway Occupancy Permit Reviews
Preliminary Engineering and Final Design
Task Specific Agreement
Agreement Manager: Glenn Rowe (717) 783-3981
 11. District-wide
Design Open-End Agreement
Environmental, Preliminary Design, Final Design, Construction Consultation and Design Management
Agreement Manager: Greg Vaughn (717) 783-5149
- Engineering District 10-0
1. S. R. 0356, Section 250
Butler County
Final Design
Wayne Street Bridge
Estimated Construction Cost \$13 Million
 2. S. R. 3025, Section 230
Butler County
Preliminary Engineering, Environmental Studies, Final Design and Construction Consultation
Seneca Missing Ramps
Estimated Construction Cost \$18 Million
 3. S. R. 0228, Section 290
Butler County
Preliminary Engineering, Environmental Studies and Environmental Impact Statement
Criders Corners East
 4. S. R. 0830, Section 590
Jefferson County
Preliminary Engineering, Environmental Studies and Environmental Impact Statement
Airport Access Road
 5. S. R. 0080, Section 545
Preliminary Engineering, Environmental Studies, Final Design and Construction Consultation
I-80/36 Interchange
Estimated Construction Cost \$5 Million
 6. S. R. 0080, Section 552
Butler, Clarion, and Jefferson Counties
Feasibility Study
High-Level Bridge Widening Study
 7. S. R. 0022, Section 495
Indiana County
Final Design
Gas Center
Estimated Construction Cost \$28 Million
 8. Open-End
Design Review
 9. Open-End
Construction Inspection
- Engineering District 11-0
1. S. R. 4003, Section A09
Construction Inspection
 2. S. R. 4003, Section A10
Construction Inspection
 3. S. R. 3026, Section A02
Construction Inspection
 4. S. R. 0130, Section A07
Construction Inspection
 5. S. R. 2004, Section B05
Construction Inspection
 6. S. R. 2004, Section 006
Construction Inspection
- Engineering District 12-0
1. S. R. 0021, Section A10
Fayette County

Preliminary Design
Estimated Construction Cost \$30 Million

2. S. R. 0022, Section B08
Westmoreland County
Final Design
Estimated Construction Cost \$18 Million

This advance notification is being provided by the Department of Transportation to allow the Consultants to begin building their team prior to the actual advertisement in the *Pennsylvania Bulletin*. The response time to submit a letter of interest on the above projects/open-end contracts will be six (6) calendar days.

Letters of Interest are not requested at this time. Specific advertisements will appear in future issues of the *Pennsylvania Bulletin*.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1062. Filed for public inspection July 2, 1999, 9:00 a.m.]

Retention of Engineering Firms

Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties Project Reference No. 08430AG2371

The Department will retain an engineering firm for a specific project contract to perform NBIS bridge safety inspections for designated bridges on the state system throughout Engineering District 9-0, that is Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties. This contract will be for a period of two (2) years from November 1, 1999 to October 31, 2001.

The selected firm will be required to inspect/reinspect state owned bridges at various locations and provide updated inspection reports including a bridge load capacity rating/rerating as warranted; furnish bridge inventory and appraisal data and completed BMS coding sheets; and to provide inventory and operating ratings based on existing conditions for H, HS, and ML 80 loading using the Department's computer programs where applicable.

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 firm submitting letters of interest:

- a. Review of inspector's resumes with emphasis on bridge inspection capabilities.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Number of NBIS certified bridge inspectors.
- d. Past Performance.

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

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 additional resumes, if applicable. (See the General Requirements and Information Section for additional requirements for the Letter of Interest).

The Letter of Interest submission shall be sent to:

Mr. Earl L. Neiderhiser, P.E., District Engineer
Engineering District 9-0
1620 N. Juniata Street
Hollidaysburg, PA 16648

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. David L. Sherman, P.E., District 9-0, at (814) 696-7172.

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*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept sepa-

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

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

efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

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

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

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1063. Filed for public inspection July 2, 1999, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Review

Executive Order 1996-1, which was signed by Governor Ridge on February 6, 1996, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the seventh publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	July 2000, as proposed.	This regulation will, as part of the Cross-System Licensing Project, be consolidated with regulations from DPW and DOH and published as part of regulations to be proposed as Adolescent and Adult Day Center Licensing Regulations. Review is also occurring as a result of passage of Acts 169-96 and 13-97 and of Executive Order 1996-1.	Robert Hussar 717-783-6207

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
PA Code Title VI Chapter 15 Protective Services For Older Adults	November 1999, as proposed.	Proposed amendments have been drafted by the Department and approved by the Budget Office and the Policy Office and are currently under review by the Office of General Counsel. This regulation is being reviewed as a result of passage of Acts 169-96 and 13-97 and of Executive Order 1996-1; the Department will make a report to the General Assembly on this topic by June 30, 1999, as required by law.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	July 2000, as proposed.	Review is occurring as a part of a Departmental evaluation and updating process for this community-based living arrangement.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 3 Fair Hearings and Appeals	July 2000, as proposed.	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 and as a result of Executive Order 1996-1.	Robert Hussar 717-783-6207
AGRICULTURE			
Agricultural Land Conservation Assistance Grant Program 7 Pa. Code Chapter 138h	July, 1999, as proposed.	This regulation will amend current regulations to refine the criteria pursuant to which the Department awards grants for farmland protection projects of Statewide scope. The draft proposed regulation is currently under review at the Office of General Counsel.	Raymond Pickering (717) 783-3167
"Clean and Green" Regulations 7 Pa. Code Chapter 137	January, 2000, as proposed. No later than April 30, 2001, as final.	Act 156 of 1998 revised the "Clean and Green" Law (72 P. S. §§ 5490.1-5490.13) and afforded the Department until April 30, 2001 by which to promulgate regulations to implement these revisions. The regulations will promote uniform and consistent interpretation and enforcement of the Act Statewide.	Raymond Pickering (717) 783-3167
Agricultural Conservation Easement Purchase Program	September, 1999, as proposed.	Act 138 of 1998 amended the Agricultural Area Security Law by permitting local government unit participation in agricultural conservation easement purchases. The regulations at 7 Pa. Code Chapter 138e must be revised to implement this statutory change.	Raymond Pickering (717) 783-3167
Consolidation/Update of Retail Food Store Regulations	January, 2000, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. §§ .20.1-20.18) is the statutory basis for this regulation.	Lenchen Radle (717) 772-3234
Food Employee Certification 7 Pa. Code Chapter 83	October, 1999, as final.	This regulation is required by the Food Employee Certification Act (3 Pa.C.S. §§ 6501-6510), and will establish standards for training of certain food industry personnel.	Martha Melton (717) 782-8354
Land application of soil and groundwater contaminated with agricultural chemicals	September, 1999, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § .6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands.	Phillip M. Pitzer (717) 772-5206

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Farm Safety and Occupational Health Grant Program	July, 1999, as proposed.	This regulation is needed to replace an existing statement of policy published in the March 16, 1996 Pennsylvania Bulletin. This regulation would formalize the statement of policy by which the Farm Safety and Occupational Health Grant Program operates. The Program awards grants to fund projects to increase the knowledge and awareness of farm safety measures and occupational health issues among the Commonwealth's rural youth.	Phillip M. Pitzer (717)772-5206
Maple Products	July, 2000, as proposed.	This regulation is required by the Maple Products Act (3 Pa.C.S. §§ 6101-6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Lenchen Radle (717) 772-3234
Harness Racing Commission	September, 1999, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186-190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Jorge Augusto, Esquire (717) 787-8744
Horse Racing Commission	August, 1999, as final.	This regulation will revise several definitions, as well as clarify provisions related to "coupled entries" and trifecta races.	Benjamin H. Nolt, Jr. (717) 787-1942
Sustainable Agriculture Grant and Loan Programs	August, 1999, as final.	This regulation establishes grant and loan programs to implement best management practices. These programs are required under the Sustainable Agriculture Act (3 P. S. §§ 2101-2107).	John Tacosky (717) 772-5217
Fruit Tree Improvement Program	December, 2000, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Certification of Virus-Tested Geraniums	September, 1999, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa.Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically-important bacterial and fungal pathogens; and 2) establish a fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609
Dog Law	July, 1999, as proposed.	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 21,23,25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ .459-10 et seq.) is the statutory basis for this regulation.	Richard Hess (717) 787-4833
Domestic Animals	October, 1999, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301-2389).	John Enck, DVM (717) 772-2852
Temporary Guidelines for the Importation and Intrastate Transportation of Cervids and Camelids -Statement of Policy 7 Pa. Code Chapter 3a	September, 1999.	The planned revisions of this chapter will bring its provisions into greater conformity with the requirements of the Domestic Animal Law.	John Enck, DVM (717) 772-2852
Pseudorabies Disease 7 Pa. Code Chapter 10	September, 1999, as proposed.	The planned revisions of this chapter will assist the Department in attaining "Pseudorabies-free" status under the joint Federal-State Industry Pseudorabies Eradication Program, and will bring the current regulation into greater conformity with the requirements of the Domestic Animal Law.	John Enck, DVM (717) 772-2852
Brucellosis Vaccination-Statement of Policy	September, 1999, as proposed.	The planned statement of policy will address advances in vaccination technology, and will ultimately be supplanted by regulations.	John Enck, DVM (717) 772-2852
Aquaculture Development	December, 1999, as proposed.	This regulation will implement the requirements of the recently enacted Aquacultural Development Law.	John Enck, DVM (717) 772-2852

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<i>BANKING</i>			
Amendments to the Leeway Investments regulations for Pennsylvania state-chartered banking institutions.	December 1999, as proposed.	The existing leeway investments regulations are located at 10 Pa. Code § 27.1 - 27.4 and have been effective since March 9, 1974. These regulations were promulgated pursuant to authority stated in sections 103(a), 307, 311(d)(vi), and 504(b)(x) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a), 307, 311(d)(vi), and 504(b)(x), and can be amended pursuant to the same statutory authority. Leeway investments are made by Pennsylvania state-chartered banks in stock, bonds, notes, or debentures of corporations formed to promote the public welfare and community development, expand the economy, or provide for social reform. The Department has evaluated the need for additional regulatory guidance in the context of modernizing leeway investment authority for Pennsylvania state-chartered banking institutions, including amending the parameters for Pennsylvania state-chartered banking institutions to make leeway investments.	David H. Bleicken (717) 787-1471
"Other investments" regulations for Pennsylvania state-chartered banking institutions.	December 1999, as proposed.	Sections 103(a) and 315(g) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a) and 315(g), provide authority for the Department to promulgate regulations to allow Pennsylvania state-chartered banking institutions to make investments not otherwise authorized by the Banking Code. The Department has evaluated the need for such regulatory guidance and authority in the context of modernizing investment authority for Pennsylvania state-chartered banking institutions.	Reginald S. Evans (717) 787-1471
Secondary Mortgage Loan Act regulations.	There is no set date because the Department is evaluating the necessity of such proposed regulations.	The Secondary Mortgage Loan Act ("SMLA"), 7 P. S. § 6601 et seq., was passed in 1980 and most recently amended by Act 15 of 1995. The Department is evaluating the need for regulatory guidance to be provided to second mortgage residential lenders, brokers sponsoring brokers, and broker's agents under the SMLA.	Laurie S. Kennedy, (717) 787-1471
<i>BUDGET</i>			
No regulations being developed or considered at this date.			
<i>COMMUNITY & ECONOMIC DEVELOPMENT</i>			
Tax-Exempt Bond Allocation	Fall, 1999, as proposed.	The existing regulation and statement of policy will be rescinded and replaced with new regulations as a result of the passage of Act 100 of 1998, which repealed the act of December 20, 1985 (P. L. 483, No. 113), known as the Tax-Exempt Bond Allocation Act and established new Tax-Exempt Bond Allocation provisions.	Jill B. Busch (717) 720-7314

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Pennsylvania Industrial Development Authority 21 Pa. Code Chapter 37	Fall, 1999, as proposed.	The regulation will delete those portions of the existing regulation of the Pennsylvania Industrial Development Authority Board which ought to be in policies or guidelines rather than in regulation and, if any portion of the regulation remains, it will be brought current to comport with actual administration of the PIDA program.	Gerald W. Kapp (717) 787-6245
Commercial Motion Picture Sales; Tax Exemption Certificate 12 Pa.Code Chapter 33	Fall 1999, as proposed.	The regulation will prescribe a Pennsylvania Exemption Certificate (FORM REV-1220) as the form to be used by producers of commercial motion pictures, who are qualified to take advantage of the PA Sales and Use Tax exclusion provided by Section 204(54) of the Tax Reform Code of 1971.	Jill B. Busch (717) 720-7314
COMMISSION ON CRIME AND DELINQUENCY			
No regulations being developed or considered at this date.			
CONSERVATION & NATURAL RESOURCES			
Conservation of Native Wild Plants	September 1999, as proposed.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Daniel A. Devlin (717) 787-3444
State Forest Rules and Regulations	December 2000, as proposed.	This proposal is an update to the State Forest Rules and Regulations which were published in the PA Bulletin December 5, 1998. Due to the controversy and confusion caused by two sections which had been in the proposed rulemaking of the State Forest Rules and Regulations - Section 21.26 (1) Horses and Pack Animals; Section 21.27 (1) Bicycles and Persons - Powered Vehicles, these sections were deleted from the final rulemaking of the State Forest Rules and Regulations in order to address these issues and concerns separately. The Department is currently in consultation with a user work group to redraft these two sections of the regulation.	Michael Palko (717) 783-7941
CORRECTIONS			
Motivational Boot Camp Act 61 P. S. Section 1221 et seq.	July 1999, as final.	The regulations will address boot camp administration, establishment of selection committees, inmate selection criteria, programming and supervision, inmate discipline and staff training.	Victoria S. Freimuth (717) 975-4860
Revisions to the existing regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	July 1999, as final.	The regulation will be revised to eliminate unnecessary regulations and modernize necessary regulations, particularly those affecting the transfer of inmates between state and county correctional facilities.	William M. Reznor (717) 975-4876

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Review and/or revision of all current Department of Corrections regulations contained in Title 37 of the Pennsylvania Code.	Fall 1999, as proposed.	The purpose of the review is to ensure that the Department's regulations are consistent with current legal standards concerning prison administration and operation. The legal basis for the action is found at Section 506 of the Administrative Code of 1929, 71 P. S.186, which grants the Commissioner of Corrections the authority to prescribe regulations for the Department that are not inconsistent with law.	J.D. Shutt (717) 975-4860
EDUCATION			
Pupil Personnel Services Pupil Attendance Students 22 Pa. Code, Chapters 7, 11, 12	The State Board of Education is not considering revisions to these regulations at this time. They are listed for the public's information since they have been reported in previous agendas for the review of regulations.	These regulations establish rules under which attendance, pupil personnel services and student rights are administered in public schools. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Special Education Services and Programs 22 Pa. Code, Chapter 14 and 22 Pa. Code, Chapter 342	September 1999, as proposed.	These regulations are necessary to establish procedures for the identification of students who are in need of special education services and programs and to set forth requirements and procedures for the delivery of those services and programs. The review of these current regulations will focus on current federal and state law regarding special education services and programs to ensure compliance, consistent and accurate terminology and application of existing provisions. These regulations will be published as a single regulation, Chapter 14. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) (24 P. S. § 1-101—26-2606-B).	Peter Garland (717) 787-3787
School Buildings 22 Pa. Code, Chapter 21	The State Board of Education is not considering revisions to these regulations at this time. They are listed for the public's information since they have been reported in previous agendas for the review of regulations.	This regulation provides uniform standards and procedures for seeking Departmental approval in school building projects. These regulations are proposed under authority of the Public School Code of 1949 (P. L. 30, No.14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Higher Education General Provisions, Foreign Corporation Standards, Institutional Approval, Program Approval 22 Pa. Code, Chapters 31, 36, 40, 42	August 1999, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the time frame during which new institutions must achieve accreditation, update provisions for library and learning resources, and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No.14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Branch Campuses for State-supported Institutions 22 Pa. Code, Chapter 34	The State Board of Education is no longer considering revisions to these regulations at this time. They are listed for the public's information since they have been reported in previous agendas for the review of regulations.	This regulation establishes procedures for the approval of branch campuses. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Gifted Education 22 Pa. Code, Chapter 16	August 1999, as final.	These regulations establish separate rules for programs and services for gifted students apart from those established for other special needs students. Special education regulations (Chapters 14 and 342) are largely driven by federal action. Gifted education is a state program. Separation of enabling regulations will permit greater efficiency and effectiveness in program operations. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Certification of Professional Personnel 22 Pa. Code, Chapter 49	August 1999, as final.	These regulations and revisions are necessary to ensure that those individuals preparing to be teachers receive a quality education and are competent to teach in the disciplines and areas for which they are certified. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
General Standards for Preparation of Professional Educators 22 Pa. Code, Chapter 354	December 1999, as proposed.	These standards will provide general requirements for programs which prepare professional educators in the Commonwealth. Pennsylvania colleges and universities must meet these standards to obtain or retain Pennsylvania Department of Education approval to conduct professional educator programs leading to Pennsylvania certification. These regulations are being promulgated under authority of 22 Pa. Code, Chapter 49.	Ron Simanovich (717) 783-9252

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
College and University Security 22 Pa. Code, Chapter 33	September 1999, as final.	These regulations govern the responsibility of institutions of higher education for the provisions of college and university security information and the collection and reporting of crime statistics. Revisions are necessary to incorporate provisions for the establishment of and access to daily campus crime logs. These regulations are promulgated under authority of the College and University Security Information Act (P. L. 443, No. 73)(24 P. S. § 2502-1 to 2502-5).	Peter Garland (717) 787-3787
Program Standards and Eligibility Criteria for the Higher Education Opportunity Act 22 Pa. Code, Chapter 44	September 1999, as final.	These regulations establish program requirements and eligibility criteria for Act 101 programs in colleges and universities. Revisions update eligibility criteria to reflect current income levels. These regulations are promulgated under authority of (P. L. 423, No. 101 § 3 and 4)(24 P. S. § 2510-303, § 2510-304).	Peter Garland (717) 787-3787
Community Colleges 22 Pa. Code, Chapter 35	August 1999, as proposed.	These regulations govern the establishment and operation of community colleges and technical institutes. Revisions to reflect current practice are proposed in the formula calculating Full-Time Equivalent (FTE) Enrollments for reimbursement purposes. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
<i>EMERGENCY MANAGEMENT AGENCY</i>			
4 Pa. Code Chapter 116 "Radiation Emergency Response Fund"	July 1999, as final.	Needed to simplify grant program. Radiation Protection Act.	Mark Goodwin 717-651-2010
4 Pa. Code Chapter 117 "Radiation Transportation Emergency Response Fund"	July 1999, as final.	Needed to simplify grant program. Radiation Protection Act.	Mark Goodwin 717-651-2010
4 Pa. Code Chapter 120b "Public Safety Emergency Telephone Program"	December 1999, as proposed.	Required by Public Safety Emergency Telephone Act	Mark Goodwin 717-651-2010
4 Pa. Code Chapter 120c "Training and Certification Standards for 911 Emergency Communications Personnel"	December 1999, as proposed.	Required by Public Safety Emergency Telephone Act	Mark Goodwin 717-651-2010
4 Pa. Code Chapter 120d "911 performance Review and Quality Assurance Standards"	December 1999, as proposed.	Required by Public Safety Emergency Telephone Act	Mark Goodwin 717-651-2010

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ENVIRONMENTAL HEARING BOARD			
25 PA Code § 1021	Summer 1999, as final.	Revisions to the Board's Rules of Practice and Procedure have been proposed by the Board with the expectation that the final proposals will be published in the Pennsylvania Bulletin this summer. These revisions and additions to Chapter 1021 are meant to improve the practice and procedure before the Board and to provide the regulated community, the Department of Environmental Protection, and other potential litigants with more specific guidance on how to represent their interests before the Board. The legal basis for the regulation is § 5 of the Environmental Hearing Board Act (35 P. S. § 7515).	Kimberly Hafner 717-787-3483
ENVIRONMENTAL PROTECTION			
Chapters 91, 97 & 101 - Wastewater Management Clean Streams Law	August 1999, as final.	This proposal has been developed as a result of the Regulatory Basics Initiative (RBI) and Executive Order 1996-1 and consolidates references to related water pollution control requirements into a single source, Chapter 91. The proposal will provide the regulated community and DEP greater flexibility in implementing pollution prevention measures and will provide authority for DEP to issue general water quality management permits. Because several sections of this rulemaking pertain to animal manure (manure storage and land application), DEP delayed this final rulemaking until the Concentrated Animal Feeding Operation (CAFO) strategy was finalized. The CAFO Strategy was published in the Pennsylvania Bulletin on March 13, 1999. DEP published an Advance Notice of Final Rulemaking (ANFR) on April 24, 1999. The Water Resources Advisory Committee (WRAC) and the Agricultural Advisory Board (AAB) are reviewing the draft final amendments.	Milt Lauch, 717-787-8184
Chapter 72, Amendments to SEO Application Requirements for Certification Sewage Facilities Act	July 1999, as final.	This proposal streamlines the application requirements for certification of sewage enforcement officers (SEOs) by reducing the 40-day time period in which applicants must wait to take the SEO exam following completion of successful precertification training. DEP plans to expand the precertification program and offer the opportunity for successful candidates to take the exam immediately following precertification training. The amendment was reviewed by the State Board for Certification of Sewage Enforcement Officers and the Sewage Advisory Committee.	Jay Africa, 717-783-2941

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapters 92, 93, 95, 96 & 97 - Water Quality Amendments Clean Streams Law	April 2000, as final.	These revisions address several of the principles of the RBI and Executive Order 1996-1. The revisions reorganize these chapters into permitting, water quality standards and implementation chapters respectively and will make several modifications to the programs. DEP will publish an Advance Notice of Final Rulemaking this Fall to provide an opportunity for additional public comment before final rulemaking. The WRAC will review drafts of the final rulemaking, and the AAB will also be briefed.	Carol Young, 717-787-4686
Stream Redesignations - Hay Creek, et al. Clean Streams Law	September 1999, as final.	This final rulemaking package includes a number of streams/segments recommended for special water quality protection as the result of requests from the Pennsylvania Fish and Boat Commission (PFBC) and DEP's regional offices. Two short stream segments are recommended for removal from the special protection waters program due to historical degradation by acid mine drainage. One stream segment was determined to be correctly designated. This package was approved by the EQB as proposed rulemaking on June 17, 1997. The proposal was published for public comment on August 16, 1997, and the comment period closed September 30, 1997. Final rulemaking has been on hold pending revisions to the Commonwealth's antidegradation regulations, which were approved by the EQB on May 20, 1999.	Bob Frey, 717-787-9637
Stream Redesignations - Little Bush Kill, et al. Clean Streams Law	November 1999, as proposed.	This proposed rulemaking package contains the results of redesignation evaluations that included petitions for Little Bush Kill (Pike Co.), Lizard Creek (Schuylkill Co.), Frya Run (Northampton Co.), and West Branch Perkiomen and Oysterville Creeks (Berks Co.). It also includes the results of non-special protection studies, including one stream missing from Chapter 93, a redesignation requested by Trout Unlimited, and redesignation of a portion of the main stem of Swatara Creek (Schuylkill and Lebanon Cos.).	Bob Frey, 717-787-9637
Stream Redesignations - Grimes Run, et al. Clean Streams Law	December 1999, as proposed.	This is a reproposal of stream redesignations that the EQB remanded to DEP for additional evaluation. Two streams were restudied due to public opposition: Trout Run (York County), a petitioned stream, and Browns Run (Warren County), requested by the PFBC. The package also includes a small portion of the Cove Creek basin that was separated during rulemaking because of a technical concern, and a portion of Grimes Run that was remanded due to concerns by the PFBC.	Tom Barron, 717-787-9637

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Stream Redesignations - Brinton Run, et al. Clean Streams Law	March 2000, as proposed.	This proposed rulemaking package contains four petitions for Exceptional Value designation for streams in Chester County. They include three unnamed tributaries to Brandywine Creek locally known as Brinton, Wylie, and Renwick Runs and an unnamed tributary to the East Branch Chester Creek. The package also includes redesignation evaluations requested by the PFBC for Rambo Run (York Co.) and Lost Creek (Juniata Co.).	Bob Frey, 717-787-9637
Stream Redesignations - Buck Hill Creek, et al. Clean Streams Law	April 2000, as final.	This final rulemaking package includes recommendations resulting from evaluation of special protection redesignation petitions for Buck Hill Creek (Monroe Co.) and Trout Run (Westmoreland Co.). It also includes a number of special protection redesignation requests from the PFBC and one from a DEP regional office. It also contains a recommended use designation for a stream currently missing from Chapter 93. The package was approved as proposed rulemaking by the EQB on January 20, 1998. It was published for public comment on April 4, 1998, and the comment period closed June 3, 1998. This package has been on hold pending revisions to the Commonwealth's antidegradation regulations, which were approved by the EQB on May 20, 1999.	Bob Frey, 717-787-9637
Stream Redesignations - Waltz Creek, et al. Clean Streams Law	June 2000, as proposed.	This proposed stream redesignation package consists primarily of requests from DEP regional offices, including redesignation of Beaver Creek (Schuylkill Co.) to High Quality-Cold Water Fishes as a result of a PFBC study. It also includes a use attainability evaluation for a portion of the main stem of Indian Creek (Fayette Co.) that is missing from Chapter 93 and a use attainability study for the headwaters of Black Creek (Carbon Co.) that is misrepresented in Chapter 93. A special protection evaluation will be conducted on Dreck Creek, a tributary to Black Creek.	Bob Frey, 717-787-9637
Stream Redesignations - Tohickon Creek, et al. Clean Streams Law	September 2000, as proposed.	This proposed rulemaking package is composed of evaluations resulting from four petitions to the EQB: Tohickon Creek (Bucks Co.), Smithtown Creek (Bucks Co.), Maiden and Sacony Creeks (Berks Co.), and Fishing Creek (Clinton Co.).	Bob Frey, 717-787-9637
Chapter 102, Erosion Control Clean Streams Law	September 1999, as final.	This rulemaking includes minor revisions such as eliminating obsolete terms, simplifying technical requirements for control facilities, updating and clarifying permit requirements to reflect current Federal NPDES permit requirements for construction activities, revising requirements that may be interpreted as more restrictive than Federal requirements, and establishing a minimum area of disturbance to require the development of an erosion and sedimentation control plan. The WRAC and the AAB will review drafts of the final rulemaking.	Ken Murin, 717-787-6827

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 103, Financial Assistance Stream Improvements Law	November 1999, as proposed.	This proposal includes revisions to Sections 103.41 - 103.63 pertaining to reimbursement for flood control projects by establishing additional categories of work eligible for reimbursement by DEP. These categories are necessary for consistency with the U.S. Army Corps of Engineers' current procedures for nonfederal cost sharing. In addition, the proposal establishes procedures to allow DEP to provide grants to local agencies for nonfederal watershed, stream channel and stream corridor restoration projects which would be conducted in partnership with DEP, the conservation district, federal agencies, local citizen volunteer groups and other agencies and organizations.	Gene Council, 717-787-3411
Chapter 105, Dam Safety and Waterway Management Clean Streams Law, Dam Safety and Encroachment Act	October 1999, as proposed.	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits, simplify the application fee schedule, and clarify the Chapters 105 and 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee (WetPAC) is reviewing the issues. The AAB is also being briefed on developments. The date for EQB consideration of a proposed rulemaking remains tentative at this time pending WetPAC's deliberations.	Ken Reisinger, 717-787-6827
Municipal Waste Amendments Solid Waste Management Act	November 1999, as final.	This proposal changes the environmental assessment requirements to evaluate known and potential environmental harms vs. social and economic benefits; includes revisions to ICW permit by rule and general permit requirements; includes standards for nuisance minimization and control; modifies the closure requirements and assessment and abatement standards to be consistent with the Act 2 regulations and federal Subtitle D criteria; revises the planning and grant procedures; revises isolation distances; changes the equivalency review procedure for municipal waste permits so that once approval is given, it may be applicable statewide; revises the facility design and operating standards for composting facilities to be more performance based; revises leachate sampling requirements to delete parameters from quarterly sampling if groundwater protection will not be compromised; and allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants. The draft final rulemaking will be reviewed by SWAC.	Bill Pounds, 717-787-7564

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Residual Waste Amendments Solid Waste Management Act	November 1999, as final.	This proposal changes the definition of waste and related terms to be similar to the solid waste definitions in RCRA Subtitle C; revises definitions and final closure standards to be consistent with the Act 2 regulations; allows for industry wide coproduct determinations and recycling of scrap metal; revises performance standards for odor, noise and other nuisance control; revises isolation distances; modifies the environmental assessment requirements; revises the permit application fee and simplifies the approval process for demonstration facilities; revises the facility design and operating standards for composting facilities to be more performance based; revises leachate sampling requirements to delete parameters from quarterly sampling if groundwater protection will not be compromised; allows for leachate holding tanks and trucking for some processing facilities in lieu of connection to sewer systems or building treatment plants; and modifies the attenuating soil requirements at landfills to allow for equivalency modeling based upon site specific conditions. The draft final regulations will be reviewed by SWAC.	Bill Pounds, 717-787-7564
Waste Oil Amendments Solid Waste Management Act	February 2000, as final.	This proposal consolidates the requirements for the management of used oil into one chapter. The SWAC approved the draft amendments and will review the draft final rulemaking at meetings in September and November 1999.	Scott Walters, 717-787-7381
Universal Waste Rule - Addition of Wastes Solid Waste Management Act	July 1999, as proposed.	The Universal Waste Rule allows certain hazardous wastes to be managed under requirements that are less prescriptive than full RCRA hazardous waste Subtitle C regulation. This proposal adds fluorescent tubes, unbroken mercury lamps and mercury-containing devices to the list of wastes managed as universal wastes. These items were petitioned for inclusion by Advanced Environmental Recycling Corporation in August 1997. The draft final rulemaking was reviewed by SWAC.	Rick Shipman, 717-787-6239
Amendments to Nitrogen Oxides (NOx) Allowance Requirements Air Pollution Control Act	August 1999, as final.	The proposal corrects accounting errors contained in Appendix E of the NOx allowance regulations published November 1, 1997. The amendments also add missing sources to Appendix E; clarify that the definition of "NOx-affected source" is applicable to fossil-fired operating units which generate greater than 15 MW of electricity; eliminate the special allocation for Washington Power project since its plan approval expired; delete the listing of "baseline MMBtu" in Appendix E and modify the listing of "baseline NOx lb/MMBtu." The AQTAC reviewed the draft final amendments.	Dean Van Orden, 717-787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Nitrogen Oxides (NOx) SIP Call Air Pollution Control Act	August 1999, as final.	This proposal is necessary for Pennsylvania to adopt a NOx reduction program for large stationary sources to achieve the emission reductions required by EPA's Section 110 State Implementation Plan (SIP) Call which was finalized October 27, 1998. The SIP Call was promulgated to mitigate interstate transport of ozone and its precursors which is interfering with the ability of many states to attain the one- and eight-hour National Ambient Air Quality Standards (NAAQS). Both the proposed and final amendments were reviewed by AQTAC.	Dean Van Orden, 717-787-4310
Emissions of Nitrogen Oxides (NOx) from Combustion Units and Process Heaters Air Pollution Control Act	February 2000, as proposed.	As one of the recommendations of the Southeast Pennsylvania Stakeholders Working Group to achieve additional NOx reductions, this proposal would require operators of certain combustion units and process heaters with rated heat inputs between 100 million and 250 million Btus (MMBtus) per hour to implement NOx reduction programs. Facilities would be required to meet an emission reduction program that has a cost effectiveness of less than \$3,000 per ton. This proposal is estimated to affect approximately 10 facilities with 35 to 40 units in the Southeast Pennsylvania area. The AQTAC will review a draft of the proposal in October 1999.	Terry Black, 717-787-4310
New Source Review Air Pollution Control Act	Contingent on EPA action.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits. The Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be reviewed by the AQTAC. EPA has proposed in its draft new source review (NSR) regulations a number of mechanisms related to generation and use of Emission Reduction Credits (ERC's), and the use of an "area wide" plantwide applicability limit (PAL) to address trading issues. The proposed rules were issued in July 1996; however, EPA has not yet issued final rules. With the uncertainty of the nature of the final rules, the Department cannot proceed with revisions of the existing trading regulations until the final EPA rule is promulgated.	Terry Black, 717-787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Gasoline Volatility Requirements - Low RVP Air Pollution Control Act	July 1999, as final.	The Commonwealth is required to implement control strategies to demonstrate that the Pittsburgh-Beaver Valley Area will achieve the national ambient air quality standards (NAAQS) for ozone. The Department proposes to delete the term "federal reformulated gasoline or RFG" and eliminate RFG from the term "compliant fuel." The proposed regulation will limit the volatility of gasoline sold in the Pittsburgh-Beaver Valley Area each year between May 1 and September 15. The proposal requires the sale of 7.8 Reid vapor pressure (RVP) gasoline. In addition, the Department proposes to clarify the records retention requirements in Section 126.302(c) that records be kept on site. The AQTAC reviewed a draft of the final rulemaking.	Terry Black 717-787-4310
Surface Coating Processes Air Pollution Control Act	November 1999, as final.	This regulation will simplify the calculation procedure for determining compliance with Chapter 129 and consider small source exemptions to the extent possible without degrading air quality. The proposed rulemaking was published March 6, 1999. Four public hearings were held statewide during the 60-day public comment period. The AQTAC will review the draft final regulations.	Terry Black, 717-787-4310
Mobile Equipment Repair and Refinishing Air Pollution Control Act	August 1999, as final.	The Southwest and Southeast Ozone Stakeholder Working Groups recommended that DEP adopt programs to reduce VOC emissions from automobile refinishing. The proposed regulations establish maximum VOC content levels for automobile refinish materials used in the Commonwealth. The proposed regulation also establishes permitting requirements, pollution prevention and work practice standards. DEP is developing public information materials to inform the regulated industry of the proposed requirements. DEP published the proposal in August 1998 and conducted statewide public information meetings and hearings during the public comment period. The AQTAC reviewed the draft final regulations on May 21, 1999.	Terry Black, 717-787-4310
Solvent Cleaning Operations Air Pollution Control Act	April 2000, as final.	The Southwest and Southeast Ozone Stakeholder Working Groups recommended that DEP adopt Programs to reduce VOC emissions from degreasing operations. The proposed regulations will establish requirements for solvent cleaning operations not presently regulated by the provisions of Section 129.63. A stakeholder group consisting of degreaser manufacturers and operators, solvent suppliers and environmental groups met several times over an eight-month period to develop a draft regulation. The AQTAC reviewed a draft of the rulemaking. The proposal is anticipated to be published in July with a 60-day public comment period and three public hearings.	Terry Black, 717-787-4310

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 240, Radon Certification Radon Certification Act	No publication anticipated in the next six months.	DEP conducted workshops attended by selected individuals from the Pennsylvania certified radon community to discuss possible amendments to the current regulations which appear to be of concern to the regulated community and which do not fully address new technologies that were developed since the effective date of the 1991 radon certification regulations in Chapter 240. Meanwhile, EPA privatized its Radon Proficiency Program in October 1998. The National Environmental Health Association (NEHA) was selected to run a one-year pilot test of the EPA draft criteria document for the Certification of Radon Service Providers, the Accreditation of Radon Chambers and Laboratories, and the Approval of Measurement Devices. DEP's Radon Division is working closely with the NEHA on efforts to establish certification exams and other criteria that could possibly parallel suggested changes in DEP Radon Certification regulations.	Michael Pyles, 717-783-3594
Radiological Health (Chapters 215, 217, 219, 220, 224, 225, 226, 230 and 232) Radiation Protection Act	October 1999, as proposed.	The Department is updating its regulations for the control of radioactive material in preparation for becoming an Agreement State with the U.S. Nuclear Regulatory Commission (NRC). One of the NRC requirements for the agreement is to have and maintain compatible regulations with the NRC. The proposed regulations address industrial radiography, well logging, irradiators, medical uses, transportation and packaging, protection standards and licensing. The Department is consulting with the Radiation Protection Advisory Committee (RPAC) in developing these regulations.	William Kirk, 717-783-9730
Chapter 86, Subchapters A and D - General Provisions and Areas Unsuitable for Mining Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act	July 1999, as final.	The amendments address regulations which are more stringent than federal requirements, lack clarity, and which are inconsistent with language used in federal regulations. An Advance Notice of Final Rulemaking was published on January 30, 1999. The Mining and Reclamation Advisory Board (MRAB) reviewed the ANFR and draft final rulemaking.	David Hogeman, 717-787-4761
Storage, Handling and Use of Explosives Explosives Act, Surface Mining Control and Reclamation Act (SMCRA), and Noncoal SMCRA	February 2000, as proposed.	Amendments are being proposed to reflect changes that have occurred in the industry and the experience DEP has gained in implementing the program since the regulations in Chapters 210 and 211 were developed in 1972. The proposed amendments will address requirements which are needlessly more stringent and burdensome than federal requirements; will incorporate technological advances resulting from research on the effects of blasting on structures; and will enhance DEP's ability to prevent issuance of blasters' licenses to previous violators. DEP conducted public outreach meetings from September through December 1998. The MRAB will review the draft proposed regulations.	Michael Getto, 717-783-9892

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Amendments to Chapter 78 (Oil and Gas Wells) Oil and Gas Act, Clean Streams Law, Solid Waste Management Act	April 2000, as proposed.	The proposed revisions will clarify several sections relating to drilling, casing and cementing standards; requirements for drilling through gas storage reservoirs; plugging requirements; bonding requirements; and environmental performance standards. The Oil and Gas Technical Advisory Board (TAB) will review the draft amendments.	James Erb, 717-772-2199
GENERAL SERVICES			
Surplus State Property 4 Pa. Code, Chapter 41	Winter 1999, as proposed.	With the enactment of the Commonwealth Procurement Code (Act 57 of 1998) this Chapter must be substantially amended. Further, there is a need for review and revision of these regulations to implement improvements in the transfer and disposition of state surplus property.	Barbara L. Shelton (717) 787-5295
Responsibility 4 Pa. Code Chapter 60	Fall 1999, as proposed.	This chapter must be amended to conform with the legislative changes produced by Act 57.	Gary F. Ankabrandt (717) 783-1982
Instructions to Bidders 4 Pa. Code, Chapter 61	Fall 1999, as proposed.	This Chapter has been superseded and should be repealed because such instructions should not be set out in regulatory form. There is a need for flexibility which can be of benefit to the Department as well as bidders.	Merle H. Ryan (717) 787-7095
General Conditions of the Construction Contract 4 Pa. Code, Chapter 63	Fall 1999, as proposed.	See comment for Chapter 61.	Merle H. Ryan (717) 787-7095
State Art Commission 4 Pa Code, Chapter 65	Fall 1999, as proposed.	The legislation creating the State Art Commission was sunsetted.	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code, Chapter 67	Winter 1999, as proposed.	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code, Chapter 68	Fall 1999, as proposed.	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	John R. McCarty (717) 783-8720
Methods of Awarding Contracts 4 Pa. Code, Chapter 69	Winter 1999, as proposed.	With the enactment of the Commonwealth Procurement Code (Act 57) it is necessary to conform this Chapter with the changes in the law and to address other procurement areas affected by Act 57.	Barbara L. Shelton (717) 787-5295
Commonwealth Parking Facilities 4 Pa. Code, Chapter 71	Winter 1999, as proposed.	Amendments are required because parking locations have been changed.	James W. Martin (717) 783-5028
Commonwealth Automotive Fleet 4 Pa. Code, Chapter 73	Winter 1999, as proposed.	The regulation will be amended to eliminate the requirement for a Pennsylvania license to drive a state vehicle and will permit out-of-state licenses.	Gary F. Ankabrandt (717) 783-1982

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Processing Subscriptions and Sales of Pennsylvania Code and Related Publications 4 Pa. Code, Chapter 81	Winter 1999, as proposed.	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the PA Code. The PA Code contractor is now responsible for the PA Code subscriptions. New regulations will be developed to address sales of Commonwealth publications in general.	John R. McCarty (717) 783-8720
First Amendment Rights 4 Pa. Code, Chapter 86	Winter 1999, as proposed.	The amendment will extend coverage of the statement of policy to the Philadelphia State Office Building, Pittsburgh State Office Building, Scranton State Office Building, and Reading State Office Building.	Gregory C. Santoro (717) 787-5599
Death Benefits for Survivors of Firemen and Law Enforcement Officers - 4 Pa. Code, Chapter 89	Winter 1999, as proposed.	Since Act 101 of June 24, 1976 (P. L. 424) was amended by Act 161 of 1994 (P. L. 1373), the regulations must be amended to reflect the legislative changes.	James W. Martin (717) 783-5028
HEALTH			
Emergency Medical Services 28 Pa. Code § 1001.1 et seq.	December 1999, as final.	The amendments to existing regulations will enhance the operation of the Emergency Medical Services System in the Commonwealth. Pursuant to the Emergency Medical Services Act, 35 P. S. §§ 6921-6938.	Kenneth E. Brody 717-783-2500
Personnel Administration in County Health Departments 28 Pa. Code § 13.1 et seq. State Aid to Local Health Departments 28 Pa. Code § 15.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will make them consistent with current local health administration practices. Pursuant to the Local Health Administration Law, 16 P. S. §§ 12001-12028.	Kenneth E. Brody 717-783-2500
Organized Camps and Campgrounds 28 Pa. Code § 19.1	No publication anticipated in the next six months.	These regulations are being considered for review and updating in part because of the transfer of authority for certain environmental regulations to the Department of Health. Pursuant to 71 P. S. § 532 and 71 P. S. §§ 1340.101 et seq.	Kenneth E. Brody 717-783-2500
Head Injury Program 28 Pa. Code § 14.1 et seq.	November 1999, as final.	These new regulations will facilitate the implementation of this program. Pursuant to the Emergency Medical Services Act, 35 P. S. § 6934(e).	Kenneth E. Brody 717-783-2500
Public Bathing Place Lifeguard Requirements 28 Pa. Code § 18.1; § 18.42	November 1999, as final.	The amendments to existing regulations will provide lifeguard requirements for recreational swimming establishments, and add requirements for lifeguard certification and factors to be considered in determining adequate lifeguard coverage. Pursuant to Act 75 of 1998, amending 35 P. S. §§ 672-680d (the Public Bathing Law).	Kenneth E. Brody 717-783-2500
Health Facility Licensure—Hospices 28 Pa. Code § 651.1 et seq.	November 1999, as proposed.	These new regulations will establish standards for the licensure and regulation of hospices. Pursuant to Act 95 of 1998, amending the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Kenneth E. Brody 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Hearing Aid Sales Registration 28 Pa. Code § 25.201 et seq.	October 1999, as proposed.	The amendments to existing regulations will prescribe continuing education requirements for hearing aid fitters and update regulations regulating hearing aid sales. Pursuant to Act 153 of 1998, amending the Hearing Aid Sales Registration Act, 35 P. S. § 6700-101 et seq.	Kenneth E. Brody 717-783-2500
Drug and Alcohol Confidentiality 4 Pa. Code § 255.1 et seq. and § 257.1 et seq.	March 2000, as proposed.	These regulations are being reviewed for updating and to address concerns regarding availability of records of patients being treated for drug and alcohol related problems. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101-1690.115.	Keith Fickel 717-783-2500
Drug and Alcohol Facility Physical Plant Standards 28 Pa. Code § 705.1 - 705.29	October 1999, as proposed.	The amendments to existing regulations will establish uniform standards for all residential and non-residential services. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101-1690.115.	Keith Fickel 717-783-2500
Dental Laboratories 28 Pa. Code § 25.301 et seq.	No publication anticipated in the next six months.	These new regulations are needed to establish standards for the operation of laboratories in dental offices. Pursuant to the Controlled Substance, Drug, Device and Cosmetic Act, 35 P. S. § 780-101 et seq.	Keith Fickel 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	November 1999, as proposed.	The amendments to existing regulations will make them consistent with current public health practices for the control of communicable and other reportable conditions. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1-521.21.	Yvette Kostelac 717-783-2500
Managed Care Organizations 28 Pa. Code 9.1 et seq.	September 1999, as proposed.	The amendments to existing regulations will update standards governing health maintenance organizations, and supersede statements of policy pertaining to integrated delivery systems and improving quality health care accountability and protection for managed care organizations. Pursuant to the Health Maintenance Organization Act, 40 P. S. §§ 1551-1567, and Act 68 of 1998, amending the Insurance Company Law of 1921, 40 P. S. § 341 et seq.	Yvette Kostelac 717-783-2500
Home Health Care Agencies 28 Pa. Code § 601.1 et seq.	No publication anticipated in next six months.	The amendments to existing regulations will provide for consistency with federal conditions of participation in Medicare programs. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Carol Somerset-Griffie 717-783-2500
Birth Centers 28 Pa. Code § 501.1 et seq.	No publication anticipated in next six months.	The amendments to existing regulations will incorporate proposed newborn screening regulations. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Carol Somerset-Griffie 717-783-2500
Health Facility Licensure— Long Term Care Facilities 28 Pa. Code § 201.1 et seq.	July 1999, as final.	The amendments to existing regulations will update standards regulating long term nursing care facilities, and will incorporate many of the federal long-term care certification regulations. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500
Health Facility Licensure— Ambulatory Surgical Facilities 28 Pa. Code § 551.1 et seq.	August 1999, as final.	The amendments to existing regulations will update the standards for ambulatory surgical facilities. Review occurred due to sunset of Certificate of Need. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Health Facility Licensure— General & Special Hospitals & Health Planning 28 Pa. Code § 301.1 et seq. 28 Pa. Code § 401.1 et seq.	August 1999, as final-omitted.	Repeal of chapters on health planning (federal program and certificate of need), as statutory authority for both chapters has terminated. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500
Health Facility Licensure— General Administrative Chapter & General and Special Hospitals 28 Pa. Code § 101.1 et seq.	January 2000, as proposed.	The amendments to existing regulations will update the licensure standards for general and special hospitals. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500
Special Supplemental Food Program for Women, Infants and Children (WIC Program) 28 Pa. Code § 1101. et seq.	August 1999, as proposed.	Revisions to State WIC regulations necessary to comply with changes in the Federal regulations (7 C.F.R. § 246) relating to sanctions, disqualification actions and civil money penalties. Federal regulations require State compliance by May 17, 2000. Concurrent with the changes mandated by new Federal regulations, the Department will also conduct a full review of all aspects of WIC Program operation contained in the State regulations.	Lesa E. Tressler 717-783-2500
Environmental Health Assessment 28 Pa. Code § 17.1 et seq.	No publication anticipated in the next six months.	These regulations are being considered for review and updating in part because of the transfer of authority for certain environmental regulations to the Department of Health. Pursuant to 71 P. S. § 532 and 71 P. S. §§ 1340.101 et seq.	Kenneth E. Brody 717-783-2500
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
Pennsylvania Infrastructure Investment Authority Financial Assistance, 25 Pa Code Chapter 963, Chapter 965, Water Pollution Control Revolving Fund	Winter 1999, as proposed.	The need for these amendments are twofold: First certain amendments to Chapter 963 will notify the public of certain less onerous regulatory requirements for obtaining a Letter of No Prejudice. Second, certain other amendments to existing regulations are necessary to clarify and inform the public of current agency policy, procedure and program requirements. The grant of authority to amend 25 Pa. Code Chapters 963 and 965 is set forth in Section 6(4)(i) of the Pennsylvania Infrastructure Investment Authority Act, 35 P. S. § 751.6(4)(i).	Brion Johnson (717) 783-6798 Jayne B. Blake (717) 783-6776
INSPECTOR GENERAL			
No regulations being developed or considered at this date.			
INSURANCE			
Allocation of Joint Expenses, 31 Pa. Code, Chapter 3, §§ 3.1-3.6	November 1999, as proposed.	Amend to be consistent with current NAIC accounting instructions and to expand the scope of the regulations to include life and health insurers in holding company systems.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Miscellaneous (Relating to Uniform Classification of Expenses), 31 Pa. Code, Chapter 11, §§ 11.1-11.7	August 1999, as proposed.	Repeal §§ 11.2 and 11.5-7 to eliminate outdated, unnecessary regulations and amend § 11.4 to clarify current NAIC accounting instructions for electronic data processing expenses.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Costs of Examinations (EDP Expenses), 31 Pa. Code, Chapter 12, §§ 12.1-12.7	October 1999, as proposed.	Amend to clarify the various types of costs incurred in the conduct of department examinations.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Stock Ownership Statements, 31 Pa. Code, Chapter 21, §§ 21.1-21.103	October 1999, as proposed.	Amend to update requirements relating to Stock Ownership Statements consistent with NAIC model language.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Proxies, Consents and Authorizations, 31 Pa. Code, Chapter 23, §§ 23.1-23.96	October 1999, as proposed.	Amend to update requirements relating to Proxies, Consents and Authorizations consistent with NAIC model language.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Acquisitions of Capital Stock (Insurance Company Holding Law), 31 Pa. Code, Chapter 25, §§ 25.1-25.23	July 1999, as proposed.	Amend to be consistent with 1993 amendments to the authorizing statute and to eliminate unnecessary filing requirements	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Advances to Mutual, Stock and Life Companies (NEW Chapter 105a)	June 1999, as proposed.	New regulation to address surplus notes issued by mutual stock and life companies consistent with authorizing statute adopted in 1992.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Assigned Risk Plan, 31 Pa. Code, Chapter 33, § 33.29	July 1999, as final.	Repeal current regulation and replace regulation with new chapter (31 Pa. Code, Chapter 67a) to be consistent with Pennsylvania Assigned Risk Plan	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Surplus Lines, Chapter 35, §§ 35.1-35.22	August 1999, as final.	Repeal current regulations, 31 Pa. Code, Chapters 35 (and Chapter 123) and replace with one updated regulation relating to surplus lines insurance consistent with 1992 statutory amendments.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1-37.84	October 1999, as proposed.	Amend 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, consistent with statutory amendments in Act 72 of 1996 and 40 of 1997.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Producer Licensing, 31 Pa. Code, Chapter 39, §§ 39.1-39.22	October 1999, as proposed.	Amend Chapter 39 relating to continuing education for agents and brokers consistent with statutory amendments in Act 72 of 1996.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Reserves of Beneficial Societies, 31 Pa. Code, Chapter 43, §§ 43.1-43.2	November 1999, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Advertising of Insurance, 31 Pa. Code, Chapter 51, §§ 51.1-51.61	August 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Special Rules of Administrative, Practice and Procedure, 31 Pa. Code, Chapter 56, §§ 56.1-56.3	October 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Objections and Procedure for Hearings on Reports of Examination, 31 Pa. Code, Chapter 58, §§ 58.1-58.3	October 1999, as proposed.	Repeal to eliminate outdated, unnecessary requirements consistent with the new examination law adopted in 1992 (40 P. S. §§ 323.1 - 323.8).	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Cancellations and Refusal to Renew Homeowners Insurance, 31 Pa. Code, Chapter 59, §§ 59.1-59.13	August 1999, as proposed.	Amended language to regulation and statute is being drafted pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Notices for and Appeals of Cancellations and Refusals to Renew Automobile Insurance Policies, 31 Pa. Code, Chapter 61, §§ 61.1-61.14	August 1999, as proposed.	Modify regulation consistent with the statute (40 P. S. §§ 1008.1 et seq.). The regulations provide guidance to automobile insurers relating to cancellations and nonrenewals of certain automobile insurance policies, and the available administrative process to secure an administrative review of such terminations.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Physical Damage Appraisers, 31 Pa. Code, Chapter 62, §§ 62.1-62.4	August 1999, as final.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Uninsured Motorist Coverage, 31 Pa. Code, Chapter 63, §§ 63.1-63.3	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1 and pending filing before the Department.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Private Passenger Automobile Policy Forms, 31 Pa. Code, Chapter 64, §§ 64.1-64.14	September 1999, as final.	Repeal pursuant to Executive order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Charter Amendments, 31 Pa. Code, Chapter 65, §§ 65.21-26	August 1999, as proposed.	Amend to eliminate outdated, unnecessary provisions relating to minimum capital and surplus requirements pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Collision Loss Settlements, 31 Pa. Code, Chapter 65, §§ 65.11-14	July 1999, as final.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Motor Vehicle Financial Responsibility Law - Evidence of Financial Responsibility, 31 Pa. Code, Chapter 67, §§ 67.21-28	August 1999, as final.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Pennsylvania Assigned Risk Consumer Protections, (NEW Chapter 67a)	July 1999, as final.	Amend pursuant to Executive Order 1996-1. This will replace 31 Pa. Code § 33.29.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Life Insurance Illustrations (New)	October 1999, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Replace Life Insurance Annuities, 31 Pa. Code, Chapter 81, §§ 81.1-9	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Variable Life Insurance, 31 Pa. Code, Chapter 82, §§ 82.1-91	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Disclosure in Solicitation of Life Insurance, 31 Pa. Code, Chapter 83, §§ 83.1-57	August 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts, 31 Pa. Code, Chapter 84a, §§ 84a.1-84a.8	August 1999, as final.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Actuarial Opinion & Accumulation Contracts, 31 Pa. Code, Chapter 84b, §§ 84b.1-84b.11	November 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Variable Annuity & Accumulation Contracts, 31 Pa. Code, Chapter 85, §§ 85.1-85.40	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Premium & Retirement Deposit Fund, 31 Pa. Code, Chapter 86, §§ 86.1-86.12	August 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Requirements for Life Policies and Sales Practices, 31 Pa. Code, Chapter 87, §§ 87.1-87.42	October 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Individual Accident & Sickness Minimum Standards, 31 Pa. Code, Chapter 88, §§ 88.1-88.195	October 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Accident and Health Insurance Regulation, 31 Pa. Code, Chapter 89, §§ 89.1-89.11 and § 89.17	October 1999, as proposed.	Changes will be promulgated regarding the deregulation of rates and forms filings for accident and health insurance, as a result of Act 159 of 1996. Changes will be made pursuant to the health care provisions of the Federal Health Insurance Portability and Accountability Act of 1996.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Preparation of Forms, etc., 31 Pa. Code, Chapter 89, §§ 89.12-16, 89.18-89.62 and 89.101	August 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Medicare Supplement, 31 Pa. Code, Chapter 89, §§ 89.777,89.890 and Appendix E	September 1999, as final.	Amend regulation to add Medicare Select provisions.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Separate Accounts for Principle and Interest Guarantees, 31 Pa. Code, Chapter 90a, §§ 90a.1-90a.31	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1-105.2	November 1999, as proposed.	Amend to reflect statutory amendments adopted in 1992 and 1995 and to eliminate outdated, unnecessary provisions relating to cash advancements to insurance companies pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Policies Covering Personal Property Pledged as Collateral, 31 Pa. Code, Chapter 112, §§ 112.1-112.12	July 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Consent to Rate Filings, 31 Pa. Code, Chapter 113, §§ 113.1-113.9	July 1999, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Public Adjusters, 31 Pa. Code, Chapter 115, §§ 115.1-115.8	July 1999, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. §§ 1601-1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Additionally, three sections have been proposed for deletion since they mirror the Act.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Discounting Workers' Compensation Loss Reserves, 31 Pa. Code, Chapter 116, §§ 116.1-116.9	July 1999, as proposed.	Blend regulations on discounting of loss reserves into one regulation consistent with Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Discounting Medical Malpractice Loss Reserve, 31 Pa. Code, Chapter 118, §§ 118.1-118.6	July 1999, as proposed.	Blend regulations on discounting of loss reserves into one regulation consistent with Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Surplus Lines, 31 Pa. Code, Chapter 123, §§ 123.1-123.63	August 1999, as final.	Repeal current regulations, 31 Pa. Code, Chapters 123 (and Chapter 35) and replace with one updated regulation relating to surplus lines insurance consistent with 1992 statutory amendments.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Surplus Lines, 31 Pa. Code, (NEW Chapter 124, §§ 124.1-124.10)	August 1999, as final.	Repeal two current regulations, 31 Pa. Code, Chapters 35 and 123 and replace with one updated regulation relating to surplus lines insurance consistent with 1992 statutory amendments.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Management Contracts or Exclusive General Agent Agreements, 31 Pa. Code, Chapter 127, §§ 127.1-127.8	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1-133.12	September 1999, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Description of Reserves - Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1-139.3	October 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1-146.10	October 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Securities Held Under Custodial Agreements, 31 Pa. Code, Chapter 148, §§ 148.1-148.4	November 1999, as proposed.	Amend to eliminate unnecessary forms, add uniform requirements relating to custodial agreements and duties of custodians and update provisions relating to permissible custodians.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Continuing Care Providers, 31 Pa. Code, Chapter 151, §§ 151.1-151.14	September 1999, as proposed.	Amend to be consistent with 1996 statutory amendments relating to the order of distribution of assets in insolvencies and to provide for the voluntary surrender of a certificate of authority.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Contractual Agreements with Integrated Delivery Systems, 31 Pa. Code, Chapter 152, §§ 152.1-152.25	September 1999, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Quality Health Care Accountability and Protections, 31 Pa. Code, (NEW Chapter 154)	July 1999, as proposed.	Regulations are necessary to address outstanding issues and to fully implement the requirements of Act 68.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Health Maintenance Organizations, 31 Pa. Code, Chapters 301, §§ 301.1-301.126	September 1999, as proposed.	Amend pursuant to Executive order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Underground Storage Tank Indemnification Fund - Fee Regulation, 25 Pa. Code, Chapter 971, §§ 971.1-971.4	August 1999, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 973 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Underground Storage Tank Indemnification Fund - Fee Collections Regulation, Chapter 973, §§ 973.1-973.12	August 1999, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Underground Storage Tank Indemnification Fund - Voluntary Heating Oil Tank Program, 25 Pa. Code, Chapter 975, §§ 975.1-975.6	August 1999, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 973 into a new regulation, Chapter 977	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Underground Storage Tank Indemnification Fund - Claims Regulation, 25 Pa. Code, (NEW Chapter 977)	August 1999, as proposed.	Requires underground storage tank owners be in compliance with certain leak detection standards in order to obtain claims coverage from the Underground Storage Tank Indemnification Fund. The proposed regulation establishes requirements for owners to file such claims. This will combine most of 25 Pa. Code, Chapters 971, 973 and 975.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
LABOR AND INDUSTRY			
Workers' Compensation Bureau, Workers' Compensation Judges, and Workers' Compensation Appeal Board regulations at 34 Pa. Code Chapters 131, 121, and 111.	Fall 1999, as proposed.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation.	Thomas J. Kuzma (717) 783-4467
Work-place Safety Committee Certification; Evaluation of Accident/Illness Prevention Services & Programs of Insurers and Self-insureds; Qualifications of Accident/Illness Prevention Service Providers 34 Pa. Code Chapter 129	June 1999, as proposed.	The rulemaking implements the health and safety provisions of Article X of the Workers' Compensation Act. The proposed rulemaking specifies the safety committee certification application and renewal processes, and it establishes the necessary program components and evaluation criteria for accident and illness prevention programs maintained or provided by licensed insurers and self-insured employers. In addition, the regulation ensures the uniform application of the provisions of Article X; amends sections 123.202 pertaining to the qualifications of vocational experts; and, amends section 125.133(c)(4) and 125.155 (a) of the self-insurance regulations.	Len Negley (717) 772-1917
Underground Storage Facilities	October 2000, as proposed.	This regulation will address requirements for natural or man-made caverns used for LPG storage.	James Varhola (717) 787-3329
Dry Cleaning	June 2000, as proposed	Dry Cleaning Law, Act of December 19, 1990, P. L. 1327, No. 214, 35 P. S. 1270.1 et seq. This proposal will regulate the construction, operation and maintenance of dry cleaning plants.	Edward Leister (717) 787-3323

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Personal Care Homes Housing Immobile Residents 34 Pa. Code Chapters 49, 55 & 56.	June 1999, as proposed.	The regulation is a result of the Act of December 21, 1988, P. L. 1883, No. 185, which permitted the housing of immobile persons in personal care homes. The current Fire and Panic Regulations for personal care homes require personal care home occupants to be both physically and mentally capable of taking appropriate measures for self-preservation with minimal supervision in the event of a fire. They are not designed to provide a fire safe environment for immobile persons. The proposed regulations will require the installation of an automatic sprinkler system in personal care homes which house immobile residents.	Edward L. Leister (717) 787-3323
Pennsylvania Minimum Wage Act, Food Service Incentive Program Regulations	November 1999, as proposed.	The Department is required to promulgate new regulations to implement the new "Food Service Incentive Program" added, via amendment to the Minimum Wage Act and signed into law on December 21, 1998.	Lisa DeLorenzo (717) 772-9192
Unemployment Compensation Regulations, Title 34. Labor & Industry Regulations	Summer 2000, as proposed.	The proposed regulation will clarify the circumstances under which individuals will not be eligible for unemployment compensation (UC) based on services for an educational institution or educational service agency during summer vacation or school break periods.	Robert Allen (717) 783-7644
Asbestos Occupations Accreditation and Certification	June 2000, As proposed.	Act of December 19, 1990, P. L. 05, No. 194, 64 P. S. §§ 2101-2112. This regulation established the Department's worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency's model plan.	Sharon Lawson (717) 772-3396
MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND			
No regulations being developed or considered at this date.			
MILITARY AND VETERANS AFFAIRS			
State Veterans Home 43 Pa. Code Section 7.1 et. seq.	October 1999, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Eclumus Wright, Jr. 717-861-8503
PARDONS			
No regulations being developed or considered at this date.			
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM			
16 Pa. Code Chapters 81, 83, 85, 87 and 91	Publication anticipated within six months	These regulations are in the process of review as a result of Executive Order 1996-1.	James B. Allen (717) 787-2065
PROBATION AND PAROLE			
Definitions 37 PA. Code, Chapters 61.1 - 75.4	November 1999, as proposed.	The Board plans to amend a number of regulations. Definitions amended pursuant to Executive Order 1996-1 and to conform to statutory changes.	Vicki Wilken 717-787-6208

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM			
No regulations being developed or considered at this date			
PUBLIC WELFARE			
Child Protective Services Law 55 Pa. Code Ch. 3490	July 1999, as final	This regulation incorporates the amendments to the child protective services law as a result of Act 151 of 1994 and Act 10 (Special Services No. 1) of 1995. The major changes are: provisions for investigating reports of suspected sexual abuse or exploitation or serious bodily injury by a school employee against a student; screening applicants for employment in schools against childline files to determine whether or not their names are on file as an abuser; and reports of neglect.	Tom Vracarich (717) 783-2209
Child Day Care Services 55 Pa. Code Chs. 3271, 3281, 3291	February 2000, as proposed	This regulation is proposed in response to Governor's Executive Order 1996-1 and to strengthen health and safety requirements in the regulation. The regulation will impact child day care centers, group day care homes and family day care homes. 55 Pa. Code, Chapter 3300, Specialized Day Care Service for Children with Disabilities, will be rescinded in order to comply with the provisions of the Americans With Disabilities Act.	Tom Vracarich (717) 783-2209
Medical assistance estate recovery 55 Pa. Code Ch. 258	October 1999, as proposed	This regulation will codify the department's collection practices to recover correctly paid MA from the estates of certain deceased recipients age 55 or older who receive Medical Assistance for nursing facility care, home and community based services, and related hospital prescription drug services. Changes effective August 15, 1994 and are the result of OBRA' 93, Act 1994-49, and Act 1995-20.	Tom Vracarich (717) 783-2209
Disclosure of social security number 55 Pa. Code Ch. 155	September 1999, as final	This regulation incorporates federal requirements that applicants for and recipients of benefits administered by the Department of Public Welfare are required to disclose or apply for a social security number as a condition of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Continuation of Medical Assistance throughout pregnancy. 55 Pa. Code Chs. 140, 181	March 2000, as final omitted	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Lump sum payments 55 Pa. Code Chs. 140, 181	September 1999, as final	This proposed regulation will require that any balance remaining of a lump sum that has been treated as income in the calendar month of receipt for the Medical Assistance eligibility determination is treated as a resource in subsequent months. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Emergency Assistance Program 55 Pa. Code Chs. 141, 147, 289	September 1999, as final	This regulation eliminates the allocation of emergency assistance for housing under the cash grant line. Funding for this purpose will be transferred to the Office of Social Programs. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Exclusion of Resources-Medical Assistance children 55 Pa. Code Chs. 140, 178	September 1999, as final omitted	This regulation codifies the provision that resources are excluded in the Medical Assistance eligibility determination process for supplemental security income (SSI) related, general assistance (GA) related, and TANF-related persons under 21 years of age and for SSI-related, TANF-related, and GA-related families with children under 21 years of age. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Workfare/Community Service 55 Pa. Code Chs. 166, 275	January 2000, as proposed	The revisions clarify who may be assigned and the priority and factors to be considered in making Workfare program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for Workfare recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
General Assistance Restructure - Act 1994-49 55 Pa. Code Chs. 141, 145, 147, 166, 171, 178, 181	September 1999, as final omitted	This regulation incorporates provisions of Act 1994-49 including acceptance of written verification of medical disability for chronically needy non-financial eligibility determination; 60-day residency requirement; savings designated for educational purposes; and certain medical services which are no longer compensable expenses. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Elimination of transitionally needy component of general assistance program 55 Pa. Code Ch. 141	September 1999, as final omitted	This regulation codifies the elimination of cash assistance payments to persons in the GA-Transitional Needy ("TN") category. References to both the TN and chronically needy (CN) components are deleted since there is no longer a need to differentiate between GA program requirements. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35 - General eligibility changes 55 Pa. Code Chs. 125, 141, 168, 171, 175, 177, 181, 183	September 1999, as final omitted	This regulation codifies statutory changes to eligibility conditions for General Assistance benefits, including the following: expanding the eligibility determination period to 30 days; establishing a period of residency; imposing ineligibility periods based on welfare fraud convictions; limiting Medically Needy Only/Medical Assistance ("MNO/MA") eligibility to certain groups; and revising the methodology used to determine eligibility for retroactive MNO/MA. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Elimination of PACE requirement 55 Pa. Code Ch. 181	October 1999, as final omitted	This regulation codifies the elimination of the deduction from income for the PACE program and the mandate to enroll in the PACE program as required by Title XIX. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Real property liens 55 Pa. Code Chs. 101, 121, 177, 183, 257, 297	March 2000, as proposed	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. The Department intends to rescind 55 Pa. Code Chapter 257, regarding Reimbursement. Instead, the Department will propose a new chapter governing reimbursement policy for cash assistance recipients and applicants who own personal property. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Criminal history 55 Pa. Code Chs. 125, 133, 141	October 1999, as final omitted	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Act 1996-35 - Provisions Effective March 3, 1997 55 Pa. Code Chs. 105, 125, 133, 140, 141, 145, 151, 153, 165, 168, 177, 178, 181, 183, 187, 255	October 1999, as final omitted	This regulation incorporates provisions of the TANF program implemented 3/3/97 by NORC including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; and further defining Title IV-D cooperation requirements and procedures for TANF and GA applicants and recipients. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical support rights 55 Pa. Code Ch. 187	January 2000, as proposed	This regulation will require Medical Assistance applicants/ recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Annuity rule 55 Pa. Code Ch. 178	June 2000, as final omitted	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized spouse or their representative may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Intentional Program Violations 55 Pa. Code Chs. 255, 275, 501	September 1999, as final omitted	This regulation incorporates federal mandates by the U.S. Department of Agriculture and the U.S. Department of Health and Human Services that individuals found to have committed an intentional program violation be subject to an immediate disqualification penalty regardless of the individual's current eligibility status for benefits. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Expansion of Income Limits - Qualifying Individuals 1 and 2 55 Pa. Code Ch. 140	September 1999, as final omitted	This regulation codifies the revisions needed to comply with the Balanced Budget Act of 1997 for the expansion of Medicare Part B premiums. Full payment of the Medicare Part B premium is available to individuals with income at 120% of the Federal Poverty Income Guidelines (FPIG) but less than 135% of the FPIG. Partial payment of the premium is available to individuals with income at 135% of the FPIG but less than 175% of the FPIG. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Assistance Closure 55 Pa. Code Chs. 140, 148	December 1999, as proposed	This proposed regulation removes references to the closing of MA benefits using the cash payment date schedule to designate the closure date. The proposed regulations state that Medical Assistance benefit eligibility ends after the required notice is forwarded to the recipient and the corresponding appeal period expires. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chs. 1101, 1121, 1123, 1147, 1241	November 1999, as final omitted	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan. This regulation will be reviewed by the medical assistance advisory committee (MAAC) which includes representatives of professional provider associations, providers, the health law project, the welfare rights organization, consumers, and client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Assistance case management services 55 Pa. Code Ch. 1239	January 2000, as final omitted	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
General Assistance Restructure - Act 1994-49 55 Pa. Code Chs. 1101, 1121, 1149	November 1999, as final omitted	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for (1) dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; (2) medical supplies and equipment except as prescribed for family planning or with home health agency service; and (3) prescription drugs except legend birth control drugs. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinue coverage - infertility 55 Pa. Code Chs. 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	November 1999, as final omitted	This final regulation codifies Act 1994-49 provisions that discontinues payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Residential Treatment Facilities (RTF) for mental health services 55 Pa. Code Chs. 1157, 1165	January 2000, as final omitted	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Pharmaceutical services drug coverage 55 Pa. Code Ch. 1121	November 1999, as final omitted	This regulation provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
\$150 deductible for General Assistance recipients 55 Pa. Code Ch. 1101	November 1999, as final omitted	This regulation implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Early Intervention Services 55 Pa. Code Chs. 4225, 4226	December 1999, as proposed	This regulation will establish program regulations for early intervention services in keeping with the Federal regulations under the Individuals with Disabilities Education Act (IDEA) and Act 212 of 1990. Early intervention services regulations are called for by the Legislative Budget and Financing Committee Report on early intervention services.	Tom Vracarich (717) 783-2209
MH Wraparound 55 Pa. Code Ch. 1154	January 2000, as final omitted	This final regulation codifies requirements necessary to receive reimbursement for medically necessary outpatient wraparound mental health services for individuals under 21 years of age with a diagnosis of mental illness or emotional disturbance. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Family Planning 55 Pa. Code Ch. 1101	November 1999, as final omitted	This final regulation removes family planning clinics from the list of providers limited under the General Assistance Basic Health Care Package to 18 practitioner's office and clinic visits per year. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Physician Assistant/Midwife 55 Pa. Code Ch. 1141	November 1999, as final omitted	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Ch. 1150	November 1999, as final omitted	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
D&A Clinics 55 Pa. Code Ch. 1223	November 1999, as final omitted	This final regulation revises the enrollment policy for outpatient drug and alcohol clinics. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Capital Component Payment for Replacement Beds 55 Pa. Code Ch. 1187	January 2000, as proposed	This regulation takes the policy as set forth in the Statement of Policy and promulgates it into the regulations. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Intergovernmental Transfer 55 Pa. Code Ch. 1187	December 1999, as final omitted	This regulation will extend the county nursing facility Transition Rates according to the Intergovernmental Transfer Agreement. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
New Definition of "Emergency Medical Condition" 55 Pa. Code Chs. 1101, 1141, 1150, 1221	October 1999, as final omitted	This final regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Definition of Medically Necessary 55 Pa. Code Ch. 1101	January 2000, as proposed	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
REVENUE			
Books, Publications and Advertising Materials 61 Pa. Code § 31.29	Fall 1999, as final.	The Department is amending § 31.29 (relating to books, printed matter and advertising materials) in response to statutory changes and inquiries from the public.	Douglas A. Berguson 717-787-1382
Compensation; Allowable Deductions From Gross Compensation and Deferred Compensation Arrangements 61 Pa. Code §§ 101.6, 101.6a and 101.6b	Fall 1999, as proposed.	The Department is amending §§ 101.6 and adding 101.6a and 101.6b to set forth its interpretation of current case law and current policy in the areas of compensation; commonly recognized old age or retirement benefits; reimbursements of business expenses; and guaranteed payments.	Douglas A. Berguson 717-787-1382
Credits Against Tax; Estimated Tax 61 Pa. Code §§ 111.2 - 111.5, 115.1 - 115.5, 115.8, 115.9 and 115.11 - 115.12	Winter 2000, as proposed.	This regulation sets forth the Department's policy relating to taxes for which credit is not allowed; other conditions for allowance of the credit for taxes paid to other states; limitations on the amount of the credit for taxes paid to other states; proof requirements; jointly paid estimated tax; and application of overpayments of estimated tax. This regulation is necessary to delete obsolete text; add language consistent with statutory changes; and provide additional guidance in areas that have been subject to questions from the public.	Douglas A. Berguson 717-787-1382
Commercial Motion Pictures 61 Pa. Code § 32.38	Summer 1999, as final.	The Department is setting forth its interpretation of section 2 of Act 7-1997, section 204(54) (72 P. S. § 7204(54)) regarding the sales and use tax exclusion for the sale at retail to or use by a producer of commercial motion pictures of any tangible personal property directly used in the production of a feature-length commercial motion picture distributed to a national audience.	Douglas A. Berguson 717-787-1382
Computer Software and Related Transactions 61 Pa. Code § 31.33	Fall 1999, as proposed.	Pursuant to Act 7-1997, various types of computer services are no longer subject to sales and use tax on or after July 1, 1997. However, certain computer related transactions remain subject to tax. This regulation provides guidance concerning these transactions.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Definitions; Net Profits and Regulated Investment Companies 61 Pa. Code §§ 101.1, 103.12 and 155.30	Summer 1999, as final.	Section 101.1 (relating to definitions) is being amended by replacing the existing definitions of "employee" and "employer" with new definitions consistent with the requirements of 72 P. S. § 7301(g) and (h). The definition of "income" is being expanded to implement the provisions of 72 P. S. § 7602(f)(2)(A) and reflect recent holdings in <i>Morgan v. Commonwealth</i> , 42 Pa. Commonwealth Ct. 557, 400 A.2d 1384 (1979) and <i>Wettach v. Commonwealth</i> , 153 Pa. Commonwealth Ct. 293, 620 A.2d 730 (1993). Section 103.12 (relating to net profits) is also being amended to reflect <i>Morgan</i> and <i>Wettach</i> . The definition of "personal income tax income" set forth in § 155.30(b)(4) (relating to regulated investment companies) is being amended to provide that the term means income computed in the same manner and on the same basis as the income of an individual under Article V. Personal Income Tax.	Douglas A. Berguson 717-787-1382
Disclaimers of Nonprobate Taxable Assets 61 Pa. Code § 93.81	Summer 1999, as final.	The regulation sets forth specific conditions that must be met in order for a disclaimer executed in regard to nonprobate taxable assets and nontrust assets of resident decedents to be valid for Pennsylvania inheritance tax purposes. Based on the decision and order received from the Commonwealth Court In Re Estate of Bernecker, 654 A.2d 246 (Pa. Commonwealth 1995), the Department is revising its policy on the effectiveness of disclaimers of nonprobate taxable assets for Pennsylvania inheritance tax purposes.	Douglas A. Berguson 717-787-1382
File-by-phone (TeleFile) System and Federal and State Electronic Tax Filing Program 61 Pa. Code §§ 117.19 - 117.21	Fall 1999, as proposed.	The file-by-phone (TeleFile) program involves the filing of a Pennsylvania personal income tax return by phone. The Federal and State electronic tax filing program involves the filing of a Pennsylvania personal income tax return as part of the Federal and State Electronic Filing Program.	Douglas A. Berguson 717-787-1382
Lawn Care Services 61 Pa. Code §§ 55.6 and 60.2	Summer 1999, as proposed.	This regulation sets forth the Department's interpretation of Act 22-1991 (72 P. S. §§ 7201(k)(17), (o)(15) and (jj)) relating to lawn care services.	Douglas A. Berguson 717-787-1382
Local Tax 61 Pa. Code §§ 60.16, and 95.1 - 95.303	Fall 1999, as proposed.	This regulation sets forth the Department's interpretation of sections 501-509 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P. S. §§ 12720.501 - 12720.509), sections 3150-B - 3157-B of the Second Class County Code (16 P. S. §§ 6150-B - 6157-B) and section 201-A of the Tax Reform Code of 1971 (72 P. S. § 7201-A). Currently the Department's interpretation is set forth as a pronouncement and codified at 61 Pa. Code § 60.16 (relating to local sales, use and hotel occupancy tax). The Department has concluded that its policy relating to local sales, use and hotel occupancy tax should be set forth as a regulation. Therefore, In addition to proposing to add Chapter 95. Local Tax, the Department is also proposing to delete the pronouncement set forth at § 60.16.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Payments for Employee Welfare Benefit Plans and Cafeteria Plans 61 Pa. Code §§ 101.1, 101.6 and 101.7	Winter 1999, as final.	The amendments to §§ 101.1, 101.6, and 101.7 are being added to explain how employee welfare benefit programs and other wage and salary supplemental programs are taxed and to implement amendments to section 301(d) of the Tax Reform Code of 1971 (72 P. S. § 7306(d)) under Act 7-1997.	Douglas A. Berguson 717-787-1382
Sales and Use Tax Amendments 61 Pa. Code §§ 7.3, 7.6, 31.4, 31.5, 31.7, 31.26, 32.1 - 32.5, 32.21, 32.22, 32.31 - 32.37, 33.1, 33.2, 33.4, 42.1, 42.3, 44.2, 45.1, 46.9, 47.18 and 58.13	Fall 1999, as final.	The Department is proposing numerous amendments to the Pennsylvania Code, Title 61. This regulatory package is the result, in part, of a comprehensive review of sales and use tax regulations in light of legislative changes from 1991 to the present.	Douglas A. Berguson 717-787-1382
Telecommunications Service 61 Pa. Code §§ 31.1, 31.24, 48.1 and 55.8	Summer 1999, as final.	This regulation sets forth the Department's interpretation of the 1991 statutory changes set forth in section 201(m), 202(c) and 204(5) of the Tax Reform Code of 1971 (72 P. S. §§ 7201(m), 7202(c) and 7204(5)) regarding telephone, telegraph and telecommunications services.	Douglas A. Berguson 717-787-1382
Utility Gross Receipts Tax 61 Pa. Code §§ 160.21 - 160.43	Summer 1999, as proposed	The Department is proposing this regulation to clarify the changes to the utility gross receipts tax brought about by utility deregulation (Act 138-1996) codified in Title 15 and Title 66. This regulation will also provide guidance and clarity to out-of-state businesses and the emerging industry.	Douglas A. Berguson 717-787-1382
Vending Machines 61 Pa. Code § 31.28	Summer 1999, as proposed	This regulation sets forth the Department's interpretation of Act 45-1998 as it relates to vending machines.	Douglas A. Berguson 717-787-1382
SECURITIES COMMISSION			
Licensing Regulations 64 Pa. Code § 303 - § 404	October 1999, as proposed.	The Commission plans to amend a number of licensing regulations to conform them to the state preemption provisions of the federal National Securities Markets Improvement Act of 1996.	G. Philip Rutledge (717) 783-5130
Corporate Finance Regulations 64 Pa. Code § 202-209 64 Pa. Code § 504-513 64 Pa. Code § 606-609	June 1999, as proposed.	The Commission proposes to amend or adopt a number of regulations as a result of passage of Act 109 of 98, which amended the PA Securities Act of 1972.	G. Philip Rutledge (717) 783-5130
STATE			
Bureau of Commissions, Elections and Legislation	December 1999, as proposed. September 1999, as proposed.	The Department proposes comprehensive revisions to regulations at 4 Pa. Code to eliminate obsolete provisions, and to reflect recent statutory changes. Amendments will be proposed pursuant to the Pennsylvania Voter Registration Act (25 P. S. § 961.301), the Pennsylvania Election Code (25 P. S. § 2601 et seq) and Campaign Expense Reporting Law (25 P. S. § 3241 et seq) The Department proposes to eliminate outdated references to campaign finance reporting forms. The amendments will be proposed pursuant to the Campaign Expense Reporting Law (25 P. S. § 3241 et seq)	Richard Filling, (717) 787-5280

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Athletic Commission 58 Pa. Code, Chapter 21	September 1999, as proposed.	Comprehensive revisions to 58 Pa. Code will reflect statutory changes to the Pennsylvania Athletic Code and changes in commission procedures. The regulations will be promulgated pursuant to the Pennsylvania Athletic Code (5 Pa.C.S.A. § 101 et seq).	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries - 13 Pa. Code Ch. 201-209.	September 1999, as proposed.	Proposed comprehensive revisions will enhance navigational safety, eliminate obsolete regulations and reflect statutory changes pursuant to 55 P. S. § 31 and 71 P. S. § 670.2(4).	L. Lawrence Boyle (717) 787-6458
Bureau of Professional and Occupational Affairs - Schedule of Civil Penalties for Act 48 - State Boards of Accountancy, Architects, Auctioneers, Professional Engineers, Land Surveyors and Geologists, and Dentistry - 49 Pa. Code, Chapter 43	September 1999, as proposed.	The Boards propose to provide for civil penalties for violations pertaining to the conduct or operation of a business or facility licensed by the Board. Statutory authority: 63 P. S. § 2205(a).	Beth Sender Michlovitz (717) 783-7200
State Board of Auctioneer Examiners - Schedule of Fees - 49 Pa. Code § 1.41.	Fall 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 734.6.	Linda Dinger (717) 783-3397
State Board of Barber Examiners - General Revisions 49 Pa. Code, Chapter 3.	September, 1999, as proposed.	The Board proposes to revise and update its entire chapter and repeal antiquated provisions. Statutory authority: 63 P. S. § 566.4(b).	Sara Sulpizio (717) 783-3402
Verification/Certification Fees - 49 Pa. Code § 3.103.	Fall 1999, as proposed.	This regulation apportions costs of providing Board services to specific applicants and licensees Statutory authority: Section 14 of the Barber License Law, 63 P. S. § 564.	
State Board of Chiropractic - Sexual Misconduct - 49 Pa. Code § 5.54.	No publication anticipated in next six months.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. Statutory authority: Section 302(3) of the Chiropractic Practice Act, 63 P. S. § 625.302(3).	Deb Smith (717) 783-7156
Peer Review - 49 Pa. Code § 5.55.	No publication anticipated in next six months.	The proposal would regulate standards for review of chiropractic treatment. The proposal would assure that when chiropractic diagnosis and treatment are subject to utilization review by chiropractors, appropriate standards will be employed. Statutory authority: Section 302(3), 63 P. S. § 625.302(3).	
Application Fees - 49 Pa. Code § 5.6.	Fall 1999, as proposed.	This regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: 63 P. S. §§ 625.302(3) and 625.1101.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Cosmetology - Disinfection, Equipment and Supplies; - 49 Pa. Code §§ 7.71, 7.71a, 7.71b, 7.105, 7.113a and 7.114.	January 2000, as proposed.	These regulations reflect improved industry standards for disinfecting and sterilizing equipment required to be available in cosmetology shops. Minimum safety and sanitation standards are authorized under Section 11 of the Cosmetology Law, 63 P. S. § 517.	Sara Sulpizio (717) 783-7130
General Revisions - 49 Pa. Code, Chapter 7.	March 2000, as proposed.	These regulations will revise and update current rules and repeal outdated provisions. Statutory authority: 63 P. S. § 517.	
Safe use of Chemicals - 49 Pa. Code § 7.96.	March 2000, as proposed.	The Board will update and broaden standards to require licensees to follow manufacturers' instructions and FDA restrictions when using chemicals on clients. Statutory authority: 63 P. S. § 517.	
Examination Fees - 49 Pa. Code § 7.2	Summer 1999, as final.	The regulation amends the Board's fee schedule by revising the fees for the complete cosmetologist, cosmetician, manicurist or teacher examination and the manager theory examination. Current fees do not reflect actual contract costs for examination services which have increased as a result of a new contract with a professional testing organization. Statutory authority: 63 P. S. §§ 519(b) and 522(a).	
State Architects Licensure Board - Fees - 49 Pa. Code § 9.3.	Fall 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. §§ 34.6(d) and 34.11.	Dorna Thorpe (717) 783-1404
Completion of Architectural Work Initiated by a Deceased Architect - 49 Pa. Code Chapter 9.	December 1999, as proposed.	The new regulation is needed because the current regulations pertaining to the architect's seal do not provide adequate guidance as to allowable procedures for completion of a deceased architect's work. Statutory authority: 63 P. S. §§ 34.6(b), 34.6(d) and 34.12.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Accountancy - Continuing Education Program Sponsors - 49 Pa. Code §§ 11.1, 11.4, 11.64- 11.65, 11.66, 11.70-11.73, 11.80.	Summer 1999, as proposed.	The regulations require approved continuing education program sponsors to renew their approval biennially and authorize the Board to conduct audits of approved programs. The regulations ensure that continuing education programs meet licensure renewal needs. Statutory authority: 63 P. S. § 9.3(10).	Dorna Thorpe (717) 783-1404
Commissions and Referral Fees - 49 Pa. Code § 11.24.	Fall 1999, as proposed.	The regulation establishes requirements for licensees who pay or receive commissions and referral fees in connection with the referral or recommendation of products and services. The regulation complies with 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. § 9.12(p).	
General Revisions - 49 Pa. Code, Chapter 11.	Fall 1999, as proposed.	The regulations repeal outdated requirements in compliance with 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. § 9.3(10)-(12).	
Peer Review - 49 Pa. Code, §§ 11.81-11.86.	Summer 1999, as proposed.	The regulations clarify deadlines for peer review compliance; establish qualifications for peer review administering organizations, peer review team captains, and peer reviewers; adopt peer review standards; prescribe conditions for out-of-state peer reviews of multi-state firms; provide for confidentiality of peer review reports; and define relevant terms. The regulation implements 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. §§ 9.8h and 9.8i.	
Fees - 49 Pa. Code § 11.4.	Summer 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 9.6.	
State Board of Funeral Directors - Pre-need Requirements - 49 Pa. Code, Chapter 13.	October 1999, as proposed.	The Board will update current regulations in order to provide clear and concise guidance to licensees regarding pre-need monies and contracts. Legal authority: Section 16(a) of the Funeral Director Law, Act of January 14, 1952, as amended, 63 P. S. § 479.16(a).	Cheryl Lyne (717) 783-3397
Application/Certification/ Verification/ Reinspection Fees - 49 Pa. Code § 13.12.	Fall 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 479.18.1.	
State Board of Landscape Architects - Continuing Education - 49 Pa. Code § 15.71-15.83.	September 1999, as final.	The amendments establish procedures and standards for continuing education as a condition of biennial renewal pursuant to Section 9.1 of the Landscape Architects Registration Law, Act of January 24, 1966, P. L. (1965) 1527, added by the Act of December 7, 1994, P. L. 774, 63 P. S. § 909.1.	Shirley Klinger (717) 772-8528
Application Fees - 49 Pa. Code §§ 15.12, 15.57.	Fall 1999, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Section 5 of the Law, 63 P. S. § 905, requires the Board to adopt fees by regulation to match Board revenues with expenditures.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Medicine - Sexual Misconduct - 49 Pa. Code, Chapter 16.	August 1999, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 8 of the Medical Practice Act, Act of December 20, 1985, P. L. 457, as amended, 63 P. S. § 422.8.	Cindy Warner (717) 783-1400
Certified Registered Nurse Practitioners (CRNPs) - 49 Pa. Code § 18.21.	September 1999, as proposed.	The Board will collaborate with the State Board of Nursing for joint promulgation of standards and criteria by which CRNPs could write prescriptions for medical therapeutic measures. Prescriptive authority of the CRNP is provided under Section 15 of the Medical Practice Act, 63 P. S. § 422.15.	
General Delegation - 49 Pa. Code, Ch. 16.	October 1999, as proposed.	This regulation would establish standards for the delegation of medical services to qualified personnel. Statutory authority: Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	
Fees - 49 Pa. Code §§ 16.13, 16.17, 18.303.	September 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. The Board has authority to adopt such regulation under Section 6 of the Medical Practice Act, 63 P. S. § 422.6.	
Health Care Services Malpractice Act - 49 Pa. Code § 16.32.	October 1999, as final.	The General Assembly amended the Health Care Services Malpractice Act to increase malpractice insurance coverage requirements. The Board's regulations are out of date regarding these amounts. The Board plans to delete the duplication of the statutory dollar amounts and instead provide reference to the statute. Statutory authority: 40 P. S. §§ 1301.101-1301.1006.	
State Board of Vehicle Manufacturers, Dealers and Salespersons - General Provisions, Licensure, Facility requirements - 49 Pa. Code §§ 19.1-19.23.	October 1999, as proposed.	The Board will revise its regulations to repeal outdated provisions and take into account industry-wide changes in business practices. The amendments are needed to conform to the 1996 amendments to the Board of Vehicles Act. The Board has authority to promulgate regulations under Section 4(9) of the Board of Vehicles Act, Act of December 22, 1983, as amended, 63 P. S. § 818.4(9).	Teresa Woodall (717) 783-1697
Verification/Certification Fees - 49 Pa. Code § 19.4.	August 1999, as proposed.	This regulation apportions costs of providing Board services to specific applicants and licensees, pursuant to Section 30 of the Board of Vehicles Act, 63 P. S. § 818.30.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Nursing - Requirements for approval of educational programs for Certified Registered Nurse Practitioners (CRNP) - 49 Pa. Code § 21.271.	October 1999, as proposed.	This regulation would require that all CRNP programs applying for approval by the Board meet specific criteria prior to approval. The regulations authorized under Section 6.1 of the Professional Nursing Law, 63 P. S. § 216.1, will assist educational institutions in developing programs in advanced practice nursing which will qualify graduates for certification as CRNPs. The Board has authority to jointly promulgate with the Medical Board under Section 2(1) of the Law, 63 P. S. § 212(1).	Ann Steffanic (717) 783-7142
RN general revisions - 49 Pa. Code §§ 21.1 - 21.126.	Summer 1999, as proposed.	These regulations will update or repeal outdated provisions pertaining to registered nurses and consolidate all regulatory provisions pertaining to registered nurse education programs. Revisions to the regulations are authorized by Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
LPN general revisions - 49 Pa. Code §§ 21.141 - 21.234.	Summer 1999, as proposed.	These regulations will update or repeal outdated provisions pertaining to licensed practical nurses and consolidate all regulatory provisions pertaining to practical nurse education programs. Revisions to the Practical Nurse Law are authorized under Section 17.6, 63 P. S. § 667.6.	
Application Fees - 49 Pa. Code §§ 21.5, 21.147, and 21.1253.	Fall 1999, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. These regulations are authorized under Section 11.2 of the Professional Nursing Law, 63 P. S. § 221.2, and Section 7.5 of the Practical Nurse Law, 63 P. S. § 667.5.	
CRNP prescriptive privileges - 49 Pa. Code §§ 21.151 - 21.351.	September 1999, as proposed.	These regulations, to be promulgated by both the State Board of Medicine and the State Board of Nursing, would authorize CRNPs to prescribe medications in cooperation with a licensed physician. These regulations, authorized under Sections 2 and 2.1 under the Professional Nursing Law, 63 P. S. §§ 212 and 212.1(k), and Section 15 of the Medical Practice Act of 1985, 63 P. S. § 422.15, will clarify and update current, ambiguous provisions regarding CRNPs' prescriptive authority.	
Sexual Misconduct - 49 Pa. Code §§ 21.18 and 21.148.	Fall 1999, as final.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Optometry - Sexual Misconduct - 49 Pa. Code, Chapter 23. Application Fees - 49 Pa. Code § 23.91.	No publication anticipated in next six months. Fall 1999, as final.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 3(a)(14) of the Optometric Practice and Licensure Act, Act of June 6, 1980, P. L. 197, as amended, 63 P. S. § 244.3(a)(14).1 The amendments apportion costs of providing services to specific applicants and licensees instead of imposing those costs on the general licensee population through biennial renewal fees. Sections 3(b)(14), 5(b) and 9 of the Optometric Practice and Licensure Act, 63 P. S. §§ 244.3(b)(14), 244.5(b) and 244.9, require the Board to set fees by regulation to match Board revenues with expenditures.	Deb Smith (717) 783-7155
State Board of Osteopathic Medicine - Sexual Misconduct - 49 Pa. Code, Chapter 25. Application Fees - 49 Pa. Code §§ 25.231 and 25.503.	Fall 1999, as proposed. Fall 1999, as final.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 16 of the Osteopathic Medical Practice Act, 63 P. S. § 271.16. These regulations will update fees for non-renewal services. These regulations are authorized under Sections 13.1(a) of the Act, 63 P. S. § 271.13(a)(a).	Gina Bittner (717) 783-4858
State Board of Pharmacy - Application Fees - 49 Pa. Code § 27.91.	Fall 1999, as final.	These regulations will update fees for non-renewal services. Statutory Authority: 63 P. S. § 390-8.2.	Rita T. Solie (717) 783-7156
State Board of Podiatry - Sexual Misconduct - 49 Pa. Code, Chapter 29. Application Fees - 49 Pa. Code, Chapter 29.	September 1999, as proposed. Fall 1999, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 16(a)(3) of the Podiatry Practice Act, Act of March 2, 1956, P. L. (1955) 1206, 63 P. S. § 42.16(a)(3). This regulation apportions costs of providing Board services to specific applicants and licensees Statutory authority: 63 P. S. § 42.15.	Gina Bittner (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Veterinary Medicine - Advertising Emergency Services - 49 Pa. Code § 31.21.	January 2000, as final.	The regulation will require all veterinarians who advertise emergency services or 24-hour veterinary care, to include in any advertisement information indicating the hours when emergency services are available, and whether a veterinarian will be on call or on the premises. Statutory authority: 63 P. S. § 485.5(2).	Robert Kline (717) 783-1389
Verification/Certification Fees - 49 Pa. Code § 31.41.	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. Section 13 of the Veterinary Practice Act, 63 P. S. § 485.13.	
State Board of Dentistry - Sexual Misconduct - 49 Pa. Code, Chapter 33.	June 2000, as proposed.	Reports of sexual misconduct by health care practitioners are on the rise. This regulation will provide licensees with guidance in this area, as authorized under Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Rita T. Solie (717) 783-7162
Advertising - 49 Pa. Code § 33.203(b)(4).	June 2000, as proposed.	The regulation will amend outdated provisions, clarify dental specialties and add a provision regarding the advertising of dental referral services. Section 4.1(a)(10) of the Dental Law prohibits false, misleading or deceptive advertising. The Board believes that the failure to advise patients that a dentist pays a fee for participation in a dental referral service falls within that prohibition and should be included in Section 33.203(b) of the regulations. The regulation will also update this provision consistent with Act 113 of 1996.	
Expanded Function Dental Assistants - 49 Pa. Code, Chapter 33.	Fall 1999, as final.	The regulations will establish certification standards for expanded function dental assistants including minimum standards of conduct and practice, under 1994 amendments to the Dental Law. Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
Continuing Professional Education - 49 Pa. Code, Chapter 33.	July 1999, as final.	This regulation will establish continuing education regulations for dentists, dental hygienists and expanded function dental assistants. The regulations are required under Act 113 of 1996, which amended Section 3(j) of the Dental Law, 63 P. S. § 122(j).	
Lasers - 49 Pa. Code, Chapter 33.	June 2000, as proposed.	The regulation will codify the existing statement of policy and clarify educational requirements for the use of lasers in a dental office. Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
Verification/Certification Fees - 49 Pa. Code § 33.3.	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: Section 4 of the Dental Law, 63 P. S. § 123.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Real Estate Commission - General Revisions - 49 Pa. Code, Chapter 35.	Winter 2000, as final.	The Commission plans a comprehensive amendment to Chapter 35 to bring existing regulations up to date with current policies. Statutory authority: 63 P. S. § 455.404.	Debra Sopko (717) 783-3658
Educational Standards - 49 Pa. Code, Chapter 35.	Spring 2000, as proposed.	The Commission plans to update current rules pertaining to the approval of schools and school directors, curriculum, etc. and revise continuing education requirements. Statutory authority: 63 P. S. § 455.404.	
Continuing Education Deadline- 49 Pa. Code, Chapter 35.	Fall 1999, as proposed.	The Commission plans to amend current rules pertaining to continuing education deadlines. Statutory authority: 63 P. S. § 455.404.	
Agency Disclosures - 49 Pa. Code, Chapter 35.	Summer 1999, as proposed; November 1999, as final.	This regulation will implement disclosure requirements of Act 112 of 1998 pertaining to agency relationships in compliance with the statutory deadline. Statutory authority: 63 P. S. § 455.404.	
Application Fees - 49 Pa. Code § 35.203.	Fall 1999, as proposed.	This regulation apportions costs of providing Board services to specific applicants and licensees. The Board is authorized to determine all fees necessary for administration of the act under Section 407(a) of the Real Estate Licensing and Registration Act, 63 P. S. § 455.407(a).	
State Board of Certified Real Estate Appraisers - Experience Options for Certification, Duties of Supervising Appraiser - 49 Pa. Code §§ 36.13 and 36.14.	Summer 1999, as proposed.	The regulations revise qualifying experience for certification as an appraiser; impose supervisory and record-keeping duties on appraisers who supervise appraisal assistants; and require appraisal reports submitted as qualifying experience to conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulations are consistent with standards established for state appraiser boards by the federal Appraiser qualification Board (AQB). Statutory authority: 63 P. S. § 457.5(2).	Cheryl Lyne (717) 783-3397
Standards of Practice - 49 Pa. Code § 36.51.	Summer 1999, as proposed.	The regulations require all certified general appraisers, residential appraisers and broker/appraisers to comply with the USPAP unless the Board has adopted supplemental practice standards. The regulations also would require all appraisers, when performing an appraisal, to conduct a complete interior and exterior inspection of the subject property unless an interior inspection is not feasible or physically possible. Statutory authority: 63 P. S. § 457.5(2).	
Pre-Certification Education and Experience - 49 Pa. Code §§ 36.11 and 36.12.	Summer 1999, as proposed.	The regulations raise the experience and education requirements for certification as a residential appraiser and general appraiser to mirror AQB standards that became effective in Pennsylvania, by operation of law, on January 1, 1998. Statutory authority: 63 P. S. § 457.5(2).	
Fees - 49 Pa. Code § 36.6.	Summer 1999, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 457.9.	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Registration Board for Professional Engineers, Land Surveyors and Geologists - Certification/Verification Fees - 49 Pa. Code § 37.17.	Fall 1999, as final.	The regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: Section 9 of the Engineer, Land Surveyor and Geologist Registration Act, as amended, 63 P. S. § 156.	Shirley Klinger (717) 783-3397
State Board of Examiners of Nursing Home Administrators - Temporary Permits - 49 Pa. Code § 39.17.	Fall 1999, as proposed.	The regulation will update and clarify Board requirements for temporary permits. Statutory authority: Section 14 of the Nursing Home Administrators License Act, 63 P. S. § 1114.	Melissa Wilson (717) 783-7155
Continuing Education - 49 Pa. Code §§ 39.31-39.71.	Fall 1999, as final.	The regulation will amend and clarify the continuing education requirement in Section 9 of the Nursing Home Administrators License Act, 63 P. S. § 1109.	
Application/Certification/Verification Fees - 49 Pa. Code § 39.72.	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: Section 7.1 of the Law, 63 P. S. § 1108.	
State Board of Physical Therapy - Physical Therapists - 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21-40.24.	Fall 1999, as proposed.	Regulations correct and revise existing regulations regarding physical therapists. Proposed under Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Robert Kline (717) 783-7134
Sexual Misconduct - 49 Pa. Code, Chapter 40.	Fall 1999, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Sections 3, 5 and 10 of the Act, 63 P. S. § 1303, 1305 and 1310.	
Application/Verification/Certification Fees - 49 Pa. Code § 40.5.	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: 63 P. S. § 1308.	
State Board of Psychology - Post-Doctoral Experience - 49 Pa. Code § 41.31(c)(1)(ii)(E).	Winter 1999, as proposed.	The regulation establishes necessary experience for licensure. The Board plans to clarify its intent that an individual working two jobs need only meet with his/her respective supervisors one hour per week to satisfy the two-hours/week requirement of this paragraph. Statutory authority: 63 P. S. § 1203.2(2).	Melissa Wilson (717) 783-7155
Definitions/ "Sexual Intimacies" - 49 Pa. Code § 41.61.	Fall 1999, as final.	The regulation will establish specific prohibitions against sexual intimacies with current client/patients and other individuals encountered by a psychologist in the course of professional practice. The regulation will also establish related standards and procedural matters and bar psychologists who have been disciplined for engaging in prohibited sexual intimacies from participation in the impaired professional program. Statutory authority: 63 P. S. § 1203.2(2).	
Application/Certification/Verification Fees - 49 Pa. Code § 41.12.	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. The Board is authorized to determine all fees necessary for administration of the act under 63 P. S. § 1203.2(2).	

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Occupational Therapy Education and Licensure - Oral Orders - 49 Pa. Code § 42.25.	Summer 1999, as proposed.	The Board proposes to specify circumstances under which occupational therapists may accept oral orders for services, and procedures to be followed, to clarify for Department of Health-licensed health care facilities that occupational therapists, under Department rules, are "...authorized by appropriate statutes and the State Board in the Bureau of Professional and Occupational Affairs" to receive such orders. Statutory authority: Sections 5(b) and 14 of the Occupational Therapy Practice Act, 63 P. S. §§ 1505(b) and 1514.	Clara Flinchum (717) 783-1389
General Revisions - 49 Pa. Code, Chapter 42.	Fall 1999, as proposed.	The Board proposes to revise its chapter by updating certain provisions and deleting outdated or redundant language. The Board has authority to adopt the regulations necessary to perform its duties and for the proper administration of the law under Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	
Verification/Certification Fees - 49 Pa. Code § 42.17(a)(4).	Fall 1999, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. The Board is authorized to determine all fees necessary for administration of the act under Section 17(a) of the Occupational Therapy Practice Act, 63 P. S. § 1517(a).	
State Board of Examiners in Speech-Language and Hearing - Assistants - 49 Pa. Code, Chapter 45.	January 2000, as proposed.	The proposal will bring current regulations into compliance with current national standards, by modifying requirements for supervision of assistants. Statutory authority: 63 P. S. § 1705(2).	Clara Flinchum (717) 783-1389
Oral Orders - 49 Pa. Code § 45.10.	January 2000, as proposed.	The proposal will authorize acceptance of oral orders by licensed professionals in long term care facilities. Statutory authority: 63 P. S. § 1705(2).	
STATE EMPLOYEES' RETIREMENT SYSTEM			
No regulations being developed or considered at this date.			

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE POLICE			
Firearm Regulations Standards for licensed retail dealers Chapter 31	October 1999, as final.	The provisions of this chapter set forth regulations for the storage of firearms, rifles, and shotguns by licensed retail dealers in the event a clear and present danger to public safety is found to exist by the Commissioner of the State Police within this Commonwealth during the hours when licensed retail dealers are closed for business. The provisions of this chapter apply to all licensed retail dealers and their designated employees.	Ronald E. Plesco 717-772-0905
Procedures & Specifications for firearm record forms Chapter 33	October 1999, as final.	The regulations provide for the administration of the provisions of the Uniform Firearms Act for the implementation of the Pennsylvania Instant Check System (PICS) in order to approve or deny the sale or transfer of firearms and licenses to carry a firearm in accordance with the provisions of the UFA. The regulations also ensure the identity, confidentiality, and security of all information collected and disseminated by the PICS in accordance with the UFA.	
Regulatory amendments to clarify various aspects of the Municipal Police Officers' Education and Training Commission regulations, Chapter 203	August 1999, as final.	The provisions of this chapter set forth regulations for the administration of the training program for municipal police by the Municipal Police Officers' Education and Training Commission. The proposed amendments correct various aspects of existing regulations and suspend the vision standard until disposition of pending litigation.	Major Richard Mooney 717-533-5987
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	April 2000, as proposed.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns. Proposed package with the Department's Legal Counsel.	Sue Wilson (717) 787-4291
60 - Permanent Registration of Fleet Vehicles	September 1999, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	John Munafo (717)787-3977
School Buses and School Vehicles Chapter 171	April, 2000, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the School Bus Vehicle Industry and related Associations. The Department has prepared draft amendments based on recommendations received by various associations. Proposed Regulatory package final draft to be reviewed by Legal Counsel and revisions are being incorporated.	Mike Kistler (717) 783-4534
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	April 2000, as proposed.	As a result of a Pa Supreme Court decision (Clayton v.s. Department of Transportation), additional waivers to seizure disorder provisions must be adopted. The Department's Medical Advisory Board is in the process of approving proposed amendments.	Mike Kistler (717) 783-4534

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Liquid Fuels Tax Chapter 449	October 1999, as proposed.	Regulatory review committee has been formed. Drafts of that result have been discussed with legal counsel. Regulations submitted to legal for review and submission to IRRC, June 1, 1999.	Dick Zerbe (717) 787-2183
School Bus Drivers Chapter 71	April 2000, as proposed.	Creates waivers for school bus drivers, with medical conditions, who pose no significant danger to driving. The Department's Medical Advisory will be approving amendments to incorporate recommendations being developed by the Insulin Dependent Diabetes Task Force.	Mike Kistler (717) 783-4534
Work Zone Traffic Control Devices Chapter 203	December 1999, as proposed deletion.	Repeal this chapter since it typically is more stringent than federal standards included in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some current provisions not included in the MUTCD would be incorporated into Chapter 211.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	December, 1999, as proposed.	Repeal the current chapter since it duplicates federal standards included in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Adopt the MUTCD by reference, and provide some additional criteria unique to the Commonwealth.	Art Breneman (717) 787-3620
Hold-Down and Tie-Down Devices for Junked Vehicles and Vehicle Hulks—Chapter 181	December 1999, as proposed.	Repeal - incorporate provisions in Chapter 231	Daniel Smyser (717) 787-7445
Engineering and Traffic Studies Chapter 201	December, 1999, as proposed deletion.	Repeal this chapter since it typically is more stringent than federal standards included in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Some current provisions not included in the MUTCD would be incorporated into Chapter 211.	Art Breneman (717) 787-3620
Intrastate Motor Carrier Safety Requirements Chapter 231	December 1999, as proposed.	Incorporate new Federal provisions, and provisions from Chapter 181.	Daniel Smyser (717) 787-7445
Hazardous Materials Transportation Chapter 403	December 1999, as proposed.	Incorporate new Federal provisions and eliminate registration requirement.	Daniel Smyser (717) 787-7445
Airport Rating Licensing - Chapter 471	August 1999, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reiz (717) 705-1234
Proportional Registration of Fleet Vehicles Chapter 63	September 1999, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	John Munafò (717) 787-3977
Vehicle Equipment and Inspection Chapter 175	March 2000, as final.	Proposed amendments required to comply with Act 151 of 1998.	Tom Zamboni (717) 783-9513

<i>Regulation Being Considered</i>	<i>Proposed Date for Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Vehicle Equipment and Inspection Chapter 175	April 2000, as proposed.	Proposed amendments require complying with Act 115 of July 6, 1995. No. 30, P. L. 246 that requires the establishment of equipment and inspection criterion for farm vehicles with a gross weight rating greater than 17,000 pounds.	Tom Zamboni (717) 783-9513
Flashing or Revolving Lights on Emergency and Authorized Vehicles Chapter 173	March 2000, as final.	Proposed amendments required to comply with Act 151 of 1998.	Tom Zamboni (717) 783-9513
Temporary Registration Cards and Plates Chapter 43	Sept. 1999, as proposed.	Proposed amendments would address changes needed in the Temporary Plate Issuance Program so as to reduce fraud and improve the accuracy of registration data.	Randy Swartz (717) 787-2780
Authorization to Verify VIN Identification Numbers Chapter 17	June 2000, as proposed.	Proposed amendments would authorize department employees to verify VIN Numbers for vehicles requiring a Certificate of Title.	Tom Zamboni (717) 783-9513
Emission Inspection Chapter 177	November 1999, as final.	Modification of Enhanced I/M Inspection Program into additional counties. Presently under development by Chief Counsel's Office.	Peter Gertz (717) 783-7016
Emission Inspection Chapter 177	June 2000, as proposed.	Amendments needed to address ongoing operational aspects of the emissions program.	Peter Gertz (717) 783-7016
Financial Responsibility Obligations of Insurance Companies and Vehicle Owners Chapter 221	April 2000, as proposed.	Amend regulation to change the method by which the Department determines that insurance has been cancelled/terminated and information verified by PennDOT.	Richard Bettinger (717) 787-7767
Consultant Highway Design Errors Chapter 455	December 1999, as proposed deletion.	Since there is no legal need for this chapter, the Department proposes to delete Chapter 455 and propose a Department policy to address consultant design errors.	Charles Allwein (717) 783-9309

[Pa.B. Doc. No. 99-1064. Filed for public inspection July 2, 1999, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Dates

The Health Care Cost Containment Council has scheduled the following meetings for July: Wednesday, July 7, 1999, Data Systems Committee at 10 a.m.; Education Committee 1:30 p.m. Thursday, July 8, 1999, Council Meeting at 10 a.m. The meetings will be held in the Council's Conference Room at 225 Market Street, Suite 400, Harrisburg, PA. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings, should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, or call (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 99-1065. Filed for public inspection July 2, 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, June 17, 1999, and took the following actions:

Regulations Approved:

Environmental Quality Board #7-310: Water Quality Amendments-Antidegradation (amends 25 Pa. Code Chapters 93 and 95).

Regulations Disapproved:

State Board of Education #6-258: Certification of Professional Personnel (amends Subchapters A, B, and C of 49 Pa. Code).

Lobbying Disclosure Committee #63-06: Lobbying Disclosure (amends 51 Pa. Code by adding Chapters 31—45).

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

Public Meeting held
June 17, 1999

Environmental Quality Board—Water Quality Amendments—Antidegradation; Regulation No. 7-310

Order

On March 10, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 93 and 95. The authority for this regulation is contained in section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20) and section 5(b)(1) of The Clean Streams Law (35 P. S. § 691.5(b)(1)). The proposed regulation was published in the *Pennsylvania Bulletin* with a 60-day public comment period. The Department of Environmental Protection (DEP) published an advance notice of final rulemaking (ANFR) in the January 23, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 20, 1999.

This regulation is a response to the 1994 disapproval of the Commonwealth's antidegradation program by the United States Environmental Protection Agency (EPA). The regulation addresses concerns raised by EPA's disapproval. It is intended to bring Pennsylvania's water quality standards into greater consistency with the Federal program.

The EPA published final regulations effective January 8, 1997, for Pennsylvania's antidegradation program. This regulation will replace EPA's regulations for Pennsylvania. The regulation establishes a framework for designating streams for special protection. In order to receive special protection, streams must be examined for their chemical or biological characteristics.

We have reviewed this regulation and find it to be in the public interest. The regulation is necessary to adequately protect unique and high quality streams in the Commonwealth.

Therefore, It Is Ordered That:

1. Regulation No. 7-310 from the Environmental Quality Board, as submitted to the Commission on May 20, 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; Robert J. Harbison, III; John F. Mizner

Public Meeting held
June 17, 1999

State Board of Education— Certification of Professional Personnel; Regulation No. 6-258

Order

On April 9, 1997, the Independent Regulatory Review Commission received this proposed regulation from the State Board of Education. This rulemaking amends Subchapters A, B, and C of 22 Pa. Code Chapter 49. The authority for this regulation is sections 1201—1268, 1109, 1141, 2603-B and 2604-b of the Public School Code (24

P. S. §§ 12-1201—12-1268, 11-1109, 11-1141, 26-2603-B and 26-2604-B). The proposed regulation was published in the April 19, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 17, 1999.

This regulation is the result of the Board's decennial review of certification rules and procedures. In response to comments from the Standing Committees, the public and the Commission, the Board made several major amendments to the final-form regulation. The Board removed controversial provisions for alternate entry, temporary waivers and professional development. The final-form regulation will add Program and Certificate principles, improve the assessment program for certification and collapse two levels of supervisory and administrative certificates into one level.

We have reviewed this regulation and have found that it is not in the public interest. We have two concerns with the final-form regulation. First, the provisions relating to the establishment of certification standards are not within the Board's statutory authority. Second, the Educational Specialist II certificate requirements do not meet the criteria of clarity and reasonableness.

Our first concern relates to the Board's delegation, in Subchapter B, of the authority to establish standards for individual certification to the Department of Education. In the proposed rulemaking, the Board amended the requirements for instructional certificates, educational specialist certificates, supervisory certificates and administrative certificates (Sections 49.81(b), 49.101, 49.111(a)(5) and 49.121(d)). The amendments are similar in that they provide that state certificates will be issued to candidates "...who meet *Department prescribed standards based on the following principles:*" (Emphasis added.)

Under the Public School Code and miscellaneous education laws, the authority to establish standards for certification resides solely with the Board. The Board's overall authority in this area is set forth in the Public School Code, 24 P. S. § 26-2606-B (Cooperation between the Board and the Department of Education), which provides:

Statements of policy, standards, rules and regulations promulgated by the board shall be binding upon the Department of Education. The department *shall submit to the board for approval, modification or rejection*, all rules and regulations proposed by the department in the areas under control of the board. The Department of Education shall furnish upon request of the board such data and information as the board may, from time to time, require, and the department shall provide administrative services for and on behalf of the board for the implementation of the board's statements of policy, standards, rules and regulations. [Emphasis added]

This section must be read in pari materia with Miscellaneous Laws, 24 P. S. § 1226 (Powers and duties of the State Board of Education). This section provides, in part:

The State Board of Education *shall have the power, and its duty shall be—*

* * * * *

(b) *To establish and promulgate standards of preliminary and professional education and training for teachers in such schools.* [Emphasis added]

Finally, 24 P. S. § 2070.2. (Certification requirements) provides:

No person shall teach in a public school in the Commonwealth unless he has met the *certification requirements as established by the State Board of Education* which are applicable to the institution where he is employed. [Emphasis added]

While the Board states it approves certification standards as a matter of practice, there is no obligation, in the regulation, for the Board to approve the Department's prescribed standards. To meet its statutory requirements and the criteria of clarity, the regulation should require the Board to approve the standards for each certificate developed by the Department.

Our second concern relates to Educational Specialist Certificates. The existing regulation requires an applicant for an Educational Specialist II certificate to "have completed 3 years of satisfactory *service* on a Level I Educational Specialist Certificate." (Emphasis added.) This section recognizes that some educational specialists do not teach.

In the proposed regulation, Section 49.103(2) altered this requirement by requiring an applicant to "have completed 3 years of satisfactory *teaching* on an Educational Specialist I Certificate." (Emphasis added.) We recommended that the Board delete the requirement for *teaching* and continue the existing requirement for *service* in this provision.

The Board did not respond to our comment on this issue. Section 49.103(2) of the final-form regulation would require 3 years of satisfactory teaching. As drafted, Section 49.103(2) of the final-form regulation does not meet the criteria of clarity and reasonableness.

Therefore, It Is Ordered That:

1. Regulation No. 6-258 from the State Board of Education, as submitted to the Commission on May 17, 1999, is disapproved;

2. The State Board of Education shall, within seven days of receipt of this Order, notify the Governor, the designated Standing Committees of the House of Representatives and the Senate, and the Commission of its intention to either proceed with the promulgation of the regulation without revisions, to revise the regulation, or to withdraw the regulation. Failure to submit notification within the 7-day period shall constitute withdrawal of the regulation;

3. The Commission will transmit a copy of this Order to the Legislative Reference Bureau; and

4. This Order constitutes a bar to final publication of Regulation No. 6-258 under section 6(b) of the Regulatory Review Act.

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

Public Meeting held
June 17, 1999

Lobbying Disclosure Committee—Lobbying Disclosure; Regulation No. 63-6

Order

On January 20, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Lobbying Disclosure Committee (LDC). This rulemaking amends 51 Pa. Code by adding Chapters 31—45. The authority for this regulation is contained in sections 1305(b)(3)(iii) and 1310(c) of the

Lobbying Disclosure Act (Act) (65 Pa.C.S. §§ 1305(b)(3)(iii) and 1310(c)). The proposed regulation was published in the January 30, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 26, 1999.

This regulation is being promulgated to implement the Act. The proposed regulations, like the Act, outline what constitutes lobbying, who must register, what must be reported, and auditing and enforcement procedures.

Comments were filed on this final-form regulation by: Senators Brightbill, Mellow and Lemmond, the members of the subcommittee established by the Rules and Executive Nominations Committee; Stephen C. MacNett, General Counsel for the Senate Majority Caucus; and the Pennsylvania Association for Government Relations. On June 15, 1999, the House Judiciary Committee voted to disapprove the final-form regulation.

We have reviewed this regulation and find it not to be in the public interest. While the majority of this rulemaking tracks the language and intent of the Act, there are two areas where the regulation exceeds the authority granted by the Act.

First, in this proposal the LDC has created a new term, "de minimis" which is defined as "insignificant." This term does not appear in the Act. However, it is used in the definition of "lobbyist" and in section 35.1(g)(6) which establishes reporting requirements for principals.

The statutory definition of "lobbyist" does not contain a de minimis exemption. Under the Act, a lobbyist is someone who "engages in lobbying on behalf of a principal for economic consideration." Furthermore, section 1306(3) of the Act contains the only statutory exclusions from registration and reporting. It includes the following:

(II) An individual whose compensation for lobbying, from all principals represented, does not exceed \$2500 *in the aggregate* during any reporting period.

* * * * *

(IV) A principal *whose total expenses* for lobbying purposes do not exceed \$2500 during any reporting period. (emphasis added).

There are two problems with these provisions. First, the LDC has not specified a dollar amount that would be considered de minimis. Second, clearly the Act requires lobbyists to aggregate all compensation and requires principals to total all of their lobbying expenses. There is no provision for any compensation or expenses to be considered de minimis because of the aggregating and totaling requirements of the Act.

The other area where the LDC has exceeded its statutory authority is in the provisions governing random audits. Under section 1308(g) of the Act, the Ethics Commission "shall initiate, by lottery, random annual audits of registration statements and disclosure reports. . . ." The final-form regulation, in sections 41.2(d) and (e), would allow the Ethics Commission to examine "the relevant records of any other registrant" as part of an audit of the randomly selected registrant. However, the statute does not give the Ethics Commission the authority to require a registrant, who is not the subject of an audit, to produce any records.

There are also areas which we raised in our Comments and which have been raised by the Senate that do not meet the reasonableness or clarity criteria of the Regulatory Review Act. For example, the definition of service (of

official papers) should be revised to use the postmark date, not the date of mailing. Also, inserting "related" between "other" and "practices" in section 41.4(b) and refining the language in sections 41.3(c)(2)(ii) and (3) would clarify the conduct of audits. These changes, and the other Senate suggestions offering technical changes, would enhance the clarity of the regulation.

Therefore, It Is Ordered That:

1. Regulation No. 63-6 from the Lobbying Disclosure Committee as submitted to the Commission on May 26, 1999, is disapproved;

2. The Lobbying Disclosure Committee shall, within 7 days of receipt of this Order, notify the Governor, the designated Standing Committees of the House of Representatives and the Senate, and the Commission of its intention to either proceed with the promulgation of the regulation without revisions, to revise the regulation, or to withdraw the regulation. Failure to submit notification within the 7-day period shall constitute withdrawal of the regulation;

3. The Commission will transmit a copy of this Order to the Legislative Reference Bureau; and

4. This Order constitutes a bar to final publication of Regulation No. 63-6 pursuant to Section 6(b) of the Regulatory Review Act.

JOHN R. MCGINLEY, Jr.
Chairperson

[Pa.B. Doc. No. 99-1066. Filed for public inspection July 2, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Calvert Insurance Company

Lumbermens Mutual Casualty Company has filed an application for approval to acquire control of Calvert Insurance Company, a Pennsylvania domiciled stock fire insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P.S. § 991.1402, et seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 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 Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1067. Filed for public inspection July 2, 1999, 9:00 a.m.]

Coal Mine Compensation Rating Bureau of Pennsylvania; Workers' Compensation Employer Assessment Procedures Filing

On June 11, 1999, the Insurance Department received from the Coal Mine Compensation Rating Bureau of Pennsylvania 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. 99-1068. Filed for public inspection July 2, 1999, 9:00 a.m.]

Liberty Mutual Fire Insurance Company; Homeowners Rate Filing

On June 16, 1999, the Insurance Department received from Liberty Mutual Fire Insurance Company a filing for a proposed rate level and rule changes for homeowners insurance.

The company requests an overall 1.9% increase amounting to \$406,000 annually, to be effective August 16, 1999.

Unless formal administrative action is taken prior to August 15, 1999, the subject filing may be deemed approved by operation of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1069. Filed for public inspection July 2, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Janet A. and Ronald W. Kimball; file no. 99-210-31872; Nationwide Mutual Insurance Company; doc. no. PH99-06-011; July 22, 1999, at 10 a.m.;

Appeal of Heather J. and Thomas King; file no. 99-494-90335; Erie Insurance Exchange; doc. no. E99-06-012; July 22, 1999, at 1 p.m.;

Appeal of Edith Benson; file no. 99-494-90343; Nationwide Insurance Co.; doc. no. E99-06-018; July 27, 1999, at 1 p.m.

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

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

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1070. Filed for public inspection July 2, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's policy.

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

Appeal of State Farm Fire and Casualty Company; file no. 99-265-31886; David and Susan Zweiback; doc. no. PH99-06-019; July 28, 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 procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1071. Filed for public inspection July 2, 1999, 9:00 a.m.]

State Farm Fire and Casualty Company; Private Passenger Automobile Rate and Rule Revision

On June 11, 1999, the Insurance Department received from State Farm Fire and Casualty Company a filing for a rate level change for private passenger automobile insurance.

State Farm Fire and Casualty Company requests an overall 4.5% decrease amounting to —\$4,300,000 annually, to be effective September 1, 1999, for new and renewal business.

Unless formal administrative action is taken prior to August 10, 1999, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Regulation of

Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at cromberg@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1072. Filed for public inspection July 2, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service Without Hearing

A-120650F0007. PFG Gas, Inc. Application of PFG Gas, Inc. for a certificate of public convenience evidencing the Commission's approval of the transfer of a gathering system by PFG Gas, Inc. to Phoenix Energy Sales 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 January 1, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: PFG Gas, Inc.

Through and By Counsel: John H. Isom, PFG Gas Inc., 417 Walnut Street, Harrisburg, PA 17120.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1073. Filed for public inspection July 2, 1999, 9:00 a.m.]

Railroad With Hearing

A-00115212. Consolidated Rail Corporation. Application of Consolidated Rail Corporation for the abolition of one grade crossing on Conrail's Chester Secondary located on 49th Street, in Philadelphia County, Philadelphia, PA (RDBR 10-0306).

An initial hearing on this matter will be held on Thursday, August 5, 1999, at 10 a.m. at 1302 Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1074. Filed for public inspection July 2, 1999, 9:00 a.m.]

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 July 26, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00108538, F. 1, Am-B. Main Line Taxi Co. (514 South Woodbine Avenue, Narberth, Montgomery County, PA 19072), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the townships of Marple, Upper Providence and Newtown, Delaware County, and that part of Lower Merion Township, Montgomery County, on and east of a line beginning at Waverly Road and the Schuylkill River, then southeastwardly along Waverly Road to its intersection with Morris Avenue, then southeasterly along Morris Avenue to its intersection with Old Gulph Road, then westward along Old Gulph Road to its merger with Robert Road, then southward along Robert Road to the Montgomery-Delaware County Line: *so as to permit* the transportation of persons upon call or demand in the township of Lower Merion and the boroughs of Conshohocken and West Conshohocken, Montgomery County; the township of Radnor, Delaware County and the township of Tredyffrin, Chester County. *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102-1890.

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-00115989. Centregistics Unlimited, Inc., t/d/b/a Tim Fischer's Limousine Services, Inc. (1015 West College Avenue, State College, Centre County, PA 16801), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the borough of State College, Centre County, and within an airline distance of 45 statute miles of the limits thereof, and from points in said area, to points in Pennsylvania, and return; which is to be a transfer of the limousine right authorized Handy Delivery, Inc., under the certificate issued at A-00107326, F. 3, subject to the same limitations and conditions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1075. Filed for public inspection July 2, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth

Sewer Service Without Hearing

A-230370F2000. The Preston Drainage Company. Application of the Preston Drainage Company for ap-

proval of the transfer of private sewerline to Haverford Township and the abandonment of service by Preston Drainage 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 January 1, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Preston Drainage Company.

Through and By Counsel: Fred C. Aldridge, Jr., Esq., Preston Drainage Company, 940 West Valley Road, Suite 1601, Wayne, PA 19087.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1076. Filed for public inspection July 2, 1999, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, July 15, 1999, for Project # 99-169-001 (Multimedia Computer Equipment).

The bid documents can be obtained from the Director of Procurement, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available July 7, 1999. PRPA is an equal opportunity employer. The contractor will be required to comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 99-1077. Filed for public inspection July 2, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Preliminary and Final Design

Expansion of the Valley Forge Interchange Toll Plaza

Montgomery County

Reference No. 4-052

The Turnpike Commission will retain an engineering/architectural firm to prepare preliminary design and final design plans for expansion of the Valley Forge Interchange Toll Plaza (Milepost 326.3) to provide an expanded facility and maintain access through the toll plaza in Upper Merion Township, Montgomery County, PA.

The required engineering services for adding several toll islands and lanes to the east will include field surveys, coordination with utility companies and services, soils investigations and corresponding reports. In addition,

the necessary plans and contract documents will be required for modifying interchange signing and lighting plans, maintenance and protection of traffic plans, construction staging, contour grading and drainage, roadside development, architectural capabilities to perform plaza design and all other related work as may be necessary for a complete and final design of the intended project. The work may involve modifications to the canopy, toll booths and utility building.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

The Turnpike Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Pennsylvania Department of Transportation at the time of the submission of the letter of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Pennsylvania Turnpike Commission at the above address, or by calling (717) 939-9551 Ext. 4241.

Direct inquires to Jeffrey R. White at (717) 939-9551, Extension 3670; or by e-mail at jwhite@paturndpike.com.

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. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified)

2. Three page expression of interest in the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

5. A copy of the Annual Qualification Package submitted to the Pennsylvania Department of Transportation for the current year that is in the same District as the project or one that is best suited for the project.

The Annual Qualification Package should contain at a minimum, the following information for the prime consultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in the Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in Pennsylvania.
- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one 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 subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the PA Turnpike Commission Administration Building located on Eisenhower Boulevard at the Harrisburg-East Interchange (No. 19). (FedEx address: Route 283 and Eisenhower Boulevard, Highspire, PA 17034) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 noon, Friday, July 23, 1999. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, one firm will be selected for each project. The order of preference will be established for the purpose of negotiating an agreement

with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for the work and services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-1078. Filed for public inspection July 2, 1999, 9:00 a.m.]

Retention of an Engineering Firm

Systemwide Biennial Bridge Inspection

Reference No. 3-114

The Turnpike Commission will retain an engineering firm to perform the reinspection of approximately 850 structures owned by the Turnpike Commission. The structures include bridges that are 8 feet or more in length and culverts which are 20 feet or more in length. The work will be performed in order to meet the current national bridge inspection standards of the Federal Highway Administration and the Pennsylvania Department of Transportation's Bridge Management System (BMS).

The superstructure and substructure of each bridge shall be inspected, rated and appraised based on criteria and guidelines defined in the following documents:

1. National Bridge Inspection Standards (NBIS).
2. AASHTO Manual for Maintenance Inspection of Bridges 1983, including the 1990 revision.
3. Bridge Inspector's Training Manual 90.
4. Culvert Inspection Manual, Report No. FHWA-IP-86-2.
5. Inspection of Fracture Critical Bridge Members, Report No. FHWA-IP-86-26.
6. Bridge Management System (BMS) Coding Manual, Department Publications 100A October 1993, and its updates.
7. Manual for Inspecting Bridge for Fatigue Damage Conditions, Research Project No. 85-02.
8. Bridge Safety Inspection Manual, Policies and Procedures, Publication 238, January 1989, and its updates.
9. BMS Coding Forms D-491 and their updates or a printout of the individual structure records from BMS.
10. BMS Inspection Forms D-450 Series and their updates.

The consultant must follow the existing 2-year interval schedule. Work performed must be completed by January 31, 2002.

The following factors will be considered by the Commission during the evaluation of the firms submitting letters of interest for this project:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Department of Transportation and Turnpike Commission projects.

f. Number of certified inspectors and inspection teams available for this assignment and their qualifications.

g. Capabilities of the proposed teams to address the

bridge inspection, engineering evaluations and recommendations.

h. Internal procedures for cost containment and quality assurance.

j. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Direct inquires to James L. Stump, P.E., at (717) 939-9551, Extension 5540; or by e-mail at jstump@paturndpike.com.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-1079. Filed for public inspection July 2, 1999, 9:00 a.m.]