

NOTICES

DEPARTMENT OF AGRICULTURE

Plant Pest Act; Determination of Serious Plant Pest Situation

Background

Giant Hogweed (*Heracleum mantegazzianum*) is a large plant that, although not native to the Commonwealth of Pennsylvania, threatens to establish itself in this Commonwealth to the detriment of native plant species. The plant is native to Eurasia, but has made its way to North America. It is currently known to be present in Maine, New York and Pennsylvania.

Giant Hogweed is easily identifiable. Mature plants reach a height of between 8 and 14 feet. Although the plant is found most commonly in rich, moist soils along roadsides, stream banks and waste ground, its majestic appearance has contributed to the increasing popularity of the plant among gardeners as a landscaping plant.

Giant Hogweed is a plant pest for purposes of the Plant Pest Act (act of December 16, 1992, P. L. 1228, No. 162)(3 P. S. §§ 258.1—258.27). If it is allowed to spread unchecked, Giant Hogweed will crowd-out native plant species and the animal species dependent upon those native plants. Even Giant Hogweed plants that are used in residential landscaping must be considered plant pests, since seeds from these plants can spread over large areas.

Section 19 of the Plant Pest Act (3 P. S. § 258.19) authorizes the Secretary of Agriculture to issue a determination that a serious plant pest situation exists in any portion of this Commonwealth. This determination is issued under that authority.

Determination

The presence of Giant Hogweed in this Commonwealth has created a serious plant pest situation for purposes of section 19 of the Plant Pest Act. The presence of this non-native species threatens the native species with which it competes.

Under section 19 of the Plant Pest Act, the Department of Agriculture (Department) shall, through its Bureau of Plant Industry, eradicate Giant Hogweed plants and seeds wherever they are present in this Commonwealth. To this end, the Department shall work with owners of lands upon which Giant Hogweed plants exist to educate them as to the threat posed by these plants and encourage these landowners to either destroy the plants themselves or allow Department field personnel to destroy them.

If an owner of lands upon which Giant Hogweed plants are present does not elect to voluntarily destroy the plants or allow Department field personnel to destroy the plants, the Department shall (in accordance with section 19 of the Plant Pest Act) provide the landowner written notice of its intention to enter upon the landowner's property to destroy the Giant Hogweed plants. Following this written notice, "Any agent of the Department is authorized to enter the premises during reasonable hours to carry out the eradication or control measures," as per section 19 of the Plant Pest Act.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 99-1127. Filed for public inspection July 16, 1999, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 6, 1999.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-1-99	Hometowne Heritage Bank Lancaster Lancaster County	1837 William Penn Way Lancaster Lancaster County (Temporary Location)	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-28-99	Northwest Savings Bank Warren Warren County Purchase of assets/assumption of liabilities of three branch offices of Mellon Bank, N. A., Pittsburgh, located at:	Warren	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	4 Perry Street Union City Erie County	815 Westminster Drive Loyalsock Lycoming County	
	Ridge Road & Pennsylvania Ave. Smithfield Huntingdon County		
6-28-99	Harris Savings Bank Harrisburg Dauphin County	Harrisburg	Effective
	Purchase of assets/assumption of liabilities of one branch office of Commonwealth Bank, Norristown, located at: 2203 West Cumberland Street Lebanon Lebanon County		
7-1-99	Main Street Bank, Reading, Pennsylvania, and Main Street, Bank of New Jersey, Lambertville, New Jersey Surviving Institution— Main Street Bank, Reading, Pennsylvania	Reading, PA	Filed
7-6-99	Orrstown Bank Orrstown Franklin County	Orrstown	Filed
	Purchase of assets/assumption of liabilities of one branch office of Sovereign Bank, F.S.B., Wyomissing, located at: 1730 Lincoln Way East Chambersburg Franklin County		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-24-99	Northwest Savings Bank Warren Warren County	922 Columbia Avenue Lancaster Lancaster County	Opened
6-24-99	Northwest Savings Bank Warren Warren County	1195 Manheim Pike Lancaster Lancaster County	Opened
6-26-99	Main Street Bank Reading Berks County	1430 Jacobsburg Road Wind Gap Northampton County	Opened
6-30-99	Northwest Savings Bank Warren Warren County	200 South Center Street Grove City Mercer County	Filed
7-1-99	Woodlands Bank Williamsport Lycoming County	213 West Fourth Street Williamsport Lycoming County	Filed
7-1-99	Somerset Trust Company Somerset Somerset County	234 Main Street Meyersdale Somerset County	Opened
7-6-99	Summit Bank Bethlehem Northampton County	1430 Walnut Street Philadelphia Philadelphia County	Approved
7-6-99	Merchants Bank of Pennsylvania Shenandoah Schuylkill County	810 McNair Street Hazleton Luzerne County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-6-99	Summit Bank Bethlehem Northampton County	<i>To:</i> 12 Chestnut Road Paoli Chester County <i>From:</i> 1756 E. Lancaster Ave. Paoli Chester County	Approved
7-6-99	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	<i>To:</i> 4900 Liberty Avenue Pittsburgh Allegheny County <i>From:</i> 4800 Liberty Avenue Pittsburgh Allegheny County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-29-99	Patriot Bank Pottstown Montgomery County	1620 Pond Road Allentown Lehigh County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-30-99	Allegiance Bank of North America (In Organization) Bala Cynwyd Montgomery County	To provide for the amendment and restatement of the Articles of Incorporation in their entirety.	Approved and Effective
7-2-99	BankPhiladelphia, A Savings Bank Norristown Montgomery County	To provide for the amendment of Article I of the Articles of Incorporation to provide for a change in corporate title to "vBank, A Savings Bank."	Approved and Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS**Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
6-30-99	Atlantic Employees Federal Credit Union Newtown Square Delaware County	Newtown Square	Filed
	<i>To:</i> Atlantic Credit Union Newtown Square Delaware County		
	Application represents conversion from a Federally-chartered credit union to a State-chartered credit union.		

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1128. Filed for public inspection July 16, 1999, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 1999

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of August, 1999, is 8 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 6.31 to which was added 2.50 percentage points for a total of 8.81 that by law is rounded off to the nearest quarter at 8 3/4%.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1129. Filed for public inspection July 16, 1999, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Wednesday, July 28, 1999. The meeting will be held at 10 a.m. at Training Room, 2nd Floor, Rachel Carson State Office Building, 400 Market Square, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

RANDY COOLEY,
Chairperson

[Pa.B. Doc. No. 99-1130. Filed for public inspection July 16, 1999, 9:00 a.m.]

Keystone Recreation, Park and Conservation Fund; Land Trust Grant Program

The Department of Conservation and Natural Resources (DCNR) has announced an open application period for the 1999—2000 fiscal year of funding for land trust projects from the Keystone Recreation, Park and Conservation (Keystone) Fund. The Keystone Land Trust Grant Program is administered by DCNR's Bureau of Recreation and Conservation.

DCNR has mailed an announcement of this open application period, program manual and application forms to the following 62 organizations which are pre-qualified as eligible land trust applicants. The deadline for receipt of completed grant applications by DCNR is 5 p.m. on September 17, 1999. No applications will be accepted by FAX.

Allegheny Land Trust (Pittsburgh, Pa.)
American Farmland Trust (Washington, D. C.)
Armstrong County Conservancy (Kittanning, Pa.)
Back Mountain Regional Land Trust (Shavertown, Pa.)
Berks County Conservancy (Wyomissing, Pa.)
Brandywine Conservancy (Chadds Ford, Pa.)
Brandywine Valley Association (West Chester, Pa.)
Buck Hill Conservation Foundation (Buck Hill Falls, Pa.)
Central Pennsylvania Conservancy (Harrisburg, Pa.)
Chartiers Nature Conservancy (Crafton, Pa.)
ClearWater Conservancy (State College, Pa.)
Conneaut Lake—French Creek Valley Conservancy (Conneaut Lake, Pa.)
Conservation Fund (Philadelphia, Pa.)
Countryside Conservancy (Waverly, Pa.)
Delaware Highlands Conservancy (Milanville, Pa.)
Delaware Nature Conservancy (Hockessin, De.)
Ecologically Concerned of Zelenople (Butler, Pa.)
Edward L. Rose Conservancy (Brackney, Pa.)
Elk Creeks Watershed Association (Lewisville, Pa.)
Farm and Natural Lands Trust (York, Pa.)
Fox Chapel Land Conservation Trust (Pittsburgh, Pa.)
French & Pickering Creeks Conservation Trust (Pottstown, Pa.)
Friends of Pennypack Park (Philadelphia, Pa.)
Friends of the Wissahickon (Philadelphia, Pa.)
Hawk Mountain Sanctuary Association (Kempton, Pa.)
Headwaters Charitable Trust (DuBois, Pa.)
Heritage Conservancy (Doylestown, Pa.)
Hollow Oak Land Trust (Moon Township, Pa.)
Lacawac Sanctuary Foundation (Lake Ariel, Pa.)
Lackawanna River Corridor Association (Mayfield, Pa.)
Lackawanna Valley Conservancy (Scranton, Pa.)
Lancaster County Conservancy (Lancaster, Pa.)
Loyalhanna Watershed Association (Ligonier, Pa.)
Merrill W. Linn Land & Waterways Conservancy (Lewisburg, Pa.)
Moraine Preservation Fund (Zelienople, Pa.)
Mount Nittany Conservancy (State College, Pa.)
National Audubon Society (Camp Hill, Pa.)
Natural Lands Trust (Media, Pa.)
Neighborhood Gardens Association (Philadelphia, Pa.)
Northcentral Pennsylvania Conservancy (Williamsport, Pa.)
Northern Allegheny Conservation Association (Warren, Pa.)
Open Land Conservancy of Chester County (Paoli, Pa.)
Penn Soil Conservancy Charitable Trust (Clarion, Pa.)
Pennsylvania Environmental Council (Philadelphia, Pa.)
Pennypack Ecological Restoration Trust (Huntingdon Valley, Pa.)

Perkiomen Valley Watershed Association (Schwenksville, Pa.)
 Pine Creek Valley Watershed Association (Oley, Pa.)
 Presque Isle Audubon Society (Erie, Pa.)
 Rails-to-Trails Conservancy (Harrisburg, Pa.)
 Red Clay Valley Association (West Chester, Pa.)
 Roaring Run Watershed Association (Spring Church, Pa.)
 Rocky Mountain Elk Foundation (Missoula, Mt.)
 Schuylkill River Greenway Association (Wyomissing, Pa.)
 Scott Conservancy (Pittsburgh, Pa.)
 Southern Alleghenies Conservancy (Bedford, Pa.)
 Strawberry Hill Foundation (Fairfield, Pa.)
 The Nature Conservancy (Conshohocken, Pa.)
 Trust for Public Land (Washington, D. C.)
 Western Pennsylvania Conservancy (Pittsburgh, Pa.)
 White Clay Watershed Association (Landenberg, Pa.)
 Wildlands Conservancy (Emmaus, Pa.)
 Wissahickon Valley Watershed Association (Ambler, Pa.)

The Keystone Fund was established by passage of the Keystone Recreation, Park and Conservation Fund Act (Act 1993-50) signed on July 2, 1993. On November 2, 1993, the voters of the Commonwealth overwhelmingly approved a public referendum incurring bond indebtedness by the Commonwealth in the amount of \$50 million to provide for the funding of nature preserves and wildlife habitats, and for improvements to and expansion of State parks, community parks and recreation facilities, historic sites, zoos and public libraries. The Keystone Fund is currently supported by a 15% allocation from the State Realty Transfer Tax revenues. DCNR receives 10% of the State Realty Transfer Tax allocation for matching grants to assist land trusts with planning and acquisition projects involving natural areas and open space. Approximately \$4 million will be available in this sixth round of funding for land trust projects.

DCNR shall encourage and promote cooperative partnerships with local interests for all grant projects involving the acquisition of land; and in the administration of these grants, generally not award funds in cases where local elected officials have expressed opposition to the proposed land acquisition.

A land trust is defined in Act 1993-50 as a nonprofit conservation or preservation organization, conservancy or land trust whose primary purpose is the conservation and preservation of open space, park lands or natural areas for public benefit. To qualify for Keystone funding, a land trust must be tax exempt under section 501(c)(3) of the Internal Revenue Code of 1986; registered with the Bureau of Charitable Organizations, Department of State; and in existence for at least 5 consecutive years.

Land trusts must prequalify as eligible applicants in accordance with procedures announced in 24 Pa.B. 4216 (August 20, 1994). Land trust organizations that are not prequalified for this sixth round of funding may do so prior to announcement of the next open application period. A prequalification form and instructions may be obtained from the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-2656.

Persons with a disability who wish to submit a land trust prequalification form or grant application and require assistance should contact Darrel J. Siesholtz at (717) 783-2661 to discuss how the Department may best accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 99-1131. Filed for public inspection July 16, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of The Hebrew Education Society of Philadelphia for Approval of Articles of Incorporation of Gratz College

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S.A. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of The Hebrew Education Society of Philadelphia for a Certificate of Authority approving the institution's request to establish Articles of Incorporation for Gratz College superseding the Society's Charter.

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

An interested party desiring to initiate hearing procedures must file a notice of intervention, petition to intervene or protest, and a request for hearing, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

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

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Dr. Warren D. Evans at the listed phone number to discuss how the Department may best accommodate their needs.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-1132. Filed for public inspection July 16, 1999, 9:00 a.m.]

Application of The University of Scranton for Approval of Amendment of Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S.A. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of The University of Scranton for a Certificate of Authority approving the institution's request for amendment of its Articles of Incorporation that will substitute a new Article for the present Article 16. This is as required by Act 55 of 1997, The Institutions of Purely Public Charity Act.

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

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

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

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-1133. Filed for public inspection July 16, 1999, 9:00 a.m.]

Availability of 1999-2000 Competitive Funds under the Carl D. Perkins Vocational and Applied Technology Act Amendments of 1998 (P. L. 105-332)

Applications for FY 1999-2000 Perkins Vocational and Applied Technology Act competitive funds are invited for the following category:

Tech Prep Education: Resource and Services Statewide Information Clearinghouse

1. *Eligibility Requirements*

Be an accredited, nonprofit 2/4 year public or private university or college/community college with proven experience serving as an information clearinghouse agent that has worked in areas of facilitation, assembly and dissemination of vocational program materials with private industry or with Federal, State or local government. Coordinate Statewide coordinators meetings, obtain meeting facilities, speakers, agendas and other related services.

2. *Application Requirements*

Applications are due August 6, 1999, by 5 p.m.

3. *Application Forms and Guidelines*

Completion of applications requires the use of two references: the general and categorical guidelines. These documents are available from Emmanuel Constantine, Division of Advisory and Approval Services, Bureau of Vocational-Technical Education, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 787-5293.

4. *Completed Applications*

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

5. *Preproposal Conference/Funding Workshop*

The Department of Education, Bureau of Vocational-Technical Education, will conduct a preproposal conference/ funding workshop on Tuesday, July 20, 1999, to review funding priorities and application procedures. The preproposal conference will be held at 333 Market Street, in the sixth floor conference room (Green Room) and will begin at 1:30 p.m. and is expected to conclude by 3 p.m.

Attendance at this meeting is not a prerequisite for application for this grant program.

Contact Emmanuel Constantine at the Bureau of Vocational-Technical Education at (717) 787-5293 to pre-register for this preproposal conference.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-1134. Filed for public inspection July 16, 1999, 9:00 a.m.]

State Charter School Appeal Board; Schedule of Meetings

Notice is hereby given that the State Charter School Appeal Board will meet as follows:

- July 19, 1999 (1 p.m.) (Cancelled)
- July 30, 1999 (10 a.m.)
- August 18, 1999 (1 p.m.)
- September 15, 1999 (1 p.m.)
- November 8, 1999 (1 p.m.)
- January 12, 2000 (1 p.m.)
- March 13, 2000 (10 a.m.)
- May 16, 2000 (1 p.m.)

Unless due and timely notice to the contrary is given these meetings will be held in the Conference Rooms on the Lobby Level and First Floor of the Education Building, 333 Market Street, Harrisburg.

Persons with disabilities needing special accommodations to attend the meetings may contact Ernest Helling, Counsel to the Board, at the 9th Floor, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-5500 or PA Relay Service (800) 654-5984 at least 24 hours in advance so that arrangements can be made.

ERNEST HELLING,
Board Counsel

[Pa.B. Doc. No. 99-1135. Filed for public inspection July 16, 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 0038296. Industrial waste, **Sun Company, Inc. (R&M)**, Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103.

This application is for modification of an NPDES permit to include Outfall 002, which discharges treated groundwater from a petroleum marketing terminal in Upper Moreland Township, **Montgomery County**. This is an amendment to an existing discharge to an unnamed tributary of Pennypack Creek.

The receiving stream is classified for trout stocking, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 (stormwater runoff) are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons			monitor only

The proposed effluent limits for Outfall 002 (treated groundwater), based on an average flow of 2,880 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001	0.002	0.0025
Total BETX*	0.1	0.2	0.25
Oil and Grease	15	30	30
Naphthalene	monitor/report	monitor/report	monitor/report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
MTBE	monitor/report	monitor/report	monitor/report
pH		within limit of 6—9 at all times	

*Sum of benzene, ethylbenzene, toluene and xylenes

Other Requirements:

1. DMR to DEP
2. Remedial Measures
3. Change in Ownership
4. Product Contaminated Stormwater Runoff
5. PPC Plan Requirements
6. Other Wastewaters
7. Definitions
8. Applicable Standard BAT
9. Proper Sludge Disposal
10. DMR Submission for Nonconstructed Facilities.
11. 2/Month Monitoring

The EPA waiver is in effect.

PA 0021172. Sewage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This application is for renewal of an NPDES permit to discharge treated sewage from Harvey Avenue sewage treatment plant located at north end of Harvey Avenue in Doylestown Borough, **Bucks County**. This is an existing discharge to Cooks Run a tributary to Neshaminy Creek.

The receiving stream is classified for the following uses: warm water fishery.

The proposed effluent limits for Outfall 001, based on an average annual flow of 0.9 million gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	1.4		2.8
(11-1 to 4-30)	2.8		5.6
Nitrate and Nitrate (as N)			
(7-1 to 10-31)	9.6		19.2
Phosphorus (as P)			
(4-1 to 10-31)	2.0		4.0
Total Residual Chlorine	0.02		0.06
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	0.021	Maximum Daily 0.042	0.054

Other Conditions:

The EPA waiver is not in effect.

Water Quality Based Effluent Limitations of 0.121 mg/l as an average monthly and 0.242 mg/l as maximum daily for total copper may become effective pending approval of the proposed water effect ratio.

Monitoring discharge for hardness.

Conditions for future permit modification.

Implementation of industrial pretreatment program requirements.

Effective disinfection.

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

PA 0088048. Sewage, SIC: 4952, **New Morgan Borough Council**, 200 Bethlehem Drive, Suite 207, Morgantown, PA 19543.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to Conestoga River, in Caernarvon 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 Lancaster Municipal Water Authority located in Lancaster. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.300 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.0	XXX	6.0
(11-1 to 4-30)	9.0	XXX	18.0
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.5	XXX	1.5
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0—9.0 inclusive		
Fecal Coliforms	200/100 ml as a geometric mean		
(5-1 to 9-30)	4,900/100 ml as a geometric mean		
(10-1 to 4-30)			
Thallium	0.007	XXX	0.018
Zinc	0.271	XXX	0.678
Free Cyanide	0.018	XXX	0.045
Boron	5.8	XXX	14.5
Phenol	0.072	XXX	0.18
Benzene	0.030	XXX	0.05
Chlorobenzene	0.072	XXX	0.18
Chloroform	0.120	XXX	0.30
Methyl Chloride	0.100	XXX	0.25
Aluminum	1.8	XXX	4.5
Total Iron	5.4	XXX	13.5
Manganese	5.8	XXX	14.5
Dissolved Iron	1.0	XXX	2.5

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.

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

PA 0208779. Industrial waste, SIC: 3111, **Wickett & Craig of America, Inc.**, 120 Cooper Road, Curwensville, PA 16833.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to West Branch Susquehanna River in Curwensville Borough, **Clearfield County**.

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.159 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lb/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
BOD ₅	66	145	165	88	192
Ammonia-N					
(5-1 to 10-31)	45	90	114	60	119
(11-1 to 4-30)	90	180	180	119	239
TSS	96	208	240	127	276
Total Phenols	3.3	5.2			
Oil and Grease	15		30		
Total Chromium	1.5	3.7			
pH	6.0—9.0 at all times				

The EPA waiver is not in effect.

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

PA 0002925. Industrial waste, SIC: 4911, **West Penn Power, doing business as Allegheny Power**, 800 Cabin Hill Drive, Greensburg, PA 15061-1689.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water, stormwater from Springdale Power Station in Springdale Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters of the Allegheny River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Oakmont Borough Municipal Authority, located at 721 Allegheny Avenue, 4.2 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.1 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: existing boiler blowdown discharge to Outfall 001

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Since Springdale Power Station is in "Cold Reserve," there should not be any discharge of boiler blowdown from this outfall.
See Item No. 2 in Part C of the permit.

Outfall 001: existing discharge to Allegheny River

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Total Residual Chlorine				0.2	
pH	not less than 6.0 nor greater than 9.0				

This outfall is only authorized to receive and discharge wastewater from internal monitoring point 101, while the Springdale Power Station is in "Cold Reserve" status. See Item Nos. 2, 6 and 9 I Part C of the permit.

Outfall 002: existing intake screen backwash discharge to the Allegheny River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
	The debris collected on the intake screen shall not be returned to the waterway.				

Other Conditions: The Springdale Power Station has been "Cold Reserve" status since 1984.

The EPA waiver is in effect.

PA 0027537. Industrial waste, SIC: 4941, **Township of Shaler**, 300 Wetzel Road, Glenshaw, PA 15116.

This application is for renewal of an NPDES permit to discharge treated process water (spent brine, zeolite softener rewash water, filter rewash water) from Shaler Township Municipal Water Authority in Shaler Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, of the Allegheny River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is West View Municipal Authority, located at Neville Island, 9.52 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.022 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Suspended Solids			30		60
Iron			2		4

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			4		8
Manganese			1		2
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA 0090271. Industrial waste, SIC: 4953, **Duquesne Light Company**, 411 Seventh Avenue, P. O. Box 1930, Pittsburgh, PA 15230-1930.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Fern Valley Disposal Site in Jefferson Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is PA American Water Company, located at 410 Cooke Lane, Pittsburgh, PA 15234, 18.1 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.066 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Suspended Solids			30	60	75
Oil and Grease			15		30
Aluminum			5.0	10.0	12.5
Iron			3.5	7.0	8.75
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 002: existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
Suspended Solids			30		60
Oil and Grease			15		30
Aluminum			5.0		10.0
Iron			3.5		7.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge, design flow of 0.066 mgd

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Suspended Solids			30		60
Oil and Grease			15		30
Aluminum			5.0		10.0
Iron			3.5		7.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Aluminum			monitor and report		
Iron			monitor and report		

PA 0034614. Sewage, **RAS Development Corporation**, 12 Arentzen Boulevard, Charleroi, PA 15022.

This application is for renewal of an NPDES permit to discharge treated sewage from Mountain Pine Resort STP in Saltlick Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of .035 mgd.

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

The EPA waiver is in effect.

PA 0091588. Sewage, **Yough School District**, 99 Lowber Road, Herminie, PA 15637.

This application is for renewal of an NPDES permit to discharge treated sewage from the Yough Jr. High School STP in South Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an Unnamed Tributary of Sewickley 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 McKeesport Water Authority.

Outfall 001: existing discharge, design flow of .0135 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)	2.0			4.0
(11-1 to 4-30)	5.0			10.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	.18			.41
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0092894. Sewage, **Consol Pennsylvania Coal Company, Waynesburg Operation**, P. O. Box 174, Graysville, PA 15337.

This application is for renewal of an NPDES permit to discharge treated sewage from the Bailey Mine Sewage Treatment Plant in Richhill Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Enlow Fork, 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 City of Sistersville Water Company located on the Ohio River.

Outfall 004: existing discharge, design flow of 0.05 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				
(5-1 to 10-31)	20			40
(11-1 to 4-30)	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
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	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions:

The EPA waiver is in effect.

PA 0096695. Sewage, **Frazier School District**, 403 West Constitution Street, Perryopolis, PA 15473.

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

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

Outfall 001: existing discharge, design flow of .005 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	9.0			18.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0203815-A1. Industrial waste, SIC: 4512 and 4581, **Allegheny County, Department of Aviation**, P. O. Box 12370, Pittsburgh, PA 15231-0370.

This application is for amendment of an NPDES permit to discharge treated leachate and untreated stormwater from Pittsburgh International Airport in Findlay Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Unnamed Tributary, classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough Water Authority, located at Midland, PA 32 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0144 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Suspended Solids			35		70
Iron			3.5		7.0
Manganese			2.0		4.0
pH	not less than 6.0 nor greater than 9.0				

Other Conditions:

The EPA waiver is in effect.

Internal Monitoring Point 167: new discharge, design flow of 0.009 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Suspended Solids			30		60
CBOD ₅			10		20
Oil and Grease			15		30
MBAS			1.0		2.0
Benzene			0.005		0.01
Total Residual Chlorine			0.07		0.16
pH	not less than 6.0 nor greater than 9.0				

Outfall 067: New discharge, design flow of 0.009 mgd.

The discharge from this outfall shall consist of uncontaminated stormwater runoff and sources at Internal Monitoring Point 167.

Outfalls 068, 069, 070, 071 and 071: New discharge, design flow of varied mgd.

The discharge from these outfalls shall consist of uncontaminated stormwater runoff and groundwater.

PA 0216984. Sewage, **Shannock Valley General Services Authority**, P. O. Box 157, Yatesboro, PA 16263.

This application is for renewal and modification of an NPDES permit to discharge treated sewage from NuMine STP in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cowanshannock 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 Kittanning Suburban Joint Water Authority on the Allegheny River.

Outfall 001: new discharge, design flow of 0.065 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	25	38		50
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	7,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0216992. Sewage, **Shannock Valley General Services Authority**, P. O. Box 157, Yatesboro, PA 16263.

This application is for renewal and modification of an NPDES permit to discharge treated sewage from Yatesboro STP in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cowanshannock 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 Kittanning Suburban Joint Water Authority on the Allegheny River.

Outfall 001: new discharge, design flow of 0.18 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				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	7.0	10.5		14.0
(11-1 to 4-30)	21.0	31.5		42.0

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0218162. Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701.

This application is for issuance of an NPDES permit to discharge treated sewage from Creekside STP in Washington Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Crooked 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 Buffalo Township Municipal Authority, Freeport Plant, on the Allegheny River.

Outfall 001: new discharge, design flow of 0.15 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	19	28.5		38
(11-1 to 4-30)	25	37.5		50
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	18,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<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 0038385	Defense Distribution Depot Susquehanna, PA (DDDS) Bldg. 1-1, Second Fl., DDSPL New Cumberland, PA 17070-5001	York Fairview Twp.	UNT to Susquehanna River	TRC
PA 0032093	PA Dept. of Conservation and Natural Resources Shawnee State Park 132 State Park Road Schellsburg, PA 15559-7300	Bedford Napier Twp.	Shawnee Branch	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each 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).

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

A. 4599201. Connaught Laboratories, Inc., d.b.a. Pasteur Merieux Connaught. Discover Drive, Swiftwater, PA 18370-0187. Application to increase the maximum average monthly discharge flow from the Connaught Industrial Wastewater Treatment Plant to

Swiftwater Creek, located in Pocono Township, **Monroe County**. Application received in the Regional Office—June 17, 1999.

A. 5499404. Northeastern Schuylkill Joint Municipal Authority. P. O. Box 1326, R. R. 1, Hometown, Tamaqua, PA 18252. Application to construct a sewage treatment plant to serve Rush and Ryan Townships, **Schuylkill County**. The project includes construction of a sanitary sewer collection/system in Rush and Ryan Townships, Schuylkill County. Application received in the Regional Office—June 22, 1999.

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

WQM Permit No. 1599408. Sewerage. **East Goshen Township Municipal Authority**, 1580 Paoli Pike, West Chester, PA 19380. Applicant requests approval for the construction and operation of a sanitary sewer collection and conveyance system to serve the Reserve at Spring Meadows a residential subdivision located in East Goshen Township, **Chester County**.

WQM Permit No. 1599409. Sewerage. **East Goshen Township Municipal Authority**, 1580 Paoli Pike, West Chester, PA 10380. Applicant requests approval for the construction and operation to upgrade an existing pump station and force main to serve Hershey's Mill Village located in East Goshen Township, **Chester County**.

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

A. 4474404-T1 99-1. Sewage, submitted by **West Wayne Sewer Authority**, 72 Lucy Furnace Road, Mount Union, PA 17066, Wayne Township, **Mifflin County** to relocate a force main sewer line off the bridge walkway of the Jefferson Street Bridge was received in the Southcentral Region on June 2, 1999.

A. 2299403. Sewage, submitted by **Lower Swatara Township Municipal Authority**, 1499 Spring Garden Drive, Middletown, PA 17057, Lower Swatara Township, **Dauphin County** to abandon an existing sanitary sewer pumping station and replace with a new submersible grinder pumping station was received in the Southcentral Region on June 17, 1999.

A. 2199405. Sewage, submitted by **Carlisle Suburban Authority**, 240 Clearwater Drive, Carlisle, PA 17013, North Middleton Township, **Cumberland County**

to construct a sewer extension and one duplex submersible sewer pumping station was received in the Southcentral Region on June 21, 1999.

A. 2299404. Sewage, submitted by **Middletown Borough Authority**, 60 West Emaus Street, Middletown, PA 17057, Middletown Borough, **Dauphin County** to construct and operate a biosolids processing facility to produce exceptional quality biosolids was received in the Southcentral Region on June 22, 1999.

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

A. 6571420-A1. Sewerage. **United Mobile Homes, Inc.**, 125 Wyckoff Road, Eatontown, NJ 07724. Application for the expansion and operation of a sewage treatment plant to serve Port Royal Village located in Rost-raver Township, **Westmoreland County**.

INDIVIDUAL PERMITS (PAS)

Stormwater Individual

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. 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 Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water 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 County Conservation District Office or the Department Regional Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other

accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

NPDES Permit PAS10Q177. Stormwater. **Lehigh West Land Associates, L.P.**, J. B. Reilly, 4445 Harriet Lane, Bethlehem, PA 18017, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS10U116. Stormwater. **Clifford and Virginia Bonney**, 1055 Bushkill Center Road, Nazareth, PA 18064, has applied to discharge stormwater from a construction activity located in Bushkill Township, **Northampton County**, to Bushkill Creek.

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

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

NPDES Permit PAS10F078. Stormwater. **Eastern States Exploration Co.**, P. O. Box 178, Snow Shoe, PA 16874, has applied to discharge stormwater from a construction activity located in Snow Shoe Township, **Centre County** to Beech Creek, Rock Run, Unt. to Sandy Run.

NPDES INDIVIDUAL

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

NPDES Permit PAS107205. Stormwater. **Kinzua-Warren County Joint Authority**, P. O. Box 412, Clarendon, PA 16313, has applied to discharge stormwater from a construction activity located in Clarendon Borough and Mead Township, **Warren County**, to Allegheny River and West Branch Tionesta Creek.

SAFE DRINKING WATER

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

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

A. 4699508. Public water supply. **PA-American Water Company**, 800 West Hershey Park Drive, Hershey, PA 17033. This proposal involves the construction of a booster pump station in Perkiomen Township, **Montgomery County**.

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

Permit No. 6799503. Public water supply, **Stewartstown Borough Authority**, Stewartstown Borough, **York County**, David E. England, P. O. Box 415, Stewartstown, PA 17363. *Type of Facility:* Construction permit applica-

tion for installation of cation exchange equipment for softening, anion exchange equipment for nitrate removal and greensand filtration for manganese removal at existing Wells No. 1, 2 and 3. *Consulting Engineer:* Dennis E. Sarpen, P.E., Holley & Associates, 18 S. George St., York, PA 17401. *Application received:* June 11, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

Acknowledgment of Notices of Intent to Remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or 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 remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified as the remediator of 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:

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

Mercury Cleaners-Keyser Oak Shopping Center, City of Scranton, **Lackawanna County**. Wesley P. Fitchett, P.G., Director of Remediation Services, Property Solutions, Inc., 501 Delran Parkway, Unit A, Delran, NJ 08075, has submitted a Notice of Intent to Remediate (on behalf of his client, Overlook Towers Partnership, c/o Juster Properties, 2001 West Main Street, Suite 244, Stamford, CT 06902) concerning the remediation of site soils found to have been contaminated with solvents. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate is anticipated to be published in *The Scranton Times*.

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. 400627. Southern Chester County Medical Center, 1015 West Baltimore Pike, West Grove, PA 19390. This application was submitted for the renewal and reissuance of their solid waste permit which was originally issued to Southern Chester County Health Services, Inc. which was the parent company of Southern Chester County Medical Center. Southern Chester County Health Services, Inc. has since been dissolved. Facility is located in West Grove Borough, **Chester County**. Application was received in the Southeast Regional Office on June 24, 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 permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

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

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

06-5063C: Boyertown Foundry Co. (P. O. Box G, New Berlinville, PA 19545-0220), for a gray iron foundry controlled by various air cleaning devices in Boyertown Borough, **Berks County**.

36-317-195B: Wilbur Chocolate Co. (200 Chocolate Avenue, Mount Joy, PA 17552), for a cocoa nib roasting and grinding operations controlled by scrubbers in Mount Joy Borough, **Lancaster County**.

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

OP-63-00637: Reichard Contracting, Inc. (R. D. 3, New Bethlehem, PA 16242), for operation of coal refuse processing at Matway Site in Fallowfield Township, **Washington County**.

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

PA-20-284A: Multi-Tool, Inc. (Route 198, South Street, P. O. Box 708, Saegertown, PA 16433), for operation of two chrome plating tanks in Saegertown, **Crawford County**.

PA-25-316A: Ethan Allen, Cherry Hill Division (77 South Main Street, Union City, PA 16438), for operation of a woodworking facility in Union City, **Erie County**.

PA-33-145A: Huntingdon Foam Corp. (P. O. Box 248, Brockway, PA 15824), for operation of an expandable resin molding plant in Brockway, **Jefferson County**.

42-302-021A: Borden Chemical, Inc. (Hutchins Road, P. O. Box 7227, Mt. Jewett, PA 16740), for operation of a boiler in Sergeant Township, **McKean County**.

42-399-017A: Borden Chemical, Inc. (Hutchins Road, P. O. Box 7227, Mt. Jewett, PA 16740), for operation of a resin kettle in Sergeant Township, **McKean County**.

42-399-018D: Borden Chemical, Inc. (Hutchins Road, P. O. Box 7227, Mt. Jewett, PA 16740), for operation of two ufc, one formaldehyde, five resin storage tanks, one ammonia tank and one water hold tank in Sergeant Township, **McKean County**.

PA-42-185A: IA Construction Co. (Route 155 Turtlepoint, P. O. Box 568, Franklin, PA 16323), for operation of a batch asphalt plant in Annin Township, **McKean County**.

PA-61-187B: A. G. Industries, Inc. (671 Colbert Avenue, P. O. Box 1107, Oil City, PA 16301), for operation of an hvof powder coat system in Oil City, **Venango 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.

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

67-05047: Waste Management Disposal Services of PA, Modern Landfill and Recycling (4400 Mt. Pisgah Road, York, PA 17402) located in Windsor and Lower Windsor Townships, **York County**. The facility's major sources of emissions include a municipal solid waste landfill and three internal combustion engines which primarily emit the following contaminants: volatile organic compounds and nitrogen oxides.

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

25-00053: Urick Foundry Co., Inc. (1501 Cherry Street, Erie, PA 16512) located in the City of Erie, **Erie County**. The facility's major emission sources include various material handling equipment, a cupola, pouring and molding lines, sand shakeout and recovery equipment and miscellaneous natural gas fired sources. The facility is a major facility due to its potential to emit volatile organic compounds.

Notice of Intent to Revise Operating Permits for Hospital/Medical/Infectious Waste Incinerators

Under section 111(d)/129 of the Clean Air Act, the United States Environmental Protection Agency (EPA) promulgated Emission Guidelines to control the emission of designated pollutants from existing hospital/medical/infectious waste incinerators (HMIWI) (See 62 FR 48348, September 15, 1997). These guidelines are codified at 40 CFR Part 60, Subpart Ce and incorporated by reference in 25 Pa. Code § 122.3. These Emission Guidelines apply to all existing HMIWI units which have commenced construction on or before June 20, 1996.

The Department of Environmental Protection (Department) has determined that the affected HMIWI units listed as follows are subject to the Emission Guidelines. New or revised Federally enforceable State operating permits (FESOP), Title V operating permits or plan approvals, when necessary, will be submitted to the EPA as the legally enforceable mechanism to implement the Subpart Ce requirements.

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

07-03015: Altoona Hospital (620 Howard Avenue, Altoona, PA 16601) in the City of Altoona, **Blair County**. *Primary Emissions:* Sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO) and hazardous air pollutants (HAPs) and particulate matter (PM). *Affected HMIWI Unit:* Source ID 102, Sunbeam Incinerator Model No. A22 hospital/medical/infectious waste incinerator, 290 pounds/hr. *Other sources:* 4 boilers, 4 emergency generators.

07-03008: Nason Hospital (105 Nason Drive, Roaring Spring, PA 16673) located in Roaring Spring Borough, **Blair County**. *Primary Emissions:* Hazardous air pollutants (HAPs) and nitrogen oxides (NOx). *Effective HMIWI Unit:* Spronz hospital/medical/hazardous waste incinerator with afterburner, 100 lbs/hr. *Other Sources:* Two boilers.

21-05038: Holy Spirit Hospital (North 21st Street, Camp Hill, PA 17011) located in East Pennsboro Township, **Cumberland County**. *Primary Emissions:* Acid gases (SOx, NOx, HCL) and hazardous air pollutants (HAPs). *Affected HMIWI Unit:* Environmental Control Products infectious waste incinerator, 570 lbs/hr. *Other Sources:* Two boilers, two emergency generators.

28-03024: Waynesboro Hospital (501 East Main Street, Waynesboro, PA 17268), in Waynesboro Borough, **Franklin County**. *Primary Emissions:* Hazardous air pollutants (HAPs) and nitrogen oxides (NOx). *Affected HMIWI Unit:* Econo-Therm hospital/medical/hazardous waste incinerator with afterburner, 100 pounds/hr. *Other sources:* 5 boilers.

36-03022: Community Hospital of Lancaster (1100 East Orange Street, Lancaster, PA 17604) in the City of Lancaster, **Lancaster County**. *Primary Emissions:* Sulfur oxides (SOx), nitrogen oxides (NOx), particulate matter (PM) and carbon monoxide (CO). *Affected HMIWI*

Unit: Cleaver Brooks Corporation infectious waste incinerator, 200 lbs/hr. *Other Sources:* Three boilers.

38-05018: Lebanon VA Medical Center (1700 South Lincoln Avenue, Lebanon, PA 17042) located in South Lebanon Township, **Lebanon County**. *Primary Emissions:* Acid gases (SOx, NOx, HCL) and hazardous air pollutants (HAPs). *Affected HMIWI Unit:* Donlee Anthracite Coal-Fired Atmospheric Fluidized Bed Combustion System for Hospital Waste, 500 lbs/hr. *Other Sources:* Three boilers, five emergency generators.

36-05076: Lancaster General Hospital (3555 N. Duke Street, P. O. Box 3555, Lancaster, PA 17604-3555) in the City of Lancaster, **Lancaster County**. *Primary Emissions:* Sulfur oxides (SOx), nitrogen oxides (NOx), particulate matter (PM), carbon monoxide (CO), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs). *Affected HMIWI Unit:* Environmental Control Products infectious waste incinerator, 1,000 lbs/hr. *Other Sources:* Three boilers, four emergency generators.

36-05084: Ephrata Community Hospital (169 Martin Avenue, P. O. Box 1002, Ephrata, PA 17522-1002) located in Ephrata Borough, **Lancaster County**. *Primary Emissions:* Acid gases (SOx, NOx, HCL) and hazardous air pollutants (HAPs). *Affected HMIWI Unit:* Comptro Corporation infectious waste incinerator, 400 lbs/hr. *Other Sources:* Two boilers, two emergency generators.

67-05051: York Hospital (1001 South George Street, York, PA 17405-7189) located in the City of York, **York County**. *Primary Emissions:* Sulfur oxides (SOx), nitrogen oxides (NOx), hydrochloric acid (HCL), carbon monoxide (CO), particulate matter (PM) and volatile organic compounds (VOC). *Affected HMIWI Unit:* Environmental Control Products infectious waste incinerator, 750 lbs/hr. *Other Sources:* Three boilers, four emergency generators.

Copies of the draft permits or plan approvals and other relevant information are available for public inspection and additional information may be obtained by contacting the Southcentral Regional Office at the above noted address or telephone number between the hours of 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Interested persons may submit written comments, suggestions or objections concerning the proposed permits or plan approvals to the Regional Office noted previously 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 permit number of the proposed permit.

The commentator should include a concise statement of objections to the issuance of the revised permit or plan approval and the relevant facts upon which the objections are based.

A public hearing will subsequently be held for all HMIWI which will be shutting down, and have requested an extension beyond the 1 year compliance deadline specified in the draft permit or plan approval. The Department reserves the right to hold a public hearing on all other proposed actions based upon the information received during the public comment period and will provide notice of each hearing at least 30 days prior to the date of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

PLAN APPROVALS

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

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

06-322-002B: Western Berks Refuse Authority (455 Poplar Neck Road, Birdsboro, PA 19607), for a municipal solid waste landfill controlled by a gas collection system and enclosed flare in Cumru Township, **Berks County**.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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.

E09-791. Encroachment. **Wawa, Inc.**, Red Roof Office, Baltimore, PA 19603. To relocate approximately 340 linear feet of an unnamed tributary to Geddes Run (CWF) through stormwater management facilities and to place and maintain fill within 0.15 acre of adjacent wetland (PEM) associated with the construction of a Wawa Food Market. The site is located approximately 500 feet south of the intersection of Easton Road (S. R. 0611) and Stump Road (S. R. 1010) (Bedminster, PA USGS Quadrangle N: 1.9 inches; W: 3.1 inches) in Plumstead Township, **Bucks County**. The applicant proposes to construct 0.15 acre of replacement wetlands.

E09-787. Encroachment. **Bensalem Township**, 2400 Byberry Road, Bensalem, PA 19020. To improve an existing storm sewer facility by installing and maintaining an additional 501 feet of 60-inch RCP. This storm sewer will supplement stormwater conveyance, which is currently conveyed by an existing 60-inch storm sewer. This storm sewer conduit will converge at Junction box no. 1 and 197 l.f. of new 84-inch RCP will outlet the system into an unnamed tributary to Poquessing Creek (WWF). Riprap will be installed at the outlet end of the conduit. The site is located near the intersection of

Richlieu Road and Street Road (SR 132) along Richlieu Road (Beverly, PA Quadrangle N: 21.4 inches; W: 12.25 inches) in Bensalem Township, **Bucks County**.

E15-620. Encroachment. **Robert and Mary Haskell**, 1045 Lower Pine Creek Rd., Chester Springs, PA 19425. To maintain an existing wooden prefabricated pedestrian footbridge previously permitted under GP081599313 with two concrete footings (24-inch wide x 60-inch long x 48-inch deep). This bridge spans Pine Creek (HQ-TSF) at a private residence located on Pine Creek Road approximately 3,000 feet northeast of the intersection of Pine Creek Road and PA Route 401 (Malvern Quadrangle N: 14.4 inches; W: 16.3 inches) in West Pikeland Township, **Chester County**.

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

E52-161. Encroachment. **Pennsylvania Department of Conservation and Natural Resources (DCNR)**, Bureau of Forestry, Forestry District 19, HCI Box 95A, Swiftwater, PA 18370-9723. To construct and maintain (1) a road crossing of Craft Brook adjacent wetland (EV) consisting of five 18-inch elliptical culverts, and (2) a road crossing of a tributary to Sawkill Creek and adjacent wetlands (EV), consisting of two 18-inch elliptical culverts for the purpose of constructing a public hiking/biking/horseback riding trail as part of the Delaware State Forest Trail system. Construction of the crossings will include the placement of fill in 0.13 acre of PEM wetlands. The applicant proposes to contribute to the Pennsylvania Wetland Replacement project in lieu of replacing wetlands onsite. Crossing No. 1 is located approximately 300 feet north of Lily Lake (Milford, PA-NJ Quadrangle N: 22.4 inches; W: 14.3 inches) and Crossing No. 2 is located approximately 3,000 feet northeast of Lily Lake (Milford, PA-NJ Quadrangle N: 22.2 inches; W: 13.3 inches), Milford Township, **Pike County** (Philadelphia District, U. S. Army Corps of Engineers).

E52-162. Encroachment. **Blooming Grove Hunting and Fishing Club**, Robin Wildermath, Manager, P. O. Box 380, Hawley, PA 18428-0380. To construct and maintain a road crossing of Shohola Creek (HQ-CWF) consisting of two 24-foot long by 54-inch diameter elliptical galvanized corrugated steel culverts side by side on the creek bed and backfilling culverts and creek with coarse aggregate and blend into existing grade. The project is located 2 miles south of the intersection of Interstate 84 and S. R. 402 and 0.75 mile west of S. R. 402 (Promised Land, PA Quadrangle N: 15.2 inches; W: 2.1 inches), Blooming Grove Township, **Pike County** (Philadelphia 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.

E07-313. Encroachment. **Blair Senior Services, Inc.**, 1320 12th Street, Altoona, PA 16601. To place fill in 0.11 acre of wetlands for the purpose of constructing an 8,000 square foot Tyrone Senior Center and associated vehicle parking area located along the south side of 3rd Street about 700 feet north of its intersection with Washington Avenue (Tipton, PA Quadrangle N: 7.4 inches; W: 0.65 inch) in the Borough of Tyrone, **Blair County**.

E21-295. Encroachment. **Upper Allen Township**, 100 Gettysburg Pike, Mechanicsburg, PA 17055. To construct and maintain rock deflectors along the left bank of Yellow Breeches Creek to protect the left bank against erosion

located in McCormick Road about 1,800 feet downstream of Mumma Bridge (Lemoyne, PA Quadrangle N: 7.28 inches; W: 11.5 inches) in Upper Allen Township, **Cumberland County**.

E22-403. Encroachment. **PA Geological Society**, 14 Creekside Drive, Enola, PA 17025. To operate a 4-inch power sluice for the purpose of recovering heavy precious metals along the bottom of the Susquehanna River (WWF) at a point approximately 6,000 feet upstream of the Rockville Bridge to a point approximately 12,000 feet upstream of the Rockville Bridge (Harrisburg, PA Quadrangle N: 19.0 inches; W: 7.0 inches) and at a point from the South Bridge downstream approximately 1,800 feet (Lemoyne, PA Quadrangle N: 22.1 inches; W: 0.2 inch) in Middle Paxton Township and the City of Harrisburg, **Dauphin County**.

E36-677. Encroachment. **Pequea Township**, Patsy Davis, 1028 Millwood Road, Willow Street, PA 17584. To remove the existing structure and to construct and maintain a precast concrete box culvert having a 14-foot span with a 6-foot rise across Conoy Creek on Ridgeview Road (Elizabethtown, PA Quadrangle N: 8.15 inches; W: 11.9 inches) in Mount Joy Township, **Lancaster County**.

E50-186. Encroachment. **Regina Crotsley**, R. R. 1, Blain, PA 17006. To restore an existing damaged bridge by replacing the deck, repairing or replacing damaged abutments and piers and regrading the stream banks across the channel of Bull Run at a point approximately 5,000 feet upstream of Manassa Church (Andersonburg, PA Quadrangle N: 10.25 inches; W: 17.2 inches) in Jackson Township, **Perry County**.

E50-198. Encroachment. **Wheatfield Township**, R. D. 2, Box 248 B, Newport, PA 17074. To remove an existing structure and to construct and maintain a 4.75 foot x 9 foot concrete box culvert in the channel of a tributary to the Juniata River (WWF) at a point at Losh Run Road (Duncannon, PA Quadrangle N: 12.9 inches; W: 4.2 inches) in Wheatfield Township, **Perry County**.

E67-670. Encroachment. **Hunter Creek Properties, Inc.**, 1642 Whitley Drive, Harrisburg, PA 17111. To place fill in 0.315 acre of wetlands for the purpose of constructing two stormwater detention basins and three minor road crossings across unnamed tributaries to Little Conewago Creek associated with the Hunter Creek residential development located west of Susquehanna Trail (SR 0295) 1.8 miles south of Exit 12, Strinestown off Interstate 83 (Dover, PA Quadrangle N: 10.5 inches; W: 3.0 inches) in Conewago Township, **York County**. The permittee will construct 0.363 acre of replacement wetlands.

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

E14-340. Encroachment. **Melvin R. Wetzel**, 198 Spotts Road, Julian, PA 16844. To 1) backfill and maintain a 66-foot long by 3-foot deep unnamed man-made tributary to Dewitt Run; 2) construct and maintain a 25-foot long by 7-foot section of R-5 riprap stream bank protection on an unnamed tributary to Dewitt Run; 3) restore and maintain a cross-section measuring 12-foot wide by 3-foot deep for the last 405 feet of an unnamed tributary to Dewitt Run prior to its confluence with Dewitt Run, all of which are located at the intersection of Spotts Road and S. R. 504 (Bear Knob, PA Quadrangle N: 10.3 inches; W: 5.3 inches) in Union Township, **Centre County**. This project proposes to impact 415 feet of an unnamed tributary to Dewitt Run that is classified as a wild trout-cold water fishery.

E14-348. Encroachment. **Columbia Gas Transmission**, 950 Manifold Road, Washington, PA 15301. To repair, operate and maintain a 16-inch diameter pipeline beneath Moshannon Creek to convey natural gas; repair, operate and maintain minor road crossings of Red Lick Run, West Branch-Spruce Run and Eddy Lick Run to provide access to pipeline right-of-way; and to repair, operate and maintain a ford crossing of Fields Run to provide access to pipeline right-of-way. The pipeline repair work shall consist of installing 25 linear feet of cathodic protection beneath the channel of Moshannon Creek. The repair work to the minor road crossings shall consist of regrading approaches and installing new culverts. The repair work to the ford crossing shall consist of regrading and stabilizing approaches. The project will not impact wetlands while impacting 172-feet of waterway. The project is located along the eastern and western right-of-way of S. R. 0879 approximately 4,000-feet east of Pine Glen Avenue and S. R. 0879 intersection (Karthus, PA Quadrangle N: 19.1 inches; W: 0.01 inch) in Burnside Township, **Centre County**. All stream bank impacts shall be stabilized within 72 hours of final earthmoving.

E18-272. Encroachment. **Pennsylvania Department of Conservation and Natural Resources**, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove the existing structure and to construct and maintain a single span concrete box beam bridge with a total clear span of 32 feet, skew of 49 degrees, and an inlet underclearance of 3.74 feet across Gottshall Run located on Gottshall Road approximately 700 feet west of Route 880 (Carroll, PA Quadrangle N: 17.8 inches; W: 16.7 inches) in Crawford Township, **Clinton County**. This permit also authorizes a temporary stream crossing for construction vehicles only. Estimated total stream disturbance is 158 feet with no wetland impacts; stream classification is CWF.

E18-274. Encroachment. **John Gilchrist**, 105 South Water Street, Mill Hall, PA 17751. To 1) construct and maintain an L-shaped 10-foot by 28-foot by 12-foot by 30-foot wooden deck; 2) install and maintain 223-feet of 4-foot high chain link fence in the left floodway of Fishing Creek located 400 feet north of the intersection of South Water Street and Church Street (Mill Hall, PA Quadrangle, N: 19.4 inches; W: 15.5 inches) in the Borough of Mill Hall, **Clinton County**. The project does not propose to place any fill in the channel of the Fishing Creek.

E18-275. Encroachment. **Columbia Gas Transmission**, 950 Manifold Road, P. O. Box 496, Washington, PA 15301. The applicant proposes to install, operate and maintain approximately 10,500 feet of continuous anode cable (2.5 inches in diameter) and anodes (approximately 3 inches in diameter and 5 feet in length) every 75–100 feet (approximately 5–10 feet from the existing 16 inch natural gas line 1711). The project is located beginning approximately 0.50 mile north east of the intersection of Eddy Ridge Road and Route 144 (Snowshoe NE, PA Quadrangle N: 9.4 inches; W: 16.5 inches) in Beech Creek Township, Clinton County and ending approximately 0.75 mile south of the intersection of Ritchie Road and Hyner View Road (Glen Union, PA Quadrangle N: 14.6 inches; W: 10.7 inches) in Gallagher Township, **Clinton County**.

The issuance of Water Obstruction and Encroachment Permit that would authorize the proposed activity requires 401 Water Quality Certification to be included into the permit. The project has been deemed as a "Reporting" action to the U. S. Army Corps of Engineers, Baltimore District, and does not warrant consideration for PASPGP-1.

The following streams will be crossed to complete the Clinton County portion project:

<i>Stream</i>	<i>Chapter 93</i>	<i>Wild Trout</i>	<i>Distance (ft)</i>
E. Branch Big Run	EV	Yes	2
Benjamin Run	HQ-CWF	No	15
Sled Road Hollow	HQ-CWF	No	3
Stevens Valley	HQ-CWF	No	8
Johnson Run	HQ-CWF	No	25
Johnson Run	HQ-CWF	No	25
Goodman Hollow	HQ-CWF	No	3

The following wetlands will be crossed with anode installation to complete the Clinton County portion of the project:

<i>Wetland ID No.</i>	<i>Plot ID No.</i>	<i>Type</i>	<i>Length</i>	<i>Acreage</i>
2	6	PEM	300	0.34
3	7	PEM	165	0.20
5	12	PEM	82	0.82

E49-226. Encroachment. **Pennsylvania Department of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structures and to construct and maintain 1) a dual ten span continuous composite steel multigirder bridge with nine 1.83-meter wide sharp-nosed piers, normal span to abutments measuring 39.32-meters, 2@ 47.28-meters 48.18-meters, 2@ 47.28-meters, 48.18-meters, 2@ 47.28-meters, 38.72-meters and a minimum underclearance of 15.11-meters across the West Branch of the Susquehanna River located 3,900 feet east of Exits 30 (Milton, PA Quadrangle N: 9.10 inches; W: 15.44 inches) in Turbot Township, Northumberland County and White Deer Township, **Union County**; 2) a dual four span concrete pre-stressed I-beam bridge with three 0.31-meter wide flat-nosed piers, normal span to abutments measuring 12.57-meters, 17.98-meters, 17.98-meters, 12.57-meters and a minimum underclearance of 8.10-meters across Muddy Run located 9,100 feet east of Exits 31 (Milton, PA Quadrangle N: 6.07 inches; W: 8.58 inches) in Turbot Township, **Northumberland County**. The project proposes to impact 60 meters of Muddy Run which is classified warm water fishery and 85 meters of the West Branch of the Susquehanna River which is classified warm water fishery.

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

E02-1277. Encroachment. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233-1080. To construct and maintain a new Oak Viaduct bridge across Sawmill Run, to rehabilitate and maintain the South Busway along the banks of the stream from Glenbury Street Stop to the South Bank Stop near the intersection of Denise Way and Hawridge Way, and to construct and maintain outfall structures and a retaining wall along the banks of the stream for the purpose of reconstructing the Overbrook Trolley Line (Pittsburgh East, PA Quadrangle N: 2.7 inches; W: 17.1 inches) in the City of Pittsburgh, **Allegheny County**.

E63-470. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge and to construct and maintain a new bridge having two spans, 57.7 feet and 62.8 feet with an underclearance of 10.0 feet across Pigeon Creek (WWF). The bridge is located on S. R. 2023, Section H00 (Monongahela, PA Quadrangle N: 8.6 inches; W: 12.0 inches) in Carroll Township, **Washington County**.

E63-469. Encroachment. **Washington Hospital Senior Care Corporation**, 155 Wilson Avenue, Washington, PA 15301-3398. To construct and maintain a 36-inch diameter culvert in an unnamed tributary to Chartiers Creek (WWF), for the purpose of constructing the Washington Senior Care Corporation facility located just north from the intersection of Manifold Road and U. S. Route 19 (Washington East, PA Quadrangle N: 12.0 inches; W: 12.5 inches) in South Strabane Township, **Washington County**.

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

E10-303. Encroachment. **Western Butler County Authority**, 607 Market Street, P. O. Box 427, Zelienople, PA 16063. To construct and maintain the following structures, with appurtenant works, as part of the expansion of the existing Western Butler County Authority Water Pollution Control Plant on Allegheny Street with the 100-year floodplain of Glade Run and Connoquenessing Creek (Zelienople, PA Quadrangle N: 6.7 inches; W: 3.4 inches) in Zelienople Borough, **Butler County**: 1. A 90-foot-diameter excess flow holding tank and valve pit. 2. A 15-foot-wide by 30-foot-long excess flow pump station. 3. A 14.33-foot-wide by 14.5-foot-long sulfonation building. 4. A 42-foot-wide by 42-foot-long clarifier and 42-foot-wide by 42-foot-long aeration tank with a 13.5-foot-wide intermediate gallery. 5. Approximately 450 feet of new driveway. 6. Interior renovations to existing buildings.

E25-589. Encroachment. **North East Township**, 10300 West Main Road, North East, PA 16428. To remove the existing structure and to install and maintain a 137-inch-wide by 87-inch-high CM pipe arch culvert in a tributary to Sixteen Mile Creek on T-751 (Cole Road) approximately 0.1 mile east of S. R. 0426 (North East, PA Quadrangle N: 9.9 inches; W: 4.4 inches) located in North East Township, **Erie County**.

E43-272. Encroachment. **PA Department of Transportation**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a precast reinforced concrete box culvert having a 10-foot-wide by 6-foot-high waterway opening in a tributary to Mill Creek on S. R. 2014 Segment 0070, Offset 1344, approximately 1 mile west of I-79 (Mercer, PA Quadrangle N: 17.4 inches; W: 7.0 inches) located in Findley Township, **Mercer 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 the Commonwealth.

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

WA32-1002. Water Allocation. **Lower Indiana County Municipal Authority, Indiana County.** The applicant is requesting the right to purchase 300,000 gallons per day from the Highridge Water Authority, Indiana County, but not more than a total of 350,000 gallons per day from all suppliers.

WA32-1001. Water Allocation. **Lower Indiana County Municipal Authority, Indiana County.** The applicant is requesting the right to purchase 300,000 gallons per day from the Blairsville Municipal Authority, Indiana County, but no more than a total of 350,000 gallons per day from all suppliers.

WA65-298E. Water Allocation. **Highridge Water Authority, Westmoreland County.** The applicant is requesting the right to withdraw 4.5 mgd of water from various sources: Big Springs Reservoir, .891 mgd; Little Sugar Run Reservoir, 1.775 mgd; Sugar Run Reservoir, 1.593 mgd; Sugar Run Intake, .910 mgd; unnamed stream intake, .634 mgd; Popular Run Intake, .688 mgd; no more than a total of 2.5 mgd from the preceding sources; and Tubmill Reservoir, 2.0 mgd; all in Westmoreland County.

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

Permit No. 3599401. Sewerage. **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18519. Permit to modify existing Archbald Wastewater Treatment Plant, located in Archbald Borough, **Lackawanna County**.

Permit No. 3999402. Sewerage. **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034. Permit to construct sanitary sewer extension which will collect flows from Lutron Electronics, Inc., located in Upper Saucon Township, **Lehigh County**.

NPDES Permit No. PA-0031267. Sewerage. **Tri-Valley School District, Hegins-Huble Elementary School**, 1801 West Main Street, Valley View, PA 17983, is authorized to discharge from a facility located in Hegins Township, **Schuylkill County**, to Pine Creek.

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

Permit No. 0699404. Sewage. **Frank Gussoni III**, 2528 Soni Drive, Trooper, PA 19402. This permit approves the construction of sewage treatment facilities in Colebrookdale Township, **Berks County**.

Permit No. 2180402. 99-1. Sewage. **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055-3097. This permit approves the construction of diffuser outfall in Hampden Township, **Cumberland County**.

Permit No. 6799402. Sewage. **Newberry Township Municipal Authority**, 1915 Old Trail Road, Etters, PA 17319. This permit approves the construction of sewers and appurtenances and pump station in Newberry Township, **York County**.

Permit No. 0187402. Sewage. **Abbottstown/Paradise Joint Sewer Authority**, P. O. Box 401, Abbottstown, PA 17301. This permit approves the modification of pump station in Hamilton Township, **Adams County**.

Permit No. 2998401. Sewage. **McConnellsburg Sewerage Authority**, P. O. Box 681, McConnellsburg, PA 17233. This permit approves the modification of sewage treatment facilities in Ayr Township, **Fulton County**.

Permit No. 2888407. 99-1. Sewage. **Borough of Greencastle**, 60 North Washington Street, Greencastle, PA 17225. This permit approves the modification of sewage treatment facilities in Antrim Township, **Franklin County**.

Permit No. 0698406. 99-1. Sewage. **City of Reading**, 815 Washington Street, Reading, PA 19601. This permit approves the modification of sewage treatment facilities in Reading City, **Berks County**.

Permit No. 0681203-T2. Industrial waste. **Vlasic Foods International, Inc.**, Vlasic Plaza, Six Executive Campus, Cherry Hill, NJ 08002-4112. This permit approves the modifications of land application facilities in Maiden Creek Township, **Berks County**.

Permit No. 0799401. Sewage. **Northern Blair County Regional Sewer Authority**, RR4, Box 236A, Tyrone,

PA 16686. This permit approves the construction of sewers and appurtenances and pump stations in Snyder Township, **Blair County**.

NPDES Permit No. PA0043494. Sewerage. **Loysville Village Municipal Authority**, P. O. Box 133, Loysville, PA 17047-0133, is authorized to discharge from a facility located in Tyrone Township, **Perry County** to the receiving waters named Muddy Run.

NPDES Permit No. PA0053708. Sewerage. **Hawk Mountain Bed and Breakfast**, 223 Stony Run Valley Road, Kempton, PA 19529, is authorized to discharge from a facility located in Albany Township, **Berks County** to the receiving waters named Stoney Run.

NPDES Permit No. PA0080926. Sewerage. **Robert Schroeder**, 205 Sleepy Hollow Road, Lititz, PA 17543, is authorized to discharge from a facility located in Elizabeth Township, **Lancaster County** to the receiving waters of an unnamed tributary of Hammer Creek.

NPDES Permit No. PA0032883. Sewerage. **Borough of Duncansville**, P. O. Box 308, Duncansville, PA 16635, is authorized to discharge from a facility located in Allegheny Township, **Blair County** to the receiving waters named Blair Gap Run.

NPDES Permit No. PA0085910. Sewerage. **Beth Dorsey**, 1050 Drager Road, Columbia, PA 17512, is authorized to discharge from a facility located in Rapho Township, **Lancaster County** to the receiving waters named Little Chickies Creek.

NPDES Permit No. PAG043619. Sewerage. **Mr. and Mrs. William Hartman**, 1046 Tallow Hill Road, Chambersburg, PA 17201, are authorized to discharge from a facility located in Hamilton Township, **Franklin County** to the unnamed tributary to Conococheague Creek.

NPDES Permit No. PAG043612. Sewerage. **Frank Gussoni III**, 2528 Soni Drive, Trooper, PA 19402, is authorized to discharge from a facility located in Colebrookdale Township, **Berks County** to Ironstone Creek.

NPDES Permit No. PA0026646. Sewerage. **Kerry J. Ustaszewski**, **Antietam Valley Municipal Authority**, 502 Butter Lane, Reading, PA 19606, is authorized to discharge from a facility located in St. Lawrence Borough, **Berks County** to the receiving waters named Antietam Creek.

NPDES Permit No. PA0086509. Industrial waste. **Allentown Cement Co., Inc.**, P. O. Box 619, Blandon,

PA 19510-0619, is authorized to discharge from a facility located in Maiden Creek Township, **Berks County** to the receiving waters named Maiden Creek.

NPDES Permit No. PA0083623. Industrial waste. **T. B. Woods, Inc.**, 440 North Fifth Avenue, Chambersburg, PA 17201-1778, is authorized to discharge from a facility located in Chambersburg Borough, **Franklin County** to the receiving waters of an unnamed tributary to Falling Spring Branch.

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

NPDES Permit No. PA0008036. Industrial waste. **Ingersoll-Rand Company**, 101 North Main Street, Athens, PA 18810-1799. Renewal of existing industrial waste discharge of noncontact cooling water to Chemung River has been approved. The facility is located at Athens Township, **Bradford County**.

NPDES Permit No. PA0100161. Industrial waste. **Triangle Auto Spring Company Inc.**, P. O. Box 425, Dubois, PA 15801. Renewal of existing NPDES industrial waste of noncontact and stormwaters discharge to Pentz Run has been approved. The facility is located at Sandy Township, **Clearfield County**.

NPDES Permit No. PA0045993. Sewerage, **Ulysses Municipal Authority**, P. O. Box 392, Ulysses, PA 16948-0392. Renewal granted for existing sewage treatment plant and for expansion. A two tiered permit is being used to cover the discharge until construction is completed. The facility is located at Ulysses Borough, **Potter County**.

WQM Permit No. 5999402. Sewerage. **John and Nancy Thomas**, P. O. Box 347, Mt. Gretna, PA 17064. Permission granted to construct a single residence sewage system to discharge to Crooked Creek. The facility is located at Chatham Township, **Tioga County**.

INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S070	Sheldon Kopelson P. O. Box 741 E. Stroudsburg, PA 18301	Monroe County Stroud Township	Little Pocono Creek

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

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

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

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

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

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

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
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>
Susquehanna County Middletown Township	PAR106410	PennDOT Eng. Dist. 4-0 P. O. Box 111 Scranton, PA 18501	N. Branch Wyalusing Cr.	Susquehanna CD (570) 278-4600
Lackawanna County Dunmore Borough	PAR10N089	Donald Bernstein Maid-Rite Steak Co. 105 Keystone Industrial Park P. O. Box 509 Dunmore, PA 18512	Lackawanna River	Lackawanna CD (570) 281-9495
Lackawanna County Throop Borough	PAR10N086	P. Frank Kozik Scranton Craftsman, Inc. 930 Dunmore St. Throop, PA 18512	Eddy Creek	Lackawanna CD (570) 281-9495
Tioga County Richmond/Covington Townships	PAR106629	PA Dept. of Transportation 715 Jordan Ave. Montoursville, PA 17754	Tioga River	Tioga County CD 29 East Avenue Wellsboro, PA 16901 (570) 724-1801
Tioga County Ward Township	PAR106631	Sylvan Glen P. O. Box 61 Gaines, PA 16921	Fall Brook	Tioga County CD 29 East Avenue Wellsboro, PA 16901 (570) 724-1801
Union County East Buffalo Township	PAR106832	Bucknell University Lewisburg, PA 17937	Unt. Limestone Run	Union County CD 60 Bull Run Crossing Lewisburg, PA 17837 (570) 523-8782

NOTICES

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*General Permit Type—PAG-3**Facility Location**County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream
or Body of Water**Contact Office and
Telephone No.*Washington County
Fallowfield Township

PAR506104

BFI Waste System of North
America Inc.
757 N. Eldridge
P. O. Box 3153
Houston, TX 77253South Branch of
Maple CreekSouthwest Regional
Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Westmoreland County
Rostraver Township

PAR506110

Westmoreland Waste LLC
1428 Delberts Drive Unit 2
Monongahela, PA 15063Unnamed
Tributary of Speers
RunSouthwest Regional
Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Beaver County
Koppel Borough

PAR606114

Philip Metals Inc.
Four Gateway Center 12th
Floor
Pittsburgh, PA 15222

Stockman Run

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

PAR606144

Larry D. Rupp
RR 6
Kittanning, PA 16201Unnamed
Tributary to
Allegheny RiverSouthwest Regional
Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Allegheny County
West Mifflin Borough

PAR806134

County of Allegheny, Dept.
of Aviation
Pittsburgh International
Airport
Landside Terminal
Suite 4000
P. O. Box 12370
Pittsburgh, PA 15231-0370Unnamed
Tributaries to the
Monongahela RiverSouthwest Regional
Office:
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Lehigh County
City of Allentown

PAR232238

Arcar Graphics, Inc.
1036 North Irving St.
Allentown, PA 18103-1318

Lehigh River

Northeast Office
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511Northampton County
Palmer Township

PAR802237

United States Postal
Service
Easton Post Office
657 S. Greenwood Ave.
Easton, PA 18042

Lehigh River

Northeast Office
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511Lehigh County
City of Allentown

PAR802238

United States Postal
Service
Allentown Post Office
1000 Postal Road
Allentown, PA 18103

Lehigh River

Northeast Office
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511

<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>
Northampton County City of Bethlehem	PAR802239	United States Postal Service Bethlehem Post Office Broad and Wood Streets Bethlehem, PA 18106	Lehigh River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Luzerne County Kingston Borough	PAR802240	United States Postal Office Kingston Post Office 435 Wyoming Ave. Kingston, PA 18704	Susquehanna River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
<i>General Permit Type—PAG-4</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lancaster County Conoy Township	PAG043503	John Augustine P. O. Box 111 2447 River Road Bainbridge, PA 17502-0111	UNT to Susquehanna River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Clearfield County Bradford Township	PAG044801	Bradley Livergood RD 1 Box 376A Frenchville, PA 16836	Unnamed tributary of Sulfur Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Montour County Mahoning Township	PAG045057	Mark S. Ruk 209 Bald Top Rd. Danville, PA 17821	UNT to Susquehanna	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Lycoming County Upper Fairfield Township	PAG044975	Henry G. Thomas 848 Back St. Montoursville, PA 17754	UNT of Kaiser Hollow Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Bradford Township	PAG045065	John and Diane Price RD 1, Box 315 Port Matilda, PA 16870	West Br. Susquehanna	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Centre County Worth Township	PAG045066	Kenneth B. Klein P. O. Box 189 Port Matilda, PA 16870	Laurel Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Tioga County Chatham Township	PAG045030	John and Nancy Thomas P. O. Box 347 Mt. Gretna, PA 17064	UNT to Crooked Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Montour County Anthony Township	PAG045059	Dwayne Derr RD 8, Box 141A Danville, PA 17821	Unnamed tributary To White Hall Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Lycoming County Loyalsock Township	PAG045060	Roger Baker RR 1 Box 39 Williamsport, PA 17701	Unnamed tributary To Millers Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*Facility Location
County and
Municipality*

Beaver County
New Sewickley
Township

Permit No.
PAG046183

*Applicant Name
and Address*
Marvin and Jean
Shingleton and
Linda Brueckner
13 Reese Avenue
Pittsburgh, PA 15223

*Receiving Stream
or Body of Water*
UNT of Snake Run

*Contact Office and
Telephone No.*

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

General Permit Type—PAG-8

*Facility Location
County and
Municipality*

Northumberland
County
McEwensville Boro

Permit No.
PAG084813

*Applicant Name
and Address*
McEwensville Municipal
Auth.
P. O. Box 50
McEwensville, PA 17749

*Receiving Stream
or Body of Water*

*Contact Office and
Telephone No.*

Northcentral
208 W. Third St.
Williamsport, PA 17701
(717) 327-3664

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

**Plan revision approval granted June 23, 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: William Knisely Subdivision, Three Family
Residences, 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 three residential dwellings. Located on the east and west side of Township Road 564, approximately 1 mile west of its intersection with Route 96 in West St. Clair Township, Bedford County. Treated effluent is to be discharged unto an unnamed tributary into Dunning Creek.

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

*Location: Lancaster Township, Lancaster County, 1240
Maple Avenue, Lancaster, PA 17603.*

The proposed development is located 5,300 feet south of the intersection of SR 0741 and SR 0999 along Millersville Road, Lancaster Township, Lancaster County. The approved project consists of the extension of 5,000 linear feet of gravity sewer to serve 45 existing homes in the Honeysuckle Lane Area. Additionally, a pump station and 6,500 linear feet of force main are proposed to serve 105 future EDUs. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority.

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

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

*Location: Washington Township, Indiana County. Pro-
posed 0.15 mgd sewage treatment plant by the Indiana*

County Municipal Services Authority, 500 feet southeast of Route 954, 1,200 feet southwest of Creekside Borough corporate boundary.

Project: Proposal by Indiana County Municipal Services Authority to construct a sewage treatment facility downstream of Creekside Borough discharging to Crooked Creek. This is Phase I of a two phase plan. Phase I is construction of the 0.15 mgd sewage treatment plant, a pump station in Creekside Borough and a McKee Run interceptor which will serve the proposed Department of Corrections facility in White Township. The Department's review of the sewage facilities plan update has not identified any significant environmental impacts resulting from this review.

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. 4699509. Public water supply. **Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. A permit has been issued for the construction of a water treatment plant to treat water pumped from Rohn's well No. 2 in Perkiomen Township, **Montgomery County**. *Type of Facility: Public Water Supply System. Consulting Engineer: CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112. Permit to Construct Issued: June 30, 1999.*

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

Permit No. 0198501. Public water supply, **Gettysburg Municipal Authority**, Cumberland Township, **Adams County**. *Responsible Official: Jim Watson, Manager, Gettysburg Municipal Authority, 601 E. Middle St., P. O. Box 3307, Gettysburg, PA 17325. Type of Facility: Construction of Well No. 9 and treatment facilities. The well will be pumped at a maximum rate of 180 gallons per minute. Treatment will be limited to hypochlorite disinfection. Consulting Engineer: William K. Corliss, Jr.,*

P.E., Gannett Fleming, Inc., P. O. Box 67100, Harrisburg, PA 17106-7100. *Permit to Construct Issued:* June 29, 1999.

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

Permit No. MA. The Department issued a construction permit to **Union Township Municipal Authority**, Box 4, Rockton, PA 15856, Union Township, **Clearfield County**, for construction of a supernatant recirculation system, including a 4,000 gallon holding tank, flow meter, submersible pump and 2-inch and 6-inch diameter PVC piping.

Permit No. 6099501. The Department issued a construction permit to the **Borough of Mifflinburg**, 333 Chestnut Street, Mifflinburg, PA 17844, Mifflinburg Borough, **Union County**, to install a second traveling bridge filter to treat well, spring and surface source.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995
Preamble 2

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

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

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

The Department has received the following final reports:

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

Corning Consumer Products Company, Borough of Charleroi, **Washington County**. C. R. Springer, Borden, Inc., 180 East Broadcast Street, 28th Floor, Columbus, Ohio 43215-3799, J. Cherill, Corning, Inc., HP-ME-03-055, Corning, New York 14831 and Steve E. Johnson, Weston, 1 Weston Way, West Chester, PA 19380, have submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs, lead,

heavy metals, pesticides, solvents, BTEX, PHCs and PAHs. 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.

New Castle Area Transit Authority, 107 Taylor Street, New Castle, PA 16101, City of New Castle, **County of Lawrence**, has submitted a Final Report concerning remediation of soil and groundwater contaminated with BTEX, lead and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995
Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of Act 2 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 in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a plan or 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:

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

Penn Fuel Gas—Lewisburg, Lewisburg Borough, **Union County**. Key Environmental, Inc. on behalf of their client, Penn Fuel Gas, Inc., 55 South Third Street, Oxford, PA 19363, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil, groundwater and sediment, contaminated with lead, heavy metals, BTEX, PAHs, phenolics and cyanide. The reports were approved by the Department on April 22, 1999 and May 14, 1999.

Rohrer Bus Service, Buffalo Township, **Union County**. Edward Allandar, Rohrer Bus Service, 305 Fairfield Road, Lewisburg, PA 17837, has submitted, within 90 days of release, a Final Report concerning soil contaminated with benzene, toluene, ethyl benzene, cumene, naphthalene, fluorene and phenanthrene. The report showed attainment of the Statewide health standard and was approved by the Department on June 10, 1999.

SOLID AND HAZARDOUS WASTE

RESIDUAL WASTE PROCESSING FACILITIES

Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for municipal and residual waste.

Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653.

General Permit No. WMGR038NC003. Keystone Rubber Processing Technologies, Inc. (P. O. Box 122, Osceola Mills, PA 16666). General Permit to operate a waste tire processing facility located in Decatur Township, **Clearfield County**, issued in the regional office on June 30, 1999.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit expired under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Permit No. 101495. Waste Alternatives, Inc., Bristol Township, **Bucks County**. The original permit for this facility was issued on May 9, 1994, but the facility was never built. Under 25 Pa. Code § 271.211(e), the permit expired on May 9, 1999, as no waste processing occurred within 5 years of permit issuance. With the expiration of the permit and at the former permittee's request, the facility bond is being released.

AIR QUALITY

OPERATING PERMITS

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

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

22-02015: Statoil Energy Power Paxton, LP (100 North Tenth Street, P. O. Box 2151, Harrisburg, PA 17105), issued a RACT Operating Permit June 30, 1999, for operation of a VOC and NO_x sources facility at 9th and Walnut Streets in Harrisburg City, **Dauphin County**.

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

OP-56-00267: Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552), issued June 11, 1999, for operation of coal processing at Merrill Strip Mine in Brothersvalley Township, **Somerset County**.

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

PA-25-981A: Thunderport Industries, Inc. (Pennsylvania Avenue, Corry, PA 16407), issued March 31, 1999, for a paint booth in Corry, **Erie County**.

33-309-017A: Owens-Brockway Glass Container (Route 19, E & R Building, Brockway, PA 15824), issued June 30, 1999, for surface treatment glass containers in Snyder Township, **Jefferson County**.

PA-42-111B: Eldred Division of Ethan Allen (Route 1, Eldred, PA 16731), issued June 30, 1999, for a paint booth in Eldred, **McKean County**.

61-399-007D: A. G. Industries, Inc. (671 Colbert Avenue, P. O. Box 1107, Oil City, PA 16301), issued June 8, 1999, for hard chromium electroplating tanks in Oil City, **Venango County**.

PLAN APPROVALS

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

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

06-303-023A: EJB Paving & Materials Co. (1119 Snyder Road, West Lawn, PA 19609-1100), issued June 21, 1999, for construction of a drum mix asphalt plant at the Ontelaunee Plant in Ontelaunee Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart I and 25 Pa. Code Chapter 139.

22-307-035: Chemetron Railway Products, Inc. (5600 Stillwell, Kansas City, MO 64120-1239), issued June 30, 1999, for construction of a rail welding unit controlled by a dust collector at the Steelton Rail Welding Plant in Steelton Borough, **Dauphin County**.

28-03020: LamTech, Inc. (649 Lincoln Highway West, Chambersburg, PA 17201), issued June 30, 1999, for construction of a bathroom vanity top manufacturing facility in Letterkenny Township, **Franklin County**.

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

PA-65-910A: McKnight Cylinder Co. (168 Pattern Shop Road, R. D. 1, Box 338, Ruffsedale, PA 15679), issued June 28, 1999, for installation of cylinder reconditioner in South Huntingdon Township, **Westmoreland County**.

PA-63-028D: Cerdec Corp. (P. O. Box 519, Washington, PA 15301), issued June 28, 1999, for installation of intensive mixer at Drakenfeld Products in Canton Township, **Washington County**.

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

PA-37-264B: Ellwood Quality Seeds Co. (700 Moravia Street, New Castle, PA 16101), issued June 22, 1999 for modification of Furnace No. 19 in New Castle, **Lawrence County**.

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

99038: Kvaerner Philadelphia Shipyard, Inc. (Bridge and Porter Avenues, Philadelphia, PA 19112), issued June 24, 1999, for construction of The Grand Block Shop, The Paint Shop and The Dock Shop with associated dry dock in The City of Philadelphia, **Philadelphia County**.

99028: Thermo-Depolymerization Process, LLC. (3601 Broad Street, Philadelphia, PA 19112), issued May 21, 1999, for construction of a food waste refining pilot plant in the City of Philadelphia, **Philadelphia 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.

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

PA-65-093A: Hyde Park Foundry (Railroad Street, P. O. Box 187, Hyde Park, PA 15641), issued June 28, 1999, for operation of magnesium inoculation at National Roll Co. in Hyde Park Borough in **Westmoreland County**.

PA-04-688A: Nova Metals, L. P. (2301 Duss Avenue, Suite 14, Ambridge, PA 15003), issued June 28, 1999, for installation of metals reprocessing at Ambridge Regional Center in Ambridge Borough, **Beaver County**.

PA-65-889A: Allegheny Energy Resources, Inc. (20 Stanwix St., Suite 600, Pittsburgh, PA 15222), issued June 28, 1999, for construction of LFG recycling facility at Valley Landfill Site in Penn Township, **Westmoreland County**.

26-000-119: Anchor Glass Container Corp. (4343 Anchor Plaza Parkway, Tampa, FL 33634), issued June 28, 1999, for operation of glass container manufacturing at Plant 5 in South Connellsville Borough, **Fayette County**.

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

PA-24-131B: SGL Carbon Corp. (900 Theresia Street, Box 1030, St. Marys, PA 15857), issued June 28, 1999, for 12 graphite purification furnaces in St. Marys, **Elk County**.

25-315-006A: International Paper Co. (1540 East Lake Road, Erie, PA 16533), issued June 30, 1999 for bleach plant operations in Erie, **Erie County**.

PA-37-302A: New Castle Battery Mfg. Co. (3601 Wilmington Avenue, P. O. Box 5040, New Castle, PA 16105), issued April 30, 1999, for a battery production plant in New Castle, **Lawrence County**.

PA-37-264A: Ellwood Quality Steels Co. (700 Moravia Street, New Castle, PA 16101), issued June 30, 1999, for a ladle furnace in New Castle, **Lawrence County**.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

The Department of Environmental Protection (Department) has taken the following actions on previously received Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

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

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

E05-270. Encroachment. South Central Counties Solid Waste Agency. P. O. Box 136, Hopewell, PA 16650. To construct and maintain embankments and appurtenant structures of settling basins and aerobic wetlands within the right bank's 100-year floodway of Sandy Run (WWF) and to realign approximately 85 feet of Sandy Run for the purpose of treating acid mine discharge from monitoring points MP-10 and MP-11 located about 1 mile southeast of Kearney Village (Saxton, PA Quadrangle N: 0.7 inch; W: 12.4 inches) in Broad Top Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects."

E67-662. Encroachment. David Heiner. 3019 Bryansville Road, Delta, PA 17314. To impact 200 linear feet of an unnamed tributary to Muddy Creek (CH93-WWF) and to place fill in 0.06 acre of wetlands and to excavate 0.06 acre of wetlands for the purpose of constructing two agricultural farm ponds at a site located north of SR 0851 and west of Dinsmore Road (Holtwood, PA Quadrangle N: 0.0 inch; W: 11.8 inches) in Peach Bottom Township,

York County. The permittee is required to provide a minimum of 0.12 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

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

E45-369. Encroachment. **Sheldon M. Kopelson**, P. O. Box 741, East Stroudsburg, PA 18301. To construct and maintain an 18-inch and a 24-inch C.M.P. outfall structure in and an 8-inch DI sanitary sewer line crossing of Little Pocono Creek at the proposed Mill Brooke Farms residential subdivision. The project is located 0.5 mile south of S. R. 0080-Interchange 46 on the north side of S. R. 2007 (Tanite Road) (Stroudsburg, PA Quadrangle N: 18.7 inches; W: 13.2 inches) in Stroud Township, **Monroe County**.

E54-260. Encroachment. **Municipal Authority of the Borough of Orwigsburg**, 209 North Warren Street, P. O. Box 128, Orwigsburg, PA 17961. To place and maintain approximately 1,260 l.f. of 18-inch diameter PVC sanitary sewer line in wetlands along the eastern streambank of Mahannon Creek and a tributary thereof and to construct and maintain a sanitary sewer line stream crossing of Mahannon Creek and a channel change having a length of approximately 80 feet in a tributary to Mahannon Creek along T693 (Ridge Road). This work is associated with the proposed Relief Sewer Trunk Line Project, beginning at a point 450 feet south of S. R. 0443 (West Market Street) and ending approximately 70 feet south of T693 (Orwigsburg, PA Quadrangle N: 4.6 inches; W: 14.6 inches) in the Borough of Orwigsburg, **Schuylkill County**.

E64-200. Encroachment. **Honesdale Wendico LLC**, 65 Oak Street, Deposit, NY 13754. To place fill within the floodway along approximately 100 linear feet of the left bank of a tributary to Holbert Creek, and to construct and maintain a pedestrian bridge, having a span of 33.5 feet and an underclearance of approximately 6.6 feet, across the tributary, for the purpose of constructing an employe parking area for Wendy's Restaurant. The project is located on the south side of T-405, approximately 1,000 feet southwest of the intersection of T-405 and S. R. 2009 (White Mills, PA Quadrangle N: 9.8 inches; W: 13.8 inches), in Texas Township, **Wayne County**.

Permits Issued and Actions on 401 Certifications

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

E18-273. Encroachment. **William H. Baney**, 104 Pennsylvania Avenue, Mill Hall, PA 17751. To construct and maintain a wooden picket fence in the floodway of Fishing Creek to improve personal property and safety. The picket fence shall be constructed and maintained to a maximum height of 3 feet from existing grade. The project is located along the eastern right-of-way of SR 0150 approximately 1,000 feet east of the intersection of Pennsylvania Avenue and SR 0150 (Mill Hall, PA Quadrangle N: 20.2 inches; W: 14.9 inches) in Mill Hall Borough, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

E41-442. Encroachment. **Richard and Eric Rankin**, 2356 Riverside Drive, South Williamsport, PA 17702-6835. To remove selected submerged old growth timber logs, not including the log cribs, from the West Branch Susquehanna River bed within a 12-mile bank-to-bank reach upstream of the Hepburn Street Dam (Williamsport, PA Quadrangle, N: 19.6 inches; W: 0.9 inch to

Linden, PA Quadrangle N: 12.5 inches; W: 16.5 inches) in the City of Williamsport, Loyalsock Township, South Williamsport Borough, Duboistown Borough, Armstrong Township, Susquehanna Township, Nipponose Township, Piatt Township and Woodward Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects."

E59-380 Denied. Encroachment. **Edwin Trask and Eleanor Trask**, 1043 South Main Street, Mansfield, PA 16933. To maintain 8,830 cubic yards of clean fill in the right floodway of the Tioga River located 700-feet north of Canoe Creek's confluence (Mansfield, PA Quadrangle, N: 6.2 inches; W: 9.7 inches) in Richmond Township, **Tioga County**. The project does not propose to place any fill in the channel of the Tioga River.

Permits Issued and Actions on 401 Certification

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

E10-292. Encroachment. **Karns City Area School District**, 1446 Kittanning Pike, Karns City, PA 16041. To remove an existing culvert and to construct and maintain a 712-foot long, 72-inch diameter concrete pipe stream enclosure in a tributary to South Branch Bear Creek as part of the expansion of the existing athletic field and parking area access at the Karns City Junior/Senior High School along S. R. 268 approximately 2,000 feet south of S. R. 1010 in Karns City (Chicora, PA Quadrangle N: 20.6 inches; W: 14.1 inches) in Fairview Township, **Butler County**.

This structure has an improved inlet consisting of a 1-foot depressed invert and a bell end bevel set in a concrete headwall at the inlet.

E10-298. Encroachment. **Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066-6499. To conduct the following activities within a tributary to Kaufman Run associated with widening and drainage improvements to Peters Road extending east from Franklin Road approximately 3,300 feet (Mars, PA Quadrangle N: 14.5 inches; W: 9.4 inches) in Cranberry Township, **Butler County**:

1. To remove an existing driveway culvert and to construct and maintain twin 49-inch-wide by 33-inch-high aluminized CM pipe arch culverts for a private access driveway at the upstream end of the Lakevue Homeowner Association impoundment.
2. To construct and maintain approximately 290 feet of stream enclosure consisting of one 49-inch-wide by 33-inch high aluminized CM pipe arch culvert and a 24-inch-diameter HDPE pipe culvert.
3. To excavate and riprap approximately 80 feet of stream channel extending downstream from the outlet of the stream enclosure.

E16-108. Encroachment. **Paint Township**, R. D. 1 Box 231A, Shippenville, PA 16254. To remove the existing Township Bridge No. 2 and to construct and maintain a prestressed concrete adjacent box beam or steel I-beam bridge having a clear, normal span of 15.545 meters and a minimum underclearance of 3.28 meters across Toby Creek on T-577 (Breniman Road) approximately 2.4 kilometers east of S. R. 66 (Lucinda, PA Quadrangle N: 1.45 inches; W: 16.3 inches) located in Paint Township, **Clarion County**.

E20-470. Encroachment. **Crawford County Commissioners**, Crawford County Courthouse, 903 Diamond

Square, Meadville, PA 16335. To remove the existing County Bridge No. 23 and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear, normal span of 67 feet and an underclearance of 10.65 feet across Caldwell Creek on T-928 (Duncan Road) approximately 1 mile north of S. R. 3002 (Grand Valley, PA Quadrangle N: 3.6 inches; W: 15.6 inches) in Oil Creek Township, **Crawford County**. Project includes placement of fill within a de minimis wetland area (0.048 acre) adjacent to Caldwell Creek associated with roadway approach widening.

E20-471. Encroachment. **PA Department of Transportation**, District 1-0, 1140 Liberty Street, Franklin, PA 16323. To place concrete streambed paving 1.0-foot below the existing streambed elevation and maintain the reinforced concrete slab bridge having a span of 8 feet and an underclearance of 4 feet across a tributary to French Creek (Coulter Run) on S. R. 1015, Segment 0090, Offset 0000 approximately 0.25 mile north of S. R. 1006 east of I-79 (Edinboro South, PA Quadrangle N: 12.1 inches; W: 5.6 inches) in Cussewago Township, **Crawford County**.

E61-223. Encroachment. **Venango County**, Courthouse Annex, 1174 Elk Street, Franklin, PA 16323. To remove the existing McCann Bridge and to construct and maintain a prestressed concrete box beam bridge having a clear span of 13.494 meters and an underclearance of 2.428 meters on a 66 degree skew across Little Sandy Creek on T-318 (Nogle Road) approximately 500 feet north of S. R. 3024 (Utica, PA Quadrangle N: 1.6 inches; W: 9.5 inches) in French Creek Township, **Venango County**.

E62-342. Encroachment. **Lightning Oil Company**, 225A Swede Road, Tidioute, PA 16351. To construct and maintain a 4-inch-diameter steel natural gas pipeline across East Hickory Creek, Jaybuck Run and five small wetland areas associated with construction of approximately 9,000 feet of natural gas pipeline beginning at the village of Queen (Cobham, PA Quadrangle N: 0.25 inch; W: 15.6 inches) and extending east along Forest Service

Road No. 119 to approximately 4,200 feet north of the village of Dunham Siding (Cherry Grove, PA Quadrangle N: 11.25 inches; W: 12.8 inches) in Limestone and Watson Townships, **Warren County**.

E62-343. Encroachment. **Warren County**, Warren County Courthouse, Warren, PA 16365. To operate and maintain an 8.3-foot-wide timber snowmobile/pedestrian bridge having a span of 29 feet and an underclearance of 4.6 feet across Morrison Run on the upstream side of S. R. 0059, Segment 0010, Offset 2151 constructed on the S. R. 0059 bridge abutments and wingwalls (Clarendon, PA Quadrangle N: 13.0 inches; W: 14.0 inches) located in Mead Township, **Warren County**.

E62-344. Encroachment. **Warren County**, Warren County Courthouse, Warren, PA 16365. To operate and maintain an 8.3-foot-wide timber snowmobile/pedestrian bridge having a span of 42 feet and an underclearance of 6.6 feet across Browns Run on the upstream side of S. R. 0059, Segment 0020, Offset 0120 constructed on the S. R. 0059 bridge abutments and wingwalls (Clarendon, PA Quadrangle N: 13.0 inches; W: 14.0 inches) in Mead Township, **Warren County**.

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Vincent Alessie	5842 Courtland Drive Erie, PA 16509	Testing
American Home Inspection Systems	1899 Lititz Pike Lancaster, PA 17601	Testing
Karen Amspacker	3262 Reeve Drive Bethlehem, PA 18020	Testing
John Biegalski	515 West Church Road King of Prussia, PA 19406	Testing
Sandra Bortmas	370 Red Dog Road Butler, PA 16001	Testing
Willis Bortmas, III	370 Red Dog Road Butler, PA 16001	Testing
Rob Bruno Boro Environmental, Inc.	501 Sharp Avenue Glenolden, PA 19036	Testing
Ronald Casteel	5 Norris Drive Russell, PA 16345	Testing
Robert Caun	43 Elwyn Avenue Carnegie, PA 15106	Testing
Carl Distenfeld TCS Industries, Inc.	4326 Crestview Road Harrisburg, PA 17112	Testing Laboratory

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Ronald Fridley	3838 Yerkes Road Collegeville, PA 19426	Testing
Jeff Hicks	11 Longview Drive Stroudsburg, PA 18360	Testing
Homepro Associates, Inc.	8 First Street Hughestown, PA 18640	Testing
Michael Lieb	407 Burmont Road Drexel Hill, PA 19026	Testing
Thomas Moore	421 Redgate Road Sewickley, PA 15143	Testing
Jerry Petrill	R. D. 9 Box 423A Greensburg, PA 15601	Mitigation
Theresa Pratt	1654 Hemlock Farms Hawley, PA 18428	Testing
Shawn Price Air Chek, Inc.	570 Butler Bridge Road Fletcher, NC 28732	Laboratory
David Robertson	801 Yale Avenue, Office G-4 Swarthmore, PA 19081	Testing
Jeffrey Saulsbury Saulsbury Environmental Consultants, Inc.	307 Lucilla Street Pittsburgh, PA 15218	Testing
Eugene Spoehr	801 Yale Avenue, Office G-4 Swarthmore, PA 19081	Testing
Lawrence Transue	702 West Pennsylvania Avenue Pen Argyle, PA 18072	Testing
Richard Walmer Raymond Johnson Key Technology, Inc.	929 Mt. Zion Road Lebanon, PA 17046	Testing Laboratory

[Pa.B. Doc. No. 99-1136. Filed for public inspection July 16, 1999, 9:00 a.m.]

Oil and Gas Technical Advisory Board Meeting; Date Change

A meeting of the Oil and Gas Technical Advisory Board was scheduled in December 1998 to meet on July 20, 1999. The meeting was changed to July 27, 1999 at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the agenda can be directed to James Erb at (717) 772-2199 or E-mail at Erb.James@dep.state.pa.us. The agenda is also 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 James Erb or Joyce Williams directly at (717) 772-2199, 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. 99-1137. Filed for public inspection July 16, 1999, 9:00 a.m.]

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

The Legislation/Regulation Committee will hold a special meeting on Thursday, July 22, 1999, from 9:30 a.m. to 12 noon on the 13th Floor, Conference Room A, of the Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting is to continue discussion on the Regulation development questions revolving around the major issues identified during the development of the draft Legislation for Operator Certification. Answers to these questions will be utilized in the future to draft regulations.

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. 99-1138. Filed for public inspection July 16, 1999, 9:00 a.m.]

Technical Advisory Committee on Diesel-Powered Equipment Meeting Change

The July 21 meeting of the Technical Advisory Committee on Diesel-Powered Equipment (TAC) has been changed. The next meeting is scheduled for August 13 at 10 a.m. in the Fayette County Health Center in Uniontown.

Questions concerning this meeting can be directed to Allison Gaida at (724) 439-7289 or e-mail to Gaida.Allison@dep.state.pa.us. The agenda and meeting materials 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 Allison Gaida directly at (724) 439-7289 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. 99-1139. Filed for public inspection July 16, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Pocono Medical Center for Exception to 28 Pa. Code § 571.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Pocono Medical Center has requested an exception to the requirements of 28 Pa. Code § 571.1 which require compliance with minimum standards contained in the following publication: Guidelines for Design and construction of Hospital and Healthcare Facilities.

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

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

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

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation

to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1140. Filed for public inspection July 16, 1999, 9:00 a.m.]

Application of Southern Chester County Medical Center for Exception to 28 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notices that Southern Chester County Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1(b), referencing the "Guidelines for Design and Construction of Hospital and Health Care Facilities," 1996-97 edition. The petitioner is requesting a waiver from the requirements of section 7.4.A6 of this publication, which requires an isolation room in or near at least one level of nursery care.

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

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1141. Filed for public inspection July 16, 1999, 9:00 a.m.]

Application of Surgery Center Services of America, Inc. for Exception to 28 Pa. Code § 571.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Surgery Center Services of America, Inc. has requested an exception to the requirements of 28 Pa. Code § 571.1 which require compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, E-Mail Address: LVIA@HEALTH.STATE.PA.US.

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1142. Filed for public inspection July 16, 1999, 9:00 a.m.]

Laboratories Approved to Determine Analyses of Blood and/or Serum for Controlled Substances 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 under the Clinical Laboratory Act (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood and/or serum for the determination of controlled substances. This approval is based on demonstrated proficiency in tests conducted by the Bureau of Laboratories of the Pennsylvania Department of Health. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; 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 services which will reflect the presence of controlled substances or their biotransformation products in blood and/or serum.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory analyses on blood and/or serum. Laboratories approved to perform screening analyses are designated on the approval list by an "S" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to screen both blood and serum would therefore have "SBSe" listed after their laboratory name. Laboratories approved to offer confirmatory analyses will be designated on the approval list by a "C" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to perform confirmatory analyses on both serum and blood would therefore have "CBSe" listed after the name of their laboratory.

Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic blood and/or serum analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the medicolegal purposes. They should also determine that the director of the facility is agreeable to performing analyses for forensic purposes. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The list of approved laboratories will be revised semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to M. Jeffery Shoemaker, Ph.D., Director, 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 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].

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

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

Analytic Biochemistries-SBSe, CBSe
1680-D Loretta Avenue
Feasterville, PA 19053
215-322-9210

Dept of Pathology & Lab Med-HUP-SSe, CSe
3400 Spruce Street
Philadelphia, PA 19104
215-662-6880

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

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

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

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

Lab Corp Occupational Testing Services, Inc.-SBSe, CBSe
1904 Alexander Drive
Research Triangle Park, NC 27709
919-549-8263

MedTox Laboratories, Inc.-SBSe, CBSe
402 West County Road D
St. Paul, MN 55112
612-636-7466

National Medical Services, Inc.-Laboratory-SBSe, CBSSe
3701 Welsh Road
Willow Grove, PA 19090
215-657-4900

National Medical Services, Inc.-SBSe, CBSSe
STAT Toxicology Laboratory
2300 Stratford Avenue
Willow Grove, PA 19090
215-784-1600

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

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

Sacred Heart Hospital-SSE
4th and Chew Streets
Allentown, PA 18102
610-776-4727

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

Saint Joseph Quality Medical Lab-SBSe, CBSSe
215 North 12th Street, Box 316
Reading, PA 19603
610-378-2200

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

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1143. Filed for public inspection July 16, 1999, 9:00 a.m.]

Laboratories Approved to Determine Urine Controlled Substance 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 under the Clinical Laboratory Act (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the

determination of controlled substances or their biotransformation products. This approval is based on demonstrated proficiency in tests conducted by the Bureau of Laboratories of the Pennsylvania Department of Health. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; 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 services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory urine drug analyses. Laboratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC". Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The list of approved laboratories will be revised semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to M. Jeffery Shoemaker, Ph.D., Director, 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 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].

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

ACT Lab Services, Inc.-SC
270 Commerce Drive
Fort Washington, PA 19034
215-283-6370

Albert Einstein Medical Center North-SC
5501 Old York Road
Philadelphia, PA 19141
215-456-6100

Allegheny County Division of Labs., Toxicology Section-S
10 County Office Building
Pittsburgh, PA 15219
412-355-6873

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

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

American Medical Laboratories-SC
14225 Newbrook Drive
Chantilly, VA 20153
703-802-6900

Analytic Biochemistries, Inc.-SC
1680-D Loretta Avenue
Feasterville, PA 19053
215-322-9210

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

Associated Regional & Univ. Path.-SC
500 Chipeta Way
Salt Lake City, UT 84108
800-242-2787

Ayer Clinical Lab-Penn Hospital-S
Eighth and Spruce Streets
Philadelphia, PA 19107
215-829-3541

Bendiner & Schlesinger, Inc.-SC
47 Third Avenue
New York, NY 10003
212-254-2300

Bio Reference Laboratories, Inc.-SC
481 Edward H. Ross Drive
Elmwood Park, NJ 07407
201-791-3600

Bon Secours-Holy Family Reg. Health-S
2500 Seventh Avenue
Altoona, PA 16602
814-949-4495

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

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

Canonsburg General Hospital-S
RD 1, Box 147, Route 519
Canonsburg, PA 15317
724-745-6100

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

Cedar Crest Emergicenter-S
1101 South Cedar Crest Blvd.
Allentown, PA 18103
610-433-4260

Centre Community Hospital-S
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
RD 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

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

City Avenue Hospital-S
4150 City Avenue, Dept. of Pathology
Philadelphia, PA 19131
215-871-1000

Clarendon Laboratory-SC
1125 Flatbush Avenue
Brooklyn, NY 11226
718-856-4700

Clarion Hospital-S
1 Hospital Drive
Clarion, PA 16214
814-226-9500

Clinical Science Laboratory, Inc.-S
51 Francis Avenue
Mansfield, MA 02048
508-339-6106

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

Community Hospital of Lancaster-S
1100 East Orange Street
Lancaster, PA 17604
717-397-3711

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

Conemaugh Valley Memorial Hospital-S
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-S
1 Medical Center Blvd.
Upland, PA 19013
610-447-2000

De John Med Laboratory, Inc.-S
1570 Garrett Road
Upper Darby, PA 19082
610-626-2112

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

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

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

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

DrugScan, Inc.-Limerick Division-S
Sanatoga & Evergreen Roads
Sanatoga, PA 19464
610-327-1200

DrugScan, Inc.-Peach Bottom Division-S
1848 Lay Road (Atom Road)
Delta, PA 17314
717-456-3026

Easton Hospital-S
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

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

Evangelical Community Hospital-S
1 Hospital Drive
Lewisburg, PA 17837
570-522-2510

Fitness for Duty Center-S
Pennsylvania Power and Light Company
PO Box 467
Berwick, PA 18603
717-542-3336

Forbes Regional Health Center-S
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
Knights and Red Lion Roads
Philadelphia, PA 19114
215-612-4000

Frick Hospital and Community Health Center-S
508 S. Church Street
Mount Pleasant, PA 15666
724-547-1500

Friends Hospital-S
4641 Roosevelt Blvd.
Philadelphia, PA 19124
215-831-4771

Friends Medical Lab, Inc.-SC
5820 Southwestern Blvd.
Baltimore, MD 21227
412-247-4417

Garcia Laboratory-S
2195 Spring Arbor Road
Jackson, MI 49203
517-787-9600

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

Germantown Hospital & Medical Center-S
One Penn Blvd.
Philadelphia, PA 19144
215-951-8800

Gnaden Huetten Memorial Hospital-S
11th and Hamilton Streets
Lehighton, PA 18235
610-377-1300

Good Samaritan Hospital-S
4th and Walnut Streets, PO Box 1281
Lebanon, PA 17042
717-270-7500

Good Samaritan Regional Medical Center-S
700 East Norwegian Street
Pottsville, PA 17901
717-611-4000

GPU Nuclear Corp., TMI Med. Dept.-S
P. O. Box 480
Middletown, PA 17057
717-948-8189

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

Guthrie Clinic Path Lab-S
Guthrie Square
Sayre, PA 18840
717-888-5858

Graham-Massey Analytical Labs-SC
60 Todd Road
Shelton, CT 06484
203-926-1100

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

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

- Hazleton General Hospital-S
East Broad Street
Hazleton, PA 18201
717-450-4156
- Health Network Laboratories-SC
2024 Lehigh Street
Allentown, PA 18103
610-402-8150
- Health Quest Medical Laboratories, Inc.-S
1503 Sunset Drive, Suite 4
Pottstown, PA 19464
610-327-2520
- Holy Redeemer Hospital-S
1648 Huntingdon Pike
Meadowbrook, PA 19046
215-947-3000
- Holy Spirit Hospital-SC
503 North 21st Street
Camp Hill, PA 17011
717-763-2206
- Horizon Hospital System-Greenville Campus-S
110 North Main Street
Greenville, PA 16125
724-588-2100
- Horizon Hospital System-Shenango Campus-S
2200 Memorial Drive
Farrell, PA 16121
724-981-3500
- Indiana Hospital Dept. Lab. Med.-S
P. O. Box 788
Indiana, PA 15701
724-357-7166
- Jeanes Hospital-S
7600 Central Avenue
Philadelphia, PA 19111
215-728-2347
- Jersey Shore Hospital-S
1020 Thompson Street
Jersey Shore, PA 17740
717-398-0100
- John F. Kennedy Memorial Hospital-S
Cheltenham and Langdon Streets
Philadelphia, PA 19124
215-831-7203
- Kensington Hospital-S
136 West Diamond Street
Philadelphia, PA 19122
215-426-8100
- Lab Corp Occupational Testing Services-SC
4022 Willow Lake Blvd
Memphis, TN 38118
901-795-1515
- Lab Corp Occupational Testing Services-SC
1904 Alexander Drive
Research Triangle Park, NC 27709
919-549-8263
- Lab Corp of America Holdings-SC
69 First Avenue - PO Box 500
Raritan, NJ 08869
201-526-2400
- LabOne, Inc.-SC
10101 Renner Boulevard
Lenexa, KS 66219
913-888-1770
- Laboratory Specialists, Inc.-SC
1111 Newton Street
Gretna, LA 70053
504-361-8989
- Lancaster General Hospital-Susquehanna Division-S
306 North Seventh Street
Columbia, PA 17512
717-684-2841
- Lancaster General Hospital-S
555 North Duke Street-PO Box 3555
Lancaster, PA 17603
717-299-5511
- Latrobe Area Hospital-S
West Second Avenue
Latrobe, PA 15650
724-537-1550
- Lewistown Hospital-S
Highland Avenue
Lewistown, PA 17044
717-248-5411
- Lock Haven Hospital-S
24 Cree Drive
Lock Haven, PA 17745
717-893-5000
- Magee Women's Hospital-S
Forbes Avenue and Halket Street
Pittsburgh, PA 15213
412-647-4651
- Main Line Clinical Laboratories-Bryn Mawr CP-S
130 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 West Lancaster Avenue
Paoli, PA 19301
610-648-1000
- Meadville Medical Center-Liberty Street-S
751 Liberty Street
Meadville, PA 16335
814-336-3121
- Medical College of Pennsylvania Hospital-S
3300 Henry Avenue
Philadelphia, PA 19129
215-842-6615
- MedTox Laboratories, Inc.-SC
402 West County Road D
New Brighton, MN 55112
612-636-7466
- Memorial Hospital Lab-S
1 Hospital Drive
Towanda, PA 18848
717-265-2191
- Mercy Health Lab-Mercy Fitzgerald Hospital-S
Lansdowne Avenue and Bailey Road
Darby, PA 19023
610-237-4175
- Mercy Health Lab-Mercy Hospital/Phila.-S
5301 Cedar Avenue
Philadelphia, PA 19143
215-748-9170

Mercy Health Partners-S
746 Jefferson Avenue
Scranton, PA 18510
717-348-7100

Mercy Hospital-S
25 Church Street
Wilkes-Barre, PA 18765
717-826-3100

Mercy Hospital Laboratory-S
Pride and Locust Streets
Pittsburgh, PA 15219
412-232-7831

Mercy Suburban Hospital-S
2701 Dekalb Pike
Norristown, PA 19404
610-278-2075

Methodist Hospital Div./TJUH, Inc.-S
2301 South Broad Street
Philadelphia, PA 19148
215-952-9059

Miner's Hospital of N. Cambria-S
2205 Crawford Avenue
Spangler, PA 15775
814-948-7171

Monongahela Valley Hospital, Inc.-S
Country Club Road - Route 88
Monongahela, PA 15063
724-258-2000

Montgomery Hospital-S
Powell and Fornance Streets
Norristown, PA 19401
610-270-2173

Nason Hospital-S
Nason Drive
Roaring Spring, PA 16673
814-224-6215

National Med. Services STAT Tox Lab-SC
2300 Stratford Avenue
Willow Grove, PA 19090
215-748-1600

National Medical Services, Inc.-SC
3701 Welsh Road
Willow Grove, PA 19090
215-657-4900

Nazareth Hospital-S
2601 Holme Avenue
Philadelphia, PA 19152
215-335-6245

North Penn Hospital-S
100 Med Campus Drive
Lansdale, PA 19446
215-368-2100

Northwest Medical Center-Oil City Campus-S
174 E. Bissell Avenue
Oil City, PA 16301
814-677-1711

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

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

Parkway Clinical Laboratory-S
3494 Progress Drive, Suite A
Bensalem, PA 19020
215-676-2296

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

Penna. Dept. of Health, Bureau of Labs.-SC
P. O. Box 500
Exton, PA 19341-0500
610-363-8500

Pharmchem Laboratories, Inc.-SC
1505-A O'Brien Drive
Menlo Park, CA 94025
415-328-6200

Phoenixville Hospital-Dept. of Pathology-S
140 Nutt Road
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-SC
1320 5th Avenue
Pittsburgh, PA 15219
412-391-6118

Pocono Medical Center Lab.-S
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-S
420 South Jackson Street
Pottsville PA 17901
717-621-5262

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

Princeton Biomedical Laboratories, Inc.-S
2000-B Hartel Complex
Levittown, PA 19057
215-943-0700

Psychomedics Corporation-SC
5832 Uplander Way
Culver City, CA 90230
800-522-7424

Quest Diagnostics-SC
7470-A Mission Valley Road
San Diego, CA 92108
800-446-4728

Quest Diagnostics, Inc.-SC
One Malcolm Avenue
Teterboro, NJ 07608
201-288-0900

Quest Diagnostics, Inc.-S
1901 Sulphur Spring Road
Baltimore, MD 21227
301-247-9100

Quest Diagnostics, Inc.-SC
4444 Giddings Road
Auburn Hills, MI 48326
800-444-0106

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

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

Quintiles Laboratories, Ltd.-SC
5500 Highlands Parkway, Suite 600
Smyrna, GA 30082
770-434-8492

Reading Hospital & Medical Center-S
6th and Spruce Streets
Reading, PA 19603
610-378-6080

Redwood Toxicology Laboratory-SC
3573 Westwind Boulevard
Santa Rosa, CA 95403
707-577-7958

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 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
724-658-3511

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

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

Scientific Testing Labs, Inc.-SC
463 Southlake Boulevard
Richmond, VA 23236
804-378-9130

Serenity Hall, Inc.-S
414 West Fifth Street
Erie, PA 16057
814-459-4775

Sewickley Valley Hospital-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-S
740 East State Street
Sharon, PA 16146
724-983-3911

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

Skippack Medical Laboratory-S
3887 Skippack Pike
Skippack, PA 19474
610-584-1669

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

SmithKline Bio-Science Laboratories-SC
7600 Tyrone Avenue
Van Nuys, CA 91405
818-376-6259

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

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

South Hills Health System—Jefferson-S
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-S
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 Medical Center-S
400-45th Street
Pittsburgh, PA 15201
412-622-4838

St. Joseph Quality Medical Laboratory-SC
215 North 12th Street, Box 316
Reading, PA 19603
610-378-2200

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

St. Mary's Regional Medical Center-S
763 Johnsonburg Road
St. Mary's, PA 15857
814-834-8519

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

Sunbury Community Hospital-S
350 North 11th Street
Sunbury, PA 17801
717-286-3333

Taylor Hospital, Div. of CCMC-S
175 E. Chester Pike
Ridley Park, PA 19078
610-595-6450

TechNow-S
2710 Township Line Road
Havertown, PA 19083
610-449-5039

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

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

The Medical Center-Beaver, PA, Inc.-S
1000 Dutch Ridge Road
Beaver, PA 15009
724-728-7000

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

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

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

University of Pittsburgh Medical Center/Beaver Valley-S
2500 Hospital Drive-Pathology Department
Aliquippa, PA 15001
724-857-1238

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

University of Pittsburgh Medical Center-CLSI-SC
Room 5929 Main Tower/CLSI
200 Lothrop Street
Pittsburgh, PA 15213
412-647-7813

UPMC Bedford Memorial Hospital-S
10455 Lincoln Highway
Everett, PA 15537
814-623-6161

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

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

Valley Forge Medical Center and Hospital-S
1033 W. Germantown Pike
Norristown, PA 19403
610-539-8500

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

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

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

Western Reserve Care System-SC
North Side Medical Center-500 Gypsy Lane
Youngstown, OH 44504
216-740-3794

Westmoreland Hospital-S
532 W. Pittsburgh Street
Greensburg, PA 15601
724-832-4365

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 99-1144. Filed for public inspection July 16, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Notice of Repeal of Utilities Gross Receipts Tax Upon Gas Companies

Section 33(c) of the act of May 12, 1999 (P. L. _____, No. 4), provides that the repeal of the utilities gross receipts tax upon gas companies is conditioned upon the enactment of legislation which restructures and deregulates the natural gas utility industry in the Commonwealth and allows customers to purchase natural gas supply services from their choice of supplier. In accordance with section 33(c), the Secretary of Revenue hereby gives notice of the enactment of such legislation in Act 21 of 1999, approved by Governor Tom Ridge on June 22, 1999.

The Act 4 amendments repeal the utilities gross receipts tax upon gas companies by amending section 1101(a) and repealing section 1104 of the Tax Reform Code of 1971 (72 P. S. §§ 8101(a) and 8104), and are

effective for taxable years beginning on or after January 1, 2000.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-1145. Filed for public inspection July 16, 1999, 9:00 a.m.]

The Money Game 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 The Money Game.
2. *Price:* The price of a The Money Game instant lottery game ticket is \$2.00.

3. *Play Symbols:*

(a) Each The Money Game instant lottery game ticket will contain three play areas, designated as Game 1, entitled "Money Bags," Game 2, entitled "3 for the Money" and Game 3, entitled "Match for Money." Each game has a different game play method and is played separately.

(b) The play area for Game 1 will feature one "Your Prize" area and one "Money Bag Prizes" area. The play symbols and their captions located in the "Your Prize" and "Money Bag Prizes" areas are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$12⁰⁰ (TWELVE), \$15⁰⁰ (FIFTEEN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$30,000 (TRY THO).

(c) The play symbols and their captions located in the play area for Game 2 are: \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$12⁰⁰ (TWELVE), \$15⁰⁰ (FIFTEEN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$30,000 (TRY THO).

(d) The play area for Game 3 will feature one "Lucky Symbol" area and one "Your Symbols" area. The play symbols and their captions located in the "Lucky Symbol" area and "Your Symbols" area are: Coins Symbol (COINS), Dollar Bill Symbol (DOLLAR), Piggy Bank Symbol (PIGBNK), Horseshoe Symbol (SHOE), Pot of Gold Symbol (GOLD) and Clover Symbol (CLOVER).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area for Game 3 are : \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$12⁰⁰ (TWELVE), \$15⁰⁰ (FIFTEEN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$30,000 (TRY THO).

5. *Prizes:* The prizes that can be won in Game 1 are \$1, \$2, \$3, \$4, \$5, \$6, \$8, \$10, \$12, \$15, \$20, \$25, \$40, \$50, \$100, \$200 and \$30,000. The prizes that can be won in Games 2 and 3 are \$2, \$3, \$4, \$5, \$6, \$8, \$10, \$12, \$15, \$20, \$25, \$40, \$50, \$100, \$200 and \$30,000. The player can win up to eight times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 3,840,000 tickets will be printed for The Money Game instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for Game 1 is: Holders of tickets that match any of the "Money Bag Prizes" play symbols to the "Your Prize" play symbol, on a single ticket, shall be entitled to that prize amount.

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

(1) Holders of tickets with three matching play symbols of \$30,000 (TRY THO) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$30,000.

(2) Holders of tickets with three matching play symbols of \$200 (TWO HUN) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$200.

(3) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$40.

(6) Holders of tickets with three matching play symbols of \$25\$ (TWY FIV) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$25.

(7) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$20.

(8) Holders of tickets with three matching play symbols of \$15⁰⁰ (FIFTEEN) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with three matching play symbols of \$12⁰⁰ (TWELVE) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching play symbols of \$8⁰⁰ (EGT DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets with three matching play symbols of \$6⁰⁰ (SIX DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$5.

(14) Holders of tickets with three matching play symbols of \$4⁰⁰ (FOR DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$4.

(15) Holders of tickets with three matching play symbols of \$3⁰⁰ (THR DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$3.

(16) Holders of tickets with three matching play symbols of \$2⁰⁰ (TWO DOL) in the play area for Game 2, on a single ticket, shall be entitled to a prize of \$2.

(c) Determination of prize winners for Game 3 are:

(1) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$30,000 (TRY THO) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(2) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$200 (TWO HUN) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(3) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$100 (ONE HUN) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$50\$ (FIFTY) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$40\$ (FORTY) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(6) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$25\$ (TWY FIV) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(7) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$20\$ (TWENTY) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(8) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$12⁰⁰ (TWELVE) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$8⁰⁰ (EGT DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$6⁰⁰ (SIX DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(14) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(15) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(16) Holders of tickets upon which any one of the "Your Symbols" play symbols matches the "Lucky Symbol" and a prize play symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under that "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,840,000 Tickets</i>
G1-\$2	\$2	1:18.75	204,800
G2-\$2	\$2	1:18.75	204,800
G3-\$2	\$2	1:18.75	204,800
G1-\$3	\$3	1:50	76,800
G2-\$3	\$3	1:75	51,200
G3-\$3	\$3	1:100	38,400
G1-\$1 + G2-\$3	\$4	1:150	25,600
G2-\$2 + G3-\$2	\$4	1:150	25,600
G1-\$4	\$4	1:750	5,120
G2-\$4	\$4	1:375	10,240
G3-\$4	\$4	1:375	10,240
G1-\$2 + G3-\$3	\$5	1:150	25,600
G1-\$5	\$5	1:375	10,240
G2-\$5	\$5	1:750	5,120
G3-\$5	\$5	1:375	10,240
G1-\$2 + G2-\$2 + G3-\$2	\$6	1:1,500	2,560
G3-\$4 + \$2	\$6	1:1,500	2,560
G1-\$6	\$6	1:1,500	2,560
G2-\$6	\$6	1:1,500	2,560
G3-\$6	\$6	1:1,500	2,560

NOTICES

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<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,840,000 Tickets</i>
G1-\$2 + G2-\$4 + G3-\$2	\$8	1:1,500	2,560
G1-\$4 x 2	\$8	1:1,500	2,560
G3-\$3 + \$5	\$8	1:1,500	2,560
G1-\$8	\$8	1:1,500	2,560
G2-\$8	\$8	1:1,500	2,560
G3-\$8	\$8	1:1,500	2,560
G1-\$4 + G2-\$2 + G3-\$2 x 2	\$10	1:300	12,800
G3-\$5 x 2	\$10	1:1,500	2,560
G1-\$10	\$10	1:1,500	2,560
G2-\$10	\$10	1:750	5,120
G3-\$10	\$10	1:1,500	2,560
G1-\$4 x 2 + G2-\$4	\$12	1:750	5,120
G1-\$12	\$12	1:750	5,120
G2-\$12	\$12	1:1,500	2,560
G3-\$12	\$12	1:1,500	2,560
G3-\$2 + \$3 + 10	\$15	1:750	5,120
G1-\$5 x 2 + G3-\$5	\$15	1:1,500	2,560
G1-\$15	\$15	1:1,500	2,560
G2-\$15	\$15	1:1,500	2,560
G3-\$15	\$15	1:1,500	2,560
G1-\$10 x 2	\$20	1:1,500	2,560
G2-\$8 + G3-\$8 + \$4	\$20	1:1,500	2,560
G1-\$20	\$20	1:1,500	2,560
G2-\$20	\$20	1:1,500	2,560
G3-\$20	\$20	1:1,500	2,560
G1-\$2 x 2 + G2-\$20	\$24	1:1,500	2,560
G3-\$12 + \$10 + \$2	\$24	1:1,500	2,560
G2-\$20 + G3-\$4	\$24	1:1,500	2,560
G1-\$6 x 4	\$24	1:750	5,120
G1-\$5 x 5	\$25	1:1,500	2,560
G1-\$5 x 3 + G3-\$10	\$25	1:1,500	2,560
G2-\$10 + G3-\$10 + \$5	\$25	1:1,500	2,560
G1-\$5 + G2-\$5 + G3-\$15	\$25	1:1,500	2,560
G1-\$25	\$25	1:1,500	2,560
G2-\$20 + G3-\$20	\$40	1:6,000	640
G1-\$10 x 2 + G2-\$10 + G3-\$10	\$40	1:6,000	640
G1-\$40	\$40	1:6,000	640
G2-\$40	\$40	1:6,000	640
G3-\$40	\$40	1:6,000	640
G1-\$10 + G2-\$20 + G3-\$20	\$50	1:12,000	320
G1-\$25 + G3-\$25	\$50	1:12,000	320
G1-\$5 x 5 + G2-\$25	\$50	1:12,000	320
G1-\$10 x 3 + G2-\$10 + G3-\$10	\$50	1:12,000	320
G1-\$15 x 2 + G2-\$10 + G3-\$10	\$50	1:12,000	320
G1-\$5 x 5 + G3-\$25	\$50	1:12,000	320
G1-\$20 x 2 + G3-\$10	\$50	1:12,000	320
G1-\$50	\$50	1:12,000	320
G2-\$50	\$50	1:12,000	320
G3-\$50	\$50	1:12,000	320
G1-\$50 + G2-\$50	\$100	1:30,000	128
G1-\$25 x 4	\$100	1:30,000	128
G1-\$25 x 2 + G2-\$25 + G3-\$25	\$100	1:30,000	128
G1-\$10 x 5 + G2-\$25 + G3-\$25	\$100	1:30,000	128
G1-\$5 x 5 + G2-\$50 + G3-\$25	\$100	1:30,000	128
G1-\$5 x 5 + G3-\$25 x 3	\$100	1:30,000	128
G1-\$20 x 4 + G2-\$10 + G3-\$10	\$100	1:30,000	128
G1-\$100	\$100	1:30,000	128
G2-\$100	\$100	1:30,000	128
G3-\$100	\$100	1:30,000	128
G1-\$50 x 2 + G2-\$100	\$200	1:60,000	64
G2-\$100 + G3-\$100	\$200	1:60,000	64
G1-\$200	\$200	1:60,000	64
G2-\$200	\$200	1:60,000	64
G3-\$200	\$200	1:60,000	64
G1-\$30,000	\$30,000	1:1,920,000	2
G2-\$30,000	\$30,000	1:960,000	4

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,840,000 Tickets</i>
G3-\$30,000	\$30,000	1:1,920,000	2

Game 1: When any of the "Money Bag Prizes" matches "Your Prize," win that amount.

Game 2: Match 3 like prize amounts, win that amount.

Game 3: When any of "Your Symbols" matches the "Lucky Symbol," win prize shown under the matching symbol.

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

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

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

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

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-1146. Filed for public inspection July 16, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (I) of the act (75 P. S. § 745.5a(h)(I)).

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-5112	State Board of Nursing Fees (29 Pa.B. 2299 (May 1, 1999))	7/1/99	5/31/01
16A-527	State Board of Optometry Application Fees (29 Pa.B. 2300 (May 1, 1999))	7/1/99	5/31/01

State Board of Nursing Regulation No. 16A-5112 Fees

July 1, 1999

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

1. Sections 21.5. and 21.147 Fees.—Fiscal Impact and Clarity.

Administrative overhead costs.

In the proposed regulation's fee report forms, there are significant differences in the costs covered by different fees except for "Administrative Overhead" costs. With the exception of the fee for certification of scores, the administrative overhead costs are the same for all of the fees. According to staff at the Department of State and its Bureau of Professional and Occupational Affairs (BPOA), the allocated share of overhead costs for each fee category is calculated by dividing total overhead costs by the number of active licensees. This methodology for overhead cost allocation is not unreasonable and has been consistently applied. On the other hand, the staff cost allocations are based on estimates of the actual time BPOA staff spends performing the tasks related to each fee.

For overhead cost allocations, there appears to be no relationship to the services covered by the fees or frequency of fee payments. Therefore, there is no indication that the fees will recover actual or projected overhead costs. In addition, the allocated costs are based on past expenditures rather than estimates or projections of future expenditures. Hence, there is no certainty that the fees' "projected revenues will meet or exceed projected expenditures" under section 7.5(a) of the Professional Nursing Law (63 P. S. § 667.5(a)) and section 21.2(a) of the Practical Nurse Law (63 P. S. § 221.2(a)).

We question the use of a constant overhead cost allocation that appears to be unrelated to the actual costs of activities covered by different fees. Even though this

process was used to determine other fees, why should BPOA maintain this approach? The Board and BPOA should specifically identify the overhead costs, or portion of the total overhead, to be recouped by these fees, and review their methodology for allocating these overhead costs. Is it the Board's goal to allocate all overhead costs by category to each fee? If so, we do not believe the current allocation formula gives the desired result.

Differing overhead costs

The administrative overhead costs for all fees are \$8.21, except for the certification of scores, which is \$9.76. The Board should explain why the administrative costs for certification of scores are different.

State Board of Optometry Regulation No. 16A-527

Application Fees

July 1, 1999

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

Section 23.91. Fees.—Fiscal impact and Clarity

Administrative overhead costs

In the proposed regulation's Fee Report Forms, there are significant differences in the costs covered by different fees except for "Administrative Overhead" costs. According to staff at the Department of State and its Bureau of Professional and Occupational Affairs (BPOA), the allocated share of overhead cost for each fee category is calculated by dividing total overhead costs by the number of active licensees. This methodology for overhead cost allocation is not unreasonable and has been consistently applied. On the other hand, the staff cost allocations are based on estimates of the actual time BPOA staff spends performing the tasks related to each fee.

For overhead cost allocations, there appears to be no relationship to the services covered by the fees or frequency of fee payments. Therefore, there is no indication that the fees will recover actual or projected overhead costs. In addition, the allocated costs are based on past expenditures rather than estimates or projections of future expenditures. Hence, there is no certainty that the fees' "projected revenues will meet or exceed projected expenditures" under section 9(c) of the Optometric Practice and Licensure Act (63 P. S. § 244.9(c)).

We question the use of a constant overhead cost allocation that appears to be unrelated to the actual costs of activities covered by different fees. Even though this process was used to determine other fees, why should BPOA maintain this approach? The Board and BPOA should specifically identify the overhead costs, or portion of the total overhead, to be recouped by these fees, and review their methodology for allocating these overhead costs. Is it the Board's goal to allocate all overhead costs by category to each fee? If so, we do not believe the current allocation formula gives the desired result.

Differing overhead costs

The administrative overhead costs for all fees are \$15.77, except for the verification of licensure and certification of scores, or licensure, or both, which is \$9.76. The Board should explain why the administrative costs for the verification of licensure and certification of scores, or licensure, or both are different.

Unclear estimate of applicants on Fee Report Form

The Board is adding a fee for application for continuing education program approval. The Fee Report Form for the "Application for Continuing Education Program Approval" estimates that 1,500 approvals will be issued for the biennial period.

In their comments, the House Professional Licensure Committee observed that the estimated number of applicants seemed excessive. They asked the Board to explain how continuing education programs are approved, and whether the fee is paid by licensees, providers, or both. We agree with the Committee's comments. We request that the Board provide the additional information requested by the Committee.

Inconsistency in fee title

The fee for "certification of scores or licensure, or both", as written, states that a request for either certification of scores or licensure costs \$25, while certification for both, if asked for simultaneously, costs \$25. We understand that this category is actually a fee for certification of examination scores. The Board should clarify this category in its final-form rulemaking. For instance, this provision could be revised to read "certification of examination scores [or licensure, or both]."

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1147. Filed for public inspection July 16, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
106-4	Environmental Hearing Board Practice and Procedure	July 2, 1999

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1148. Filed for public inspection July 16, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of E. B. O'Reilly Servicing Corporation Under the Storage Tank and Spill Prevention Act, Underground Storage Tank Indemnification Fund; Doc. No. UT99-06-032

A prehearing telephone conference shall be held on August 10, 1999, at 10 a.m. Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before July 27, 1999. Answers to petitions to intervene, if any, shall be filed on or before August 3, 1999.

The hearing shall occur on August 26, 1999, at 10 a.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to partici-

pate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1149. Filed for public inspection July 16, 1999, 9:00 a.m.]

Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of The Insurance Company Law of 1921 (40 P. S. § 991.1605(b)), the Insurance Department hereby publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List as of January 1, 1999, published at 29 Pa.B. 247 (January 9, 1999).

Persons who have questions concerning this notice, should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4001	Acceptance Insurance Company	222 South 15th Street Suite 600 North Omaha, NE 68102-1616
4002	Admiral Insurance Company	1209 Orange Street Wilmington, DE 19801
4005	Adriatic Insurance Company	314 East Thayer Avenue Bismarck, ND 58501
4010	Agricultural Excess and Surplus Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4017	Allianz Underwriters Insurance Company	3400 Riverside Drive Suite 300 Burbank, CA 91505-4669
4047	American Dynasty Surplus Lines Insurance Company	The Corporation Trust Company 1209 Orange Street Wilmington, DE 19801
4050	American Empire Surplus Lines Insurance Company	1209 Orange Street Wilmington, DE 19801
4052	American Equity Insurance Company	7676 East Pinnacle Peak Road Scottsdale, AZ 85255
4055	American International Specialty Lines Insurance Company	550 West 7th Street Anchorage, AK 99501
4062	American Western Home Insurance Company	600 Fidelity Plaza Oklahoma City, OK 73102
4081	Appalachian Insurance Company	Allendale Park P. O. Box 7500 Johnston, RI 02919-0500
4085	Assicurazioni Generali Di Trieste	Piazza Duca Degli Abruzzi, 2 Trieste, Italy 34132
4090	Associated Electric & Gas Insurance Services Limited	Argus Insurance Building P. O. Box HM1064 Hamilton, Bermuda HMEX
4095	Associated International Insurance Company	21820 Burbank Boulevard, #330 Woodland Hills, CA 91367

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4100	Audubon Indemnity Company	2829 Lakeland Drive Suite 1400 Jackson, MS 39208
4000	AXA Reinsurance UK plc	London Underwriting Centre 3 Minster Court, Mincing Lane London, England EC3R 7DD
4135	British Aviation Insurance Company Limited	Fitzwilliam House 10 St. Mary's Axe London, England EC3A 8EQ
4145	Caliber One Indemnity Company	1209 Orange Street Wilmington, DE 19801
4150	Canal Indemnity Company	400 East Stone Avenue Greenville, SC 29601
4158	Centennial Casualty Company	2200 Woodcrest Place Suite 200 Birmingham, AL 35209
4159	Century American Insurance Company	3401 West End Avenue Suite 600 Nashville, TN 37209
4160	Century Surety Company	2400 Corporate Exchange Drive Columbus, OH 43231
4170	Chubb Custom Insurance Company	32 Loockeman Square Dover, DE 19901
4175	Clarendon America Insurance Company	224 West State Street Trenton, NJ 08608
4140	CNA Reinsurance Company Limited	Fountain House 125-135 Fenchurch Street London, England EC3M 5DJ
4180	Colony Insurance Company	9201 Forest Hill Avenue Suite 200 Richmond, VA 23235-6865
4193	Columbia Casualty Company	CNA Plaza Chicago, IL 60685
4196	Commercial Underwriters Insurance Company	200 Corporate Pointe Suite 300 Culver City, CA 90230
4200	Commercial Union Assurance Company plc	St. Helen's 1 Undershaft London, England EC3P 3DQ
4210	Commonwealth Insurance Company	595 Burrard Street, Suite 1500 Bentall Centre III Vancouver, B.C., Canada V7X 1G4
4213	Connecticut Specialty Insurance Company	9 Farm Springs Road Farmington, CT 06032
4216	Copenhagen Reinsurance Company (UK) Limited	25/26 Lime Street London, England EC3M 7HR
4215	Copenhagen Reinsurance Company Limited	4, Lyngby Hovedgade P. O. Box 325 Lyngby, Denmark DK-2800
4220	Coregis Indemnity Company	181 West Madison Avenue Suite 2600 Chicago, IL 60602
4222	Cross River Insurance Company	10306 Regency Parkway Drive Omaha, NE 68113
4225	Crusader Insurance Company	23251 Mulholland Drive Woodland Hills, CA 91364

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4230	Dakota Specialty Insurance Company	316 North Fifth Street Bismarck, ND 58502
4245	Eden Park Insurance Company	One Indiana Square Suite 1800 Indianapolis, IN 46204
4255	Empire Indemnity Insurance Company	809 Northwest 36th Street Oklahoma City, OK 73118
4268	Essex Insurance Company	1209 Orange Street Wilmington, DE 19801
4270	Evanston Insurance Company	Shand Morahan Plaza Evanston, IL 60201
4275	Everest Indemnity Insurance Company	Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
4280	Executive Risk Specialty Insurance Company	82 Hopmeadow Street Simsbury, CT 06070-7683
4315	Fidelity Excess and Surplus Insurance Company	515 Main Street Cincinnati, OH 45202
4317	Fireman's Fund Insurance Company of Ohio	312 Walnut Street Suite 1100 Cincinnati, OH 45202
4319	First Financial Insurance Company	528 South Fifth Street Suite 210 Springfield, IL 62701-1822
4320	First Mercury Insurance Company	525 West Monroe Street, Suite 1600 Chicago, IL 60661
4321	First Specialty Insurance Corporation	237 East High Street Jefferson City, MO 65102
4329	Frontier Pacific Insurance Company	4250 Executive Square Suite 200 La Jolla, CA 92037
4331	Fulcrum Insurance Company	199 Water Street New York, NY 10038-3526
4332	Gan Insurance Company Limited	Gan House 12 Arthur Street London, England EC4R 9BJ
4333	Gemini Insurance Company	Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
4335	General Agents Insurance Company of America, Inc.	4308 North Classen Boulevard Oklahoma City, OK 73118
4337	General Security Indemnity Company	2 World Trade Center New York, NY 10048-2495
4338	General Star Indemnity Company	695 East Main Street P. O. Box 10354 Stamford, CT 06904-2354
4345	Generali-France Assurances	5, rue de Londres Paris, France 75009
4350	Genesis Indemnity Insurance Company	316 North Fifth Street Bismarck, ND 58501
4360	Gotham Insurance Company	330 Madison Avenue New York, NY 10017
4370	Great Lakes Reinsurance (UK) PLC	Upper Ground Floor, 1 Minster Court Mincing Lane London, England EC3R 7AA

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4390	Gulf Underwriters Insurance Company	One CityPlace Drive St. Louis, MO 63141
4395	Hallmark Insurance Company, Inc.	Three Bala Plaza, East Suite 300 Bala Cynwyd, PA 19004
4420	Houston Casualty Company	13403 Northwest Freeway Houston, TX 77040-6094
4427	Illinois Emcasco Insurance Company	815 Commerce Drive Oak Brook, IL 60521-1978
4432	Illinois Union Insurance Company	8755 West Higgins Road Chicago, IL 60631
4438	Indemnity Marine Assurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4440	Independence Indemnity Insurance Company	515 South Kansas Avenue Topeka, KS 66603
4441	Indian Harbor Insurance Company	One Greenwich Plaza P. O. Box 2568 Greenwich, CT 06836-2568
4445	Industrial Insurance Company Limited	Vattuniemenkuja 8 A Helsinki, Finland FIN-00035
4430	INEX Insurance Exchange	1 South Wacker Drive Suite 2720 Chicago, IL 60606-4617
4448	International Insurance Company of Hannover Limited	Fountain House 130 Fenchurch Street London, England EC3M 5DJ
4451	Interstate Fire & Casualty Company	55 East Monroe Street Chicago, IL 60603
4453	Investors Insurance Company of America	200 Schulz Drive Red Bank, NJ 07701-6741
4425	ITT Pacific Insurance Company, Limited	Hartford Plaza Hartford, CT 06115
4460	Kemper Indemnity Insurance Company	445 South Figueroa Los Angeles, CA 90071
4471	Landmark American Insurance Company	9800 South Meridian Boulevard Englewood, CO 80112
4472	Landmark Insurance Company	777 South Figueroa Street Los Angeles, CA 90017
4475	Legion Indemnity Company	190 S. LaSalle Street Chicago, IL 60603
4478	Lexington Insurance Company	1209 Orange Street Wilmington, DE 19801
4482	Liberty Mutual Insurance Company (UK) Limited	4th Floor, One Minster Court Mincing Lane London, England EC3R 7AA
4480	Liberty Surplus Insurance Corporation	175 Berkeley Street Boston, MA 02117
4492	Lloyd's (Underwriters at)	One Lime Street London, England EC3M 7HA
4510	London and Edinburgh Insurance Company Limited	Excess House 13 Fenchurch Avenue London, England EC3M 5BT
4530	Marine Insurance Company Limited	34/36 Lime Street London, England EC3M 7JE
4540	Maritime Insurance Company Limited	P. O. Box 6 Surrey Street Norfolk, England NR1 3NS

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4565	Monticello Insurance Company	1209 Orange Street Wilmington, DE 19801
4575	Mt. Hawley Insurance Company	7400 College Boulevard Suite 330 Overland Park, KS 66210
4590	NAMIC Insurance Company, Inc.	3601 Vincennes Road Indianapolis, IN 46268
4598	National Fire & Marine Insurance Company	3024 Harney Street Omaha, NE 68131-3580
4605	Nautilus Insurance Company	7273 East Butherus Drive Scottsdale, AZ 85260
4595	NIC Insurance Company	123 William Street New York, NY 10038-3871
4637	North American Capacity Insurance Company	650 Elm Street Manchester, NH 03101-2524
4645	Northern Assurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4652	Northfield Insurance Company	12935 North Forty Drive St. Louis, MO 63141
4665	Nutmeg Insurance Company	Hartford Plaza Hartford, CT 06115
4667	Ocean Marine Insurance Company Limited	St. Helen's 1 Undershaft London, England EC3P 3DQ
4840	Odyssey Re (London) Limited	52-54 Leadenhall Street London, England EC3A 2BJ
4668	Old Republic Union Insurance Company	307 North Michigan Avenue Chicago, IL 60601
4700	Pacific Insurance Company	c/o CT Corp 818 West 7th Street Los Angeles, CA 90017
4710	Paradigm Insurance Company	2450 One Indiana Square Indianapolis, IN 46204
4720	Phoenix Assurance plc	1 Bartholomew Lane London, England EC2N 2AB
4730	Preferred National Insurance Company	210 University Drive Suite 900 Coral Springs, FL 33071
4735	Princeton Excess and Surplus Lines Insurance Company	1013 Centre Road Wilmington, DE 19805
4740	Professional Underwriters Liability Insurance Company	50 West Broadway Salt Lake City, UT 84101
4755	QBE International Insurance Limited	14 Fenchurch Avenue London, England EC3M 5BS
4756	Queensway International Indemnity Company	One South Orange Avenue Suite 500 Orlando, FL 32801
4757	Realm National Insurance Company	125 Maiden Lane New York, NY 10038
4760	Reliance Insurance Company of Illinois	233 South Wacker Drive Suite 9220 Chicago, IL 60606
4787	Rock River Insurance Company	3400 80th Street Moline, IL 61265-5886
4793	Royal Surplus Lines Insurance Company	500 Winding Brook Drive Glastonbury, CT 06033

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4802	SAFECO Surplus Lines Insurance Company	SAFECO Plaza Seattle, WA 98185
4810	Savers Property & Casualty Insurance Company	700 West 47th Street Kansas City, MO 64112-1802
4816	Scottsdale Insurance Company	One Nationwide Plaza Columbus, OH 43215
4819	Sheffield Insurance Corporation	3760 River Run Drive Birmingham, AL 35243
4821	Sirius International Insurance Corporation	Birger Jarlsgatan 57B Stockholm, Sweden SE-113 93
4804	SR International Business Insurance Company Limited	71-77 Leadenhall Street London, England EC3A 2PQ
4806	St. Paul Reinsurance Company Limited	52 Lime Street London, England EC3M 7BS
4807	St. Paul Surplus Lines Insurance Company	32 Loockerman Square Dover, DE 19901
4845	Steadfast Insurance Company	Suite 202 32 Loockerman Square Dover, DE 19901
4849	Stonewall Insurance Company	31 Inverness Center Parkway Suite 200 Birmingham, AL 35242
4860	Storebrand Skadeforsikring AS	P. O. Box 1380 Vika Oslo, Norway 0114
4875	Terra Nova Insurance Company Limited	41/43 Mincing Lane London, England EC3R 7SP
4880	Through Transport Mutual Insurance Association Limited	Windsor Place, Queen Street P. O. Box HM655 Hamilton, Bermuda HMCX
4870	TIG Specialty Insurance Company	444 Market Street San Francisco, CA 94111
4881	Trafalgar Insurance Company	600 Bank of Oklahoma Plaza 201 Robert S. Kerr Avenue Oklahoma City, OK 73102
4879	Transnational Insurance Company	One Commercial Plaza Hartford, CT 06103
4882	Travelers Excess and Surplus Lines Company	One Tower Square Hartford, CT 06183
4884	Tudor Insurance Company	91 Court Street Keene, NH 03431
4893	U.S. Underwriters Insurance Company	316 North Fifth Street Sixth Floor Bismarck, ND 58501
4887	ULICO Indemnity Company	320 West Capital Street Suite 1000 Little Rock, AR 72201-3525
4889	Underwriters Indemnity Company	8 Greenway Plaza Suite 400 Houston, TX 77046
4890	Unionamerica Insurance Company Limited	The London Underwriting Centre 3 Minster Court, Mincing Lane London, England EC3R 7DD
4897	United Capitol Insurance Company	400 Perimeter Center Terrace Atlanta, GA 30346
4900	United Coastal Insurance Company	40 North Central Avenue Phoenix, AZ 85004

<i>Key Number</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
4930	Vesta Insurance Company Limited	Folke Bernadottes vei 50 Bergen, Norway 5020
4935	Voyager Indemnity Insurance Company	5950 Live Oak Parkway Suite 300 Norcross, GA 30093
4950	WASA International (UK) Insurance Company Limited	WASA House 26/27 Regency Square Brighton, East Sussex, England BN1 2FX
4955	Wausau General Insurance Company	1431 Opus Place Downers Grove, IL 60515-1169
4957	Westchester Surplus Lines Insurance Company	Six Concourse Parkway Suite 2500 Atlanta, GA 30328-5346
4962	Western Heritage Insurance Company	6263 N. Scottsdale Road Suite 240 Scottsdale, AZ 85250
4963	Western Indemnity Insurance Company	820 Gessner Suite 1200 Houston, TX 77024
4966	Western World Insurance Company	91 Court Street Keene, NH 03431
4925	Winterthur International America Underwriters Insurance Company	5810 East Skelly Drive Suite 700 Tulsa, OK 74135
4980	Yorkshire Insurance Company Limited	Pitheavlis Perth, Scotland PH2 0NH
4985	ZC Specialty Insurance Company	400 West 15th Street Suite 7 Austin, TX 78701
4990	Zurich International (Bermuda) Ltd.	Crawford House 50 Cedar Avenue Hamilton, Bermuda HM 11
4995	Zurich Specialties London Limited	The Zurich Building 90 Fenchurch Street London, England EC3M 4JX

Since publication of the January 1, 1999 eligible surplus lines insurer list, the following significant changes have occurred:

	(Key Number)	(Company Name)	(Date)
Additions:	4448	International Insurance Company of Hannover, Limited	01/28/99
	4230	Dakota Specialty Insurance Company	01/07/99
	4337	General Security Indemnity Company	01/07/99
	4879	Transnational Insurance Company	01/07/99
	4440	Independence Indemnity Insurance Company	04/12/99
	4821	Sirius International Insurance Corporation	04/29/99
	4222	Cross River Insurance Company	05/10/99
Deletions:	4014	Alliance General Insurance Company	03/23/99
	4630	NORCAL Mutual Insurance Company	05/05/99
	4070	Americas Insurance Company	05/24/99
	4232	Diamond State Insurance Company	06/25/99
Name Changes:			
	From:	4995 Zurich Reinsurance (London) Limited	04/16/99
To:	4995 Zurich Specialties London Limited		

M. DIANE KOKEN,
Insurance Commissioner

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 Tammy M. Foster; file no. 99-280-32298; Liberty Insurance Corporation; doc. no. PH99-06-029; August 3, 1999, at 10 a.m.;

Appeal of Richard Sills; file no. 99-210-32088; American Independent Insurance Co.; doc. no. PH99-06-030; August 3, 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. 99-1151. Filed for public inspection July 16, 1999, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

Department of Community and Economic Affairs

Home Rule Charter Amendment (May 18, 1999) for City of Allentown, Lehigh County.

Home Rule Charter Amendment (May 18, 1999) for Municipality of Mt. Lebanon, Allegheny County.

Home Rule Charter Amendment (May 18, 1999) for Borough of State College, Centre County.

Governor's Office

Management Directive No. 205.32—Hiring Sign Language Interpreters/Transliterators—Date June 16, 1999.

Management Directive No. 205.33—Workplace Violence—Dated June 22, 1999.

Management Directive No. 205.34—Acceptable Use Standards for Electronic Mail Communication on Commonwealth Networks—Dated June 22, 1999.

Management Directive No. 245.16—Pennsylvania Justice Network (JNET) Governance Structure—Dated June 16, 1999.

Management Directive No. 310.18—Reporting of Pending or Threatened Claim—Revision No. 1—Dated May 27, 1999.

Management Directive No. 325.8—Remedies for Recipient Noncompliance with Audit Requirements—Amended June 11, 1999.

Management Directive No. 530.26—Benefit Entitlements for Employees on Military Leave—Amended June 1, 1999.

Management Directive No. 615.3—Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet—Amended June 23, 1999.

Administrative Circular No. 99-17—Submission of Construction Requisitions Financed by Lapsing Funds—Dated June 4, 1999.

Administrative Circular No. 99-18—Use of Seat Belts in Commonwealth Fleet Vehicles—Dated June 4, 1999.

Administrative Circular No. 99-19—State Employees Purchasing Vehicles at the Commonwealth Auction—Dated June 4, 1999.

Administrative Circular No. 99-20—Automotive Fleet Preventive Maintenance Schedule—Dated June 4, 1999.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 99-1152. Filed for public inspection July 16, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service Without Hearing

A-120011 F0002; A-120011; A-121200 F2000; A-122150 F2000. PG Energy, Inc., Honesdale Gas Company and Southern Union Company. Joint Application of PG Energy, Inc., Honesdale Gas Company and Southern Union Company for all approvals required under the Public Utility Code for: the merger of Pennsylvania Enterprises, Inc., into Southern Union Company, the merger of Honesdale Gas Company into PG Energy, Inc., the merger of PG Energy, Inc., into Southern Union Company; the right of Southern Union Company to furnish gas service; the abandonment of gas service by Honesdale Gas Company; and the abandonment of gas service by PG Energy, Inc.

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 August 2, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: PG Energy, Inc., Honesdale Gas Company, Southern Union Company, Pennsylvania Enterprises, Inc.,

Through and By Counsel: Thomas J. Sniscak, Norman James Kennard, Malatesta, Hawke & McKeon, LLP, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17101.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1153. Filed for public inspection July 16, 1999, 9:00 a.m.]

Railroad With Hearing

I-00990083. R. J. Corman Railroad Company. Investigation Upon the Commission's Own Motion into matters pertaining to the proper service, accommodation, convenience and safety of the traveling public using the bridge carrying Bailey Road (AAR 148 690 R, T-372) over and above railroad right-of-way owned by R. J. Corman Railroad Company in Union Township, Clearfield County.

An initial hearing on this matter will be held Tuesday, August 31, 1999, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, 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. 99-1154. Filed for public inspection July 16, 1999, 9:00 a.m.]

Railroad With Hearing

C-00981691. Wayne Rhoads v. Southwest Pennsylvania Railroad. Complainant states the railroad crossing at Waltzmill makes a switch at McNasha Paper Box Company between 10:30 p.m. and 4 a.m. every night and there is no warning to the people that they are moving railroad cars through the rail highway crossing and someone may get hurt by the moving railroad cars. Complainant states some kind of signal or flashing lights to warn people should be placed at this section.

An initial hearing on this matter will be held Thursday, September 2, 1999, at 10 a.m. in the 11th floor hearing room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, 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. 99-1155. Filed for public inspection July 16, 1999, 9:00 a.m.]

Report and Recommendation of the Universal Service Task Force (Monitoring and Reporting/Subscriberhip Subcommittee); Doc. No. I-00940035

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; David W. Rolka; Nora Mead Brownell; Aaron Wilson, Jr.

Public Meeting held
June 24, 1999

Formal Investigation to Examine and Establish Updated Principles and Policies for Telecommunications Services in the Commonwealth

Order

By the Commission:

On January 28, 1997, the Pennsylvania Public Utility Commission (Commission) adopted an order which established a Universal Telephone Service Task Force (Task Force) in Pennsylvania. The purpose of this Task Force is to provide a collaborative forum through which all interested telecommunications-related entities can provide input on a wide spectrum of universal service issues. The Monitoring and Reporting/Subscriberhip Subcommittee (Monitoring Subcommittee) is one of four established Task Force subcommittees.

On September 29, 1997, the Task Force issued a Report and Recommendation which suggested, among other things, that the Monitoring Subcommittee reconvene to review the Commission's existing Extended Area Service (EAS) regulations codified at 52 Pa. Code §§ 63.71—63.77. The Monitoring Subcommittee subsequently met at

times during July through September of 1998, and drafted a Report on EAS issues which both addressed EAS regulations and recommended Commission action regarding these regulations. The Monitoring Subcommittee submitted its EAS Report to the Commission on January 27, 1999. The EAS Report follows this order as Annex A.

In pertinent part, the EAS Report (at page 5) recommends the following:

1. Continue application of the Extended Area Service Regulations with the exception of conducting the biennial traffic usage studies. Suspend the biennial traffic usage studies until the Monitoring and Reporting/Subscribership Subcommittee further recommends how to conduct more accurate traffic usage data.
2. While the Monitoring and Reporting/Subscribership Subcommittee evaluates the accuracy and usefulness of traffic usage data collection, the current toll traffic usage studies from 1997 should be utilized. However, in a formal complaint process, it is suggested that if an Administrative Law Judge concludes that there is a strong community of interest demonstrated, a more current traffic usage study may be ordered.
3. The Monitoring and Reporting/Subscribership Subcommittee will evaluate the accuracy and usefulness contained in the traffic usage studies, determine how to conduct more accurate traffic usage studies, and review the regulations and the need for additional revisions.

By order entered March 25, 1999, the Commission directed that the EAS Report be published in the *Pennsylvania Bulletin* for public comment. The Commission's March 25, 1999 order and the EAS Report were published on April 10, 1999 at 29 Pa.B. 1959 with a 30-day comment period. On May 10, 1999, the Pennsylvania Telephone Association (PTA) filed comments which strongly support the EAS Report recommendations and urge the Commission to adopt those recommendations. The Office of Consumer Advocate also filed comments in support of the EAS Report recommendations.

The telecommunications landscape has changed significantly since the last amendment to the Commission's EAS regulations on June 19, 1993. We believe that current circumstances support the adoption of the EAS Report recommendations. As the Report notes, the increasing level of competition in the local service market has blurred the distinction between interLATA and intraLATA calls, because a call placed through a CLEC may be considered a local call while a similar call placed through an ILEC may be a toll call. Thus, some intraLATA traffic may not be included in traffic usage studies. In addition, current traffic usage studies do not include dial-around calls. With the raw data flawed in this manner, it is difficult to compare and analyze traffic and ILEC traffic usage studies may be inaccurate or incomplete.

The Monitoring Subcommittee needs to evaluate methods for conducting more accurate traffic studies. It would be illogical to continue to require flawed and inaccurate traffic studies until the Monitoring Subcommittee has completed this task. In light of the foregoing, the Commission will accept the recommendations set forth in the Monitoring Subcommittee EAS Report and we will use our authority to waive 52 Pa. Code § 63.72 (relating to

EAS traffic usage studies) until the Monitoring Subcommittee has had an opportunity to further analyze this issue; *Therefore,*

It is Ordered that:

1. A copy of this order and the Monitoring Subcommittee EAS Report be forwarded to the *Pennsylvania Bulletin* for publication.
2. This order and the Monitoring Subcommittee EAS Report be posted on the Commission's website.
3. The requirements set forth at 52 Pa. Code § 63.72 (requiring LECs to complete biannual interexchange toll traffic usage studies) are waived until further notice.
4. The Commission use the existing 1997 toll traffic usage studies unless, during a formal complaint proceeding, an Administrative Law Judge concludes that a more current traffic usage study is necessary.
5. The Monitoring Subcommittee evaluate the data contained in the traffic usage studies for accuracy and usefulness, determine how to increase the accuracy of those studies, review the pertinent regulations for possible additional revisions and report its findings to the Commission.

JAMES J. MCNULTY,
Secretary

Annex A
Report of the Monitoring and
Reporting/Subscribership Subcommittee on
Extended Area Service
September 30, 1998

Background

The Monitoring and Reporting/Subscribership Subcommittee's review of the Extended Area Service (EAS) regulations is an outgrowth of the Public Utility Commission's January 28, 1997 Opinion and Order on universal service in the telecommunications industry in Pennsylvania. That Order established a "Universal Telephone Service Task Force" for the purpose of providing a collaborative forum through which all interested telecommunications stakeholders could participate in the development of recommendations on a wide range of issues involving universal telephone service. Four subcommittees were created as part of the Task Force, including the Monitoring and Reporting/Subscribership Subcommittee.

On September 29, 1997, after meeting over a period of 6 months, the Universal Service Task Force issued its Final Report and Recommendation. That report included a recommendation that the Monitoring and Reporting/Subscribership Subcommittee be reconvened to review the EAS regulations in detail and make a final recommendation to the Commission. The Commission, in its March 19, 1998 Final Opinion and Order, adopted and approved the Task Force's Final Report.

The March 19 Order had the additional directive that the Commission's Bureau of Fixed Utility Services (FUS), with the assistance of the Law Bureau, analyze the results of the 1997 traffic usage studies and determine whether the number of qualifying EAS routes were significant enough that the EAS requirements should be maintained, and provide a recommendation to the Office of Executive Director for further action if necessary. The FUS report, issued on June 12, 1998, recommended that the Commission continue to maintain the EAS requirements in some form until such time that the Commission could rely on local competition to address the concerns of

limited local calling areas throughout the Commonwealth. The FUS report also recommended that the Subcommittee be reconvened to resolve a number of issues and make a final recommendation on the EAS regulations.

On July 15, 1998 the Office of Executive Director announced that the Monitoring and Reporting/Subscribership Subcommittee would be reconvening and issued an invitation to all interested parties to work with the Subcommittee to review the EAS regulations and make a recommendation to the Commission. The following report, with concluding recommendations, is a result of the Subcommittee meetings held from July—September, 1998.

Discussion

As the members of the Subcommittee began reviewing the EAS regulations, it became apparent that the discussion continually centered around and focused on the biennial traffic usage studies. The biennial traffic usage studies measure the interexchange toll traffic over both intraLATA and interLATA routes. Industry representatives expressed their concern that with the increasing level of competition in the local service market, it is becoming difficult to expend scarce competitive resources on this reporting obligation. As a greater number of companies enter local and toll markets, the sources from which data must be gathered and aggregated increases, as well as the complexity, ready availability and cost of gathering that data.

With the increased level of competition in the local service market, there is a blurring of the distinction between local and toll calls. An Incumbent Local Exchange Carrier's (ILEC) local calling area has been subject to regulation, but Competitive Local Exchange Companies (CLECs) have the option to expand that local calling area. As that occurs, it becomes difficult to compare and analyze traffic over a particular route when one company charges toll rates for that route and another considers it a local call. For these and other reasons, traffic usage studies submitted by ILECs, may not reflect complete or accurate data.

Consumer representatives on the Subcommittee also expressed the opinion that with increasing competition it becomes difficult to obtain accurate EAS studies. The competitive entry by CLECs and IXCs (Interexchange Carriers) in the local and intraLATA toll markets has made it more difficult to conduct meaningful studies.

While there was agreement among the Subcommittee members concerning the inaccuracy of the biennial traffic usage studies, and that competition is designed to provide consumers with a greater variety of local or toll calling plans, there was disagreement concerning whether the Commission should phase out the current EAS regulations. Further, there was a fundamental difference how the issue was perceived: some members viewed the source of consumer complaints as a toll problem—"my toll bill is too high." Others viewed the source of consumer complaints as a local problem—"my local calling area is too small."

Certain members suggested that with local or toll competition, there is no longer a need for maintaining the regulations. With the growing number of carriers, each with a different market share, not all carriers will have the same cross section of customers and thus the same community of interest. These members also maintained that robust toll competition will alleviate the need for the current EAS regulations.

Other representatives argued that local and toll competition has not yet provided an alternative means of responding to extended area service needs. The number of CLECs that offer local service areas that differ from those offered by the ILECs, remains extremely low. In fact, CLECs have had little success in even penetrating the ILECs' service territories; and in the majority of ILEC territories, there is no local competition.

Focusing on the issue of the preparation of complete and meaningful traffic usage studies, remained the point of consensus. Current traffic studies do not include all intraLATA traffic and dial-around calls, which has led to possibly incomplete and inaccurate traffic usage studies. This led to the agreement by the members that the periodic mandatory traffic usage studies in their current form, should be suspended pending the resolution of all traffic study issues.

This is not to suggest that there was agreement for eliminating the requirement that traffic usage studies ever be conducted. The agreement was to end the mandatory biennial traffic usage studies by all LECs. The Commission should reserve the ability to require a traffic usage study in the context of a formal complaint process. It is suggested that if an ALJ concludes that there is a strong community of interest demonstrated, an updated traffic usage study may be ordered.

When traffic usage studies are conducted, competitively neutral guidelines for the submission and aggregation of the data are necessary. With increasing competition, carriers do not want to provide their competitors with their intraLATA and interLATA toll usage data. It is inappropriate for carriers to provide competitively sensitive, customer-specific information to competitors. This led to the consensus among the members that there should be a competitively-neutral aggregator of the data. Commission staff was identified as the most logical choice, given staff expertise to aggregate and analyze such data.

Finally, while the Subcommittee is recommending that the biennial traffic usage studies be suspended, it will evaluate how to conduct more accurate traffic usage studies. Given the limited time frame that the Subcommittee had to review the current requirements, the Subcommittee will in the coming months continue to evaluate and analyze how more meaningful traffic usage studies can be produced.

Subcommittee Recommendations

1. Continue application of the Extended Area Service Regulations with the exception of conducting the biennial traffic usage studies. Suspend the biennial traffic usage studies until the Monitoring and Reporting/Subscribership Subcommittee further recommends how to conduct more accurate traffic usage data.

2. While the Monitoring and Reporting/Subscribership Subcommittee evaluates the accuracy and usefulness of traffic usage data collection, the current toll traffic usage studies from 1997 should be utilized. However, in a formal complaint process, it is suggested that if an Administrative Law Judge concludes that there is a strong community of interest demonstrated, a more current traffic usage study may be ordered.

3. The Monitoring and Reporting/Subscribership Subcommittee will evaluate the accuracy and usefulness of the data contained in the traffic usage studies, determine how to conduct more accurate traffic usage studies, and

review the regulations and the need for additional revisions.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1156. Filed for public inspection July 16, 1999, 9:00 a.m.]

**Reporting Requirements for Biennial Updates of
Network Modernization Plans Filed Under 66
Pa.C.S. § 3003(b)(6); Doc. No. M-00930441**

Commissioners Present: John M. Quain, Chairperson;
Robert K. Bloom, Vice Chairperson; David W. Rolka;
Nora Mead Brownell; Aaron Wilson, Jr.

Public Meeting held
April 29, 1999

Opinion and Order

By the Commission:

A. Procedural History

On August 5, 1993, the Commission entered an order at Docket No. M-00930441, which initiated efforts to implement Chapter 30.¹ In addition to issuing an advance notice of proposed rulemaking to commence the process of promulgating regulations, the order scheduled a public forum to solicit comments from interested parties regarding procedural and substantive issues relating to Chapter 30 litigation.

The public forum was held on August 16, 1993, and the Commission received both oral and written comments from various interested parties that offered numerous recommendations and suggestions regarding implementation of Chapter 30. Based on the comments received, the Commission entered an order on August 27, 1993, in the same docket, establishing procedural requirements only for petitions for an alternative form of regulation, including network modernization plans, filed under 66 Pa.C.S. § 3003. In that order, the Commission provided guidance with respect to what information should be included in a company's network modernization plan by stating:

In order to meet its evidentiary burden, each filing LEC shall be required to submit detailed information, including maps and quantitative data, which in great detail identify its plan in all parts of its service territory. The plan shall inventory the LEC's present infrastructure including detailed information regarding the capability of all existing central office switching and transport facilities. The plan shall then detail all projected development, using at most two year intervals, relating the development to both existing and new plant throughout its service territory. The plan shall also discuss in detail any potential opportunities for joint ventures and discuss and qualitatively analyze why its plan results in adequate universal bandwidth.

¹ On July 8, 1993, Acting Governor Mark signed Chapter 30 of the Public Utility Code into law, effective immediately. Chapter 30 authorizes local exchange carriers (LECs) to petition the Commission for approval of an alternative form of regulation which, if approved, would replace traditional rate base/rate of return regulation, 66 Pa.C.S. § 3003. Smaller LECs (less than 50,000 access lines) are also authorized to petition the Commission for approval of a streamlined form of regulation, 66 Pa.C.S. § 3006. Each LEC which files for approval of an alternative or streamlined form of regulation must also include in its petition a network modernization plan for Commission review and approval. 66 Pa.C.S. § 3003(b).

Re Implementation of Chapter 30 of the Public Utility Code, Docket No. M-00930441, at 13-14 (Order entered August 27, 1993).

Since this original order was entered in 1993, the telecommunications industry has experienced substantial technological, market and legislative changes. These changes have had a major impact on how telecommunications carriers intend to and will carry out their responsibilities to modernize their networks under Chapter 30. On the legislative front, for example, the Federal Telecommunications Act of 1996 (TA-96) has impacted how incumbent local exchange carriers (ILECs) will meet their interconnection responsibilities and how they will offer unbundled network elements to new entrants. Moreover, mega-mergers in the telecommunications industry, the concept of one-stop shopping, and the introduction of advanced telecommunications services, such as xDSL,² are forever changing the telecommunications landscape.

B. Comments to August 27, 1998 Order

In recognition of this evolving market, the Commission on August 27, 1998, adopted a motion which reopened Docket No. M-00930441 to receive comments from interested parties to assist in developing reporting guidelines for use by all companies required to file biennial updates of their network modernization plans under section 3003(b)(6) of the Public Utility Code, 66 Pa.C.S. § 3003(b)(6). This motion, which was subsequently entered as an Order on September 22, 1998, acknowledged the need to examine closely how to define "broadband" availability and to determine how a company's network modernization plan accelerates deployment of a universally-available, state-of-the-art, interactive, public-switched broadband telecommunications network. *Reporting Requirements for Biennial Updates of Network Modernization Plans Filed Pursuant to 66 Pa.C.S. § 3003(b)(6) and Re: Implementation of Chapter 30 of the Public Utility Code*, Docket No. M-00930441, Opinion and Order, entered September 22, 1998 (September 22, 1998 Order).

Further, the September 22, 1998 Order asked commentators to consider what the Commission has requested from Bell Atlantic-Pennsylvania, Inc. (BA-PA) in previous updates to its network modernization plan. In this regard, the Commission requested the following information from BA-PA: (1) detail on the location for upgrades in switches, the location for the placement of fiber access lines and other upgrades or expansions; (2) a statement of actual and projected investment to build the modified network; (3) a description of network architecture; (4) a projected deployment schedule; (5) a statement of progress toward universal broadband capability as measured in percentages referenced to access lines in urban, suburban and rural categories, as well as percentages referenced to total access lines; and (6) detail on broadband deployment, including use of consistent school listings. September 22, 1998 Order at 3.

Based again on evolving technology and market forces, we stated in the September 22, 1998 Order that we must develop parameters for reporting so that we are able to fairly and consistently evaluate what is provided by each company. In this regard, for example, we asked for comments on what type of detail should be provided if the Commission decided to seek reporting information which provides specificity with respect to services which are

² xDSL is a term of art referring to several forms of Digital Subscriber Line technology. It is a compression technology that enables the provision of different combinations of high-speed data, voice and fax through copper loops using packet-switched routing.

available and being subscribed to, broken down by customer class, that is, residential, business and institutional.

On or about October 20, 1998, the Commission received initial comments from BA-PA, the Office of Consumer Advocate (OCA), the Pennsylvania Telephone Association (PTA), AT&T Communications of Pennsylvania, Inc. (AT&T), and MCI Metro Access Transmission Services, Inc. (MCI). In its comments, BA-PA identified the following 10 uniform reporting guidelines for the biennial updates of network modernization plans:

(1) The biennial updates should report the status of achieving commitments to universal broadband availability, which should be defined "in terms of the infrastructure being in place so that the end users may purchase existing or future broadband services if they choose to do so—not in terms of the number of customers actually purchasing a specific broadband service." BA-PA Comments of October 20, 1998, at 3-4. BA-PA cautioned against the Commission micro-managing the network to the extent of analyzing whether customers are purchasing broadband services.

(2) The biennial updates should report present and projected upgrades to switches, fiber deployment, intelligent signaling and ISDN availability. *Id.* at 7.

(3) The biennial updates should explain the carrier's planned architecture for its broadband network. The Commission's reporting requirements must ensure that the carrier is meeting its broadband commitments while at the same time allowing the carrier the flexibility to change its architecture with changing technology and market environments. *Id.* at 7-8.

(4) The biennial updates should project the carrier's deployment schedule. *Id.* at 8-9.

(5) The biennial updates should identify broadband availability in or adjacent to public rights-of-way abutting health care facilities, public schools and industrial parks. *Id.* at 9.

(6) The biennial updates should describe how the carrier is meeting the commitment made in its plan to achieve reasonably balanced broadband availability to urban, suburban and rural areas within its service territory. *Id.* at 9-10.

(7) Expenditures on or revenues from the network should not be required because they are not permissible statutory criteria to approve or reject the updates. How much money a carrier is spending on its network modernization plan is irrelevant to whether the update is "consistent with and in furtherance of the [company's] currently effective implementation plan." The statute also does not require carriers to report expenditures and revenues broken down between urban, suburban and rural categories. *Id.* at 10-12.

(8) The biennial updates should report on joint ventures. *Id.* at 12-13.

(9) The biennial updates should report on the status of products and services that enhance the quality of life for those with disabilities. *Id.* at 13.

(10) Proprietary information should be protected so as not to impact competitively sensitive information in the biennial updates by allowing carriers to file under seal when appropriate. *Id.* at 13-14.

The OCA disagrees with BA-PA's positions that the Commission should not be analyzing the number of customers who are purchasing broadband service or that

a carrier's investment level to update its network is irrelevant. The OCA instead submits that the following uniform reporting requirements should be included with any biennial updates:

(1) The updates should provide the Commission with information on how many customers are buying broadband services. The OCA agrees with the August 27, 1998 Motion at page 2 that such information should be provided and "broken down by class of customer, i.e., business, residential, and institutional." In addition, the OCA asserts that this information should be broken down by region or geographic area within each service territory of the filing LEC. OCA Comments of October 20, 1998, at 5-6.

(2) Using the same quantity, class and geographic breakdown outlined in subparagraph (1) above, the OCA asserts that LECs should also report the type of broadband services customers are actually subscribing to. In addition to the type of service, the OCA submits that the price and speed of all LEC service offerings should be included within the biennial update report. *Id.* at 6-8.

(3) The level of investment being made to develop the broadband network should be reported in the biennial reports. Specifically, information regarding the historic, current and projected levels of capital investment in the network as well as updated depreciation report information should be provided. *Id.* at 8-9.

The PTA suggests the following biennial reporting requirements:

(1) Progress on the percentage deployment standards under which a company-specific network modernization plan is to be measured: (a) digital switching, (b) signaling, (c) trunking, and (d) distribution facilities.

(2) A statement of whether the company is "on track" for the earlier period reported as well as for the future.

(3) If it has been revised substantially from the last biennial report, a general description of the architecture of the carrier's network.

PTA Comments of October 20, 1998, at 6.

The PTA asserts that any biennial reporting requirements imposed by the Commission should not add additional or modify existing network modernization commitments. The PTA submits that any reporting requirements must recognize that each Chapter 30 company's network modernization commitment differs. The PTA also asserts that the Commission should measure compliance with a specific commitment to that company's goals, as set forth in the company's approved network modernization plan. *Id.* at 2-4.

The PTA agrees with BA-PA that the number of customers or type of broadband services purchased should not become the measurement of compliance under Chapter 30 nor does Chapter 30 require a commitment to a specific dollar amount expended for the network. The PTA also argues that the Commission should fully utilize existing information resources, rather than require the development of new information. Finally, the PTA asserts that all the Chapter 30 companies other than BA-PA are rural, and that therefore it is not necessary to have reporting requirements along urban, suburban and rural lines. *Id.* at 4-5.

AT&T does not offer uniform reporting requirements for biennial updates of network modernization plans, rather it focuses its remarks exclusively on what BA-PA should provide in its biennial reports. AT&T Comments of Octo-

ber 20, 1998, at 1-16. As to BA-PA, AT&T recommends the following reporting requirements:

(1) BA-PA should submit detailed accounts of its investment in network modernization. AT&T Comments of October 20, 1998, at 9-10.

(2) BA-PA should identify and detail which broadband services are available to residential and business customers in urban, suburban and rural areas. *Id.* at 10-11.

(3) BA-PA should provide a detailed analysis of which customers are subscribing to broadband services in which customers have broadband availability at 45 Mbps capacity. *Id.* at 12-14.

(4) BA-PA should provide information not only on the availability of existing broadband services, but should also provide the Commission with information on its future plans to introduce new broadband services in its service territory. *Id.* at 14.

(5) BA-PA should provide detailed explanations of how broadband technology at 45 Mbps is available within 5 days of a service request by a customer. *Id.*

(6) BA-PA should be required to explain how it intends to bring GTE North, Inc.'s current network into compliance with BA-PA's network modernization plan if the merger of the parents of the two companies is completed. *Id.* at 15.

Finally, MCI generally supports the positions advocated by the OCA and AT&T. MCI offers the following reporting guidelines for consideration:

(1) The information described at page 3 of the Commission's September 22, 1998 Order that is required from BA-PA in its biennial updates, should be required for all Chapter 30 network modernization plans. MCI and Comments of October 20, 1998, at 2.

(2) The Commission should require the filing of comparative data before and after the network modernization plan to ensure that the plan truly accelerated deployment. *Id.* at 3-4.

(3) "Availability" should mean more than just the deployment of facilities; it should measure the number of customers who requested and contracted for a specific service. In addition, the carrier should provide information on how many requests for broadband services were generated from schools, libraries, health care facilities and industrial parks. *Id.* at 4-5.

(4) A Chapter 30 company should be required to provide its depreciation expense and its total capital investment by expense category to insure that the Chapter 30 company is replacing the value of the network that is being depreciated. *Id.* at 6.

(5) The biennial report should include information related to the impact the network modernization plan has had on employment levels in the state. *Id.*

On or about October 27, 1998, the Commission received reply comments from BA-PA, OCA, PTA, AT&T and the United Telephone Company of Pennsylvania d/b/a Sprint (Sprint). In its reply comments, BA-PA asserts that AT&T and MCI missed the mark by failing to provide useful suggestions for arriving at generic, uniformly applicable Chapter 30 guidelines. BA-PA also argues that this is not the proper docket to consider issues related to the proposed merger between BA-PA and GTE. BA-PA Reply Comments of October 27, 1998, at 1-3.

Specifically, BA-PA argues that Chapter 30 does not require detailed reporting of expenditures on the network.

Chapter 30, in its view, simply focuses on the end result—meeting the network modernization commitments, regardless of the cost. Reporting on expenditures to build the network is not relevant because Chapter 30 does not require a LEC to commit to increasing its expenditures by any specific amount. *Id.* at 3-4.

Similarly, BA-PA asserts that any review of information on depreciation of network assets is not relevant to whether a LEC is meeting its infrastructure modernization commitments. According to BA-PA, depreciation expense is the recovery of past investment; there is no connection between capital spent in the past to improve the network and capital spent today. Indeed, BA-PA asserts, rapid advances in technology and the increasing impact of competition have resulted in falling prices for many products necessary to modernize the network. *Id.* at 4-6.

BA-PA also argues that Chapter 30 does not require the Commission to count the number of customers that use the network; the statute only requires the Commission to look at whether the network is being built. *Id.* at 6-9. Finally, BA-PA disagrees strongly with MCI's suggestion that Chapter 30 companies should report on the impact their network modernization plans have had on employment in Pennsylvania. BA-PA argues that the statute does not contemplate the reporting of such employment levels; and, in any event, there is no way that BA-PA would be able to report accurately on the impact the network has had on employment in Pennsylvania. *Id.* at 9-10.

Both the PTA and Sprint support BA-PA's view that the level of expenditures, customer penetration levels, employment, depreciation and other similar criteria are irrelevant to whether a LEC is meeting its network modernization commitments. PTA Reply Comments of October 27, 1998, at 2-3; Sprint Reply Comments of October 27, 1998, at 2-8. The PTA points out that the biennial reporting requirements are only intended to provide the Commission with information regarding the current status of a LEC's compliance with its network modernization commitments; it is not intended to provide "a further opportunity for extracting additional commitments from a company with respect to its future provisioning of services." PTA Reply Comments of October 27, 1998, at 3.

Sprint agrees with the PTA that a LEC's network modernization plan provides "the appropriate guidelines to be used for purposes of analyzing biennial updates." Sprint Reply Comments of October 27, 1998, at 1. The level of detail suggested by the OCA, AT&T and MCI to be included in biennial updates, Sprint asserts, is inappropriate and unwarranted. *Id.* at 1-2. Sprint also submits that the Commission must be aware that imposing reporting guidelines for biennial updates, if they are required by all companies, must be done in the context of a formal rulemaking proceeding. *Id.* at 8.

In their reply comments, both the OCA and AT&T support the view that providing the Commission with the number and location of customers utilizing broadband services is relevant to the issue of whether Chapter 30's modernization goals are actually being realized. OCA Reply Comments of October 27, 1998, at 2; AT&T Reply Comments of October 27, 1998, at 3-4. The OCA further submits that the level of expenditures invested is relevant and important in determining a Chapter 30 company's level of commitment to its network modernization plan. OCA Reply Comments of October 27, 1998, at 1.

The OCA also states in its reply comments its support of BA-PA's position on "reporting requirements relative to the provision of broadband services to public schools, libraries, health care facilities and industrial parks." *Id.* at 2. In this regard, BA-PA has reported the percentage of these institutions where it has deployed fiber-optic availability to the nearest abutting right-of-way, and the OCA submits that this should be the reporting requirement for all Chapter 30 companies. *Id.* at 2-3. Finally, the OCA agrees that competitively sensitive information should be protected, but that the Commission and public advocates, such as the OCA, should have "automatic access to this information subject to appropriate proprietary agreements." *Id.* at 3.

C. Discussion

The order we issue today establishing generic reporting guidelines for biennial updates of network modernization plans filed under Chapter 30 of the Public Utility Code is a direct result of consideration of the above-described comments. We appreciate and thank all the commenting parties who provided worthwhile suggestions to aid the Commission in the development of these reporting guidelines.

Before delineating any specific guidelines to address the types of information that should be included in biennial update reports, however, we wish to briefly address the Commission's authority to issue the guidelines. The Commonwealth Court's decision in *Pennsylvania Human Relations Comm'n v. Norristown Area Sch. Dist.*, 342 A.2d 464 (1975), which was affirmed by the Pennsylvania Supreme Court at 374 A.2d 678, establishes the ability of the Commission to issue guidelines. Specifically, the Commonwealth Court in the *Norristown* decision emphasized the distinction between a regulation and a guideline or other statement of policy.

In discussing this distinction, the Commonwealth Court observed that a statement of policy is defined in the Commonwealth Documents Law, 45 P. S. § 1102(13), as including actions that interpret or implement any statute that is enforced or administered by such agency. As the Commonwealth Court recognized, such a document need not be promulgated as a regulation. Further, the Pennsylvania Administrative Code defines a "guideline" as a document which announces the policy that any agency intends to implement in future rulemakings, adjudications, or which will otherwise guide the agency in the exercise of its administrative discretion. 1 Pa. Code § 1.4.

In the present case, by these guidelines, we announce policy that we intend to implement which will provide assistance to LECs in understanding what the Commission believes is necessary and relevant in fulfilling the Commission's responsibility to review and approve biennial updates filed under Chapter 30 of the Public Utility Code. As such, this action we take today is in complete compliance with applicable provisions of the Commonwealth Documents Law and the Administrative Code.

Turning our attention then to what specific guidelines we should adopt, perhaps the two most difficult and controversial issues raised in the comments relate to the meaning of "universal broadband availability" in section 3003(b)(1) and to what extent capital investment information, including depreciation expenses, should be provided. Addressing the "universal broadband availability" issue first, while the Commission recognizes the position presented by BA-PA, PTA, and Sprint that the term "availability" should only mean evaluating the actual deployment of facilities, we believe, consistent with the position

supported by the OCA, AT&T, and MCI, that a way to measure the true success of a network modernization plan is by analyzing the number of customers actually buying the broadband services offered by the LEC.

As we already stated in our September 22, 1998 Order in this docket, "the true measure of any local exchange carrier's compliance with its Network Modernization Plan is the provision of actual 'broadband' services to customers." September 22, 1998 Order at 3. A network modernization plan offering broadband services with few, if any, subscribers may not benefit Pennsylvania or its citizens as we move into the 21st Century.

It is critical, therefore, that we be provided accurate information in the biennial reports showing how many customers are buying broadband services and what broadband services are being purchased by customers. Without this information regarding the actual use of an advanced telecommunications network by Pennsylvania consumers, we cannot effectively exercise oversight responsibilities given to the Commission by Chapter 30 to "ensure the efficient delivery of technological advances and new services throughout the Commonwealth in order to improve the quality of life for all Pennsylvanians." 66 Pa.C.S. § 3001(5) (emphasis added).³

The other contentious issue presented by the parties is whether the Commission should require capital investment information, including depreciation expense information. As described above, BA-PA, the PTA, and Sprint each argue that knowing how much a LEC is spending on its network modernization efforts is irrelevant because Chapter 30 does not require a LEC to commit to increasing its expenditures by any specific amount—it just requires that the network be built. They also argue that depreciation expense information is not relevant because there is no connection between money spent historically to upgrade the broadband network versus money spent now or in the future to improve the network. Finally, Sprint submits that requiring the additional information from all LECs filing biennial reports can only be done through a formal rulemaking proceeding and not through reporting guidelines.

The OCA, AT&T and MCI, on the other hand, each assert that the level of capital investment being made, as well as updated depreciation expenses, should be included in the biennial reports. They contend that the amount of capital investment being made to build the network is a relevant measure of whether the incentives provided by alternative regulation have actually stimulated an increased development and modernization of the network. To fully measure whether the incentives are working as they should, the three entities submit that current levels of investment must be compared with both past and projected levels of capital investment in the network, as well as depreciation expense information.

We have previously examined this issue in the context of what was required for the biennial updates to BA-PA's network modernization plan. As noted in our September 22, 1998 Order, in that context in the past we have requested from BA-PA that it provide actual and projected investment levels to build its network. While it is true that Chapter 30 does not explicitly require the production of the information, Chapter 30 does not prohibit produc-

³ See also *Re: Bell Atlantic—Pennsylvania, Inc.'s Petition and Plan for Alternative Form of Regulation Under Chapter 30*, Docket No. P-00930715, Opinion and Order, entered June 28, 1994, at 167 (Commission found that "[t]he biennial filings are not merely informational in nature," that "[t]he Commission's oversight is critical to assure that the deployment has been and will continue to be reasonably balanced among urban, suburban, and rural areas" and that its review was to be more than "a simple progress evaluation."

tion of this type of information if the Commission concludes that it would be helpful in its analysis of whether the network is being deployed and upgraded consistent with the intent of the statute.

We believe capital investment and annual depreciation reports would be helpful in the Chapter 30 context, because, without information to analyze historical data versus projected trends, we cannot adequately determine or even identify all the issues or concerns necessary to ensure that the LEC is meeting its network deployment obligations. In any event, this type of information is already required to be produced by LECs providing telephone service with over 50,000 access lines or which have gross intrastate operating revenues in excess of \$20 million per year under 52 Pa. Code §§ 73.1—73.9, which regulations became effective in August 1995. *Final Rulemaking Re Public Utility Depreciation Practices and Capital Planning*, Docket No. L-00920062, Order entered May 5, 1995 (May 5, 1995 Order). The stated purpose of Chapter 73 of our regulations “is to establish uniform and industry-wide reporting requirements designed to improve the Commission’s ability to monitor on a regular basis the depreciation practices and capital planning” of telephone and other utilities subject to Commission jurisdiction. 52 Pa. Code § 73.1.

Sections 73.3 and 73.4 provide for detailed annual depreciation reports (ADRs) to be filed with the Commission. Sections 73.7 and 73.8 provide that telephone utilities meeting the minimum thresholds, except telecommunications interexchange carriers, resellers and radio common carriers, shall file a capital investment plan report every 3 years, with the first report due by August 31, 1998.

In deciding that our Chapter 30 biennial reporting guidelines should include capital investment and depreciation expense information for LECs having gross intrastate revenues in excess of \$20 million per year or access lines in excess of 50,000,⁴ the LECs may coordinate their reporting obligations, consistent with our May 5, 1995 Order at 8-9. The coordination will allow the reports required by Chapter 73 in the Pa. Code to be used to provide this Commission with a LEC’s capital investment and depreciation expense information in the biennial reports required by Chapter 30 of the Public Utility Code.⁵ In fact, 52 Pa. Code § 73.8(6) expressly recognizes that “information required by this section” that has been provided to the Commission in another required report, need not be filed again so long as the utility notifies the Office of Special Assistants as to the location of the information, and, if necessary, converts the information to the electronic format required under Chapter 73.⁶

Finally, three other Chapter 30 reporting guideline issues need to be addressed in this order. The first issue involves the continuing reporting obligations of a LEC under other statutory provisions of the Public Utility Code and regulations adopted by this Commission once

⁴ For the smaller LECs, we believe the biennial reports should contain information that is similar to the information required under 52 Pa. Code §§ 73.4 and 73.8. The smaller LECs are encouraged to meet with Commission Staff before they file their biennial reports to develop more precisely what information is actually needed, and, at the same time, to minimize any administrative burdens that the reporting requirements will place on the smaller LECs.

⁵ Any LEC that has not filed its ADR for 1998 or capital investment plan report by August 31, 1998, as required by Chapter 73 of the Pa. Code, shall file these reports with the Commission within 60 days of the entry of this order.

⁶ We do recognize, as noted above, that Chapter 73 of our regulations requires capital investment plan reports every 3 years, while the biennial reports required by Chapter 30 of the Public Utility Code are, by definition, required every 2 years. To effectuate the type of coordination contemplated in this Order, and at the same time minimize any additional administrative burdens on LECs that may arise from producing this information in the biennial reports, the LEC may use the most recently filed Chapter 73 capital investment plan report then on file with the Commission to provide us with this same information when its biennial report is due.

its network modernization plan has been approved. Some LECs have asserted in other proceedings or filings before this Commission that language in at least some of our Chapter 30 network modernization approval orders eliminates any other reporting obligations outside of Chapter 30. This order and the guidelines we adopt today clarifies that any such language in earlier Chapter 30 orders was only intended to address reports required under Chapter 30 and was not intended to obviate reports otherwise specifically required in other chapters of the Public Utility Code or in the regulations implementing these other chapters.

The second issue relates to how “public schools” as used in section 3003(b)(3) should be defined so that the Commission can receive uniform and consistent information on broadband deployment to public schools. No party filed comments relating to this issue. The Commission believes that the most prudent course is to follow how public schools are defined and interpreted throughout the Public School Code contained in Title 24 of Purdon’s Statutes. For reporting purposes under Chapter 30, therefore, public schools shall include the 501 public school districts within the Commonwealth of Pennsylvania, the intermediate units, all charter schools and all area vocational-technical schools.

The last issue involves AT&T’s position that this Commission should evaluate the impact BA-PA’s pending merger with GTE Corporation will have on BA-PA’s network modernization obligations while the joint application to merge is pending. We agree with BA-PA’s position that any issues relating to this potential impact are more properly considered in the merger proceeding than at this docket; *Therefore,*

It Is Ordered that:

1. The following Chapter 30 Biennial Update Reporting Guidelines are adopted by the Commission, effective on the date of entry of this Order.

2. A local exchange carrier that has not filed its annual depreciation report for 1998 or capital investment plan report by August 31, 1998, as required by 52 Pa. Code §§ 73.3—73.4 and 73.7—73.8 shall file these reports with the Commission within 60 days of the entry of this order.

3. This order will clarify this Commission’s position that approval of a LEC’s network modernization plan and acceptance and approval of biennial reports required under Chapter 30 of the Public Utility Code will not alleviate that LEC’s obligation to provide any and all reports required in any other provision of the Public Utility Code or in the Commission’s regulations implementing these other provisions.

4. The Secretary shall certify this order and attached Reporting Guidelines, and deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

5. The Reporting Guidelines shall be served upon all incumbent and competitive local exchange carriers, the Office of Consumer Advocate, the Office of Small Business Advocate and the Pennsylvania Telephone Association.

JAMES J. MCNULTY,
Secretary

Chapter 30 Biennial Update Reporting Guidelines for Local Exchange Carriers

1. The biennial updates required under 66 Pa.C.S. § 3003(b)(6) should provide specific information on how many customers are buying broadband services. This

information should be provided both by class of customer, that is, business, residential and institutional, and by region or geographic area within each service territory of the filing local exchange carrier (LEC).

2. Using the same quantity, class and geographic breakdown outlines in Paragraph No. 1 above, the biennial updates should report the type of broadband service being offered by the LEC.

3. The biennial updates should report present and projected upgrades to switches, fiber development, intelligent signaling and ISDN availability.

4. The biennial updates should explain the LEC's planned architecture for its broadband network. If the LEC's architecture has been revised substantially from the last biennial update because of changing technology or market environment, the LEC should provide a specific description of the new architecture and the reasons for the change.

5. The biennial updates should project the LEC's deployment schedule.

6. The biennial updates should identify broadband availability in or adjacent to public rights-of-way abutting health care facilities, public schools and industrial parks. For reporting purposes, "public schools" shall include all public school districts within the Commonwealth of Pennsylvania, all intermediate units, all charter schools and all area vocational-technical schools.

7. The biennial updates should describe how the LEC is meeting the commitment made in its Chapter 30 network modernization plan to achieve reasonably balanced broadband availability to urban, suburban and rural areas within its service territory consistent with each company's approved Chapter 30 plan.

8. Consistent with the reporting obligations contained in 52 Pa. Code §§ 73.1—73.9, for LEC's providing telephone service with over 50,000 access lines or which have grossed intrastate operating revenues in excess of \$20 million per year, the biennial updates should provide the level of capital investment being made to develop the broadband network. Specifically, information regarding the historical, current and projected levels of capital investment in the network as well as updated depreciation report information should be provided. A LEC may coordinate its reporting obligations required by Chapter 73 to comply with this paragraph so long as the LEC complies with the notification requirement contained in 52 Pa. Code § 73.8(6).

9. For LEC's providing telephone service with less than 50,000 access lines or which have gross intrastate operating revenues less than \$20 million per year, the biennial updates should contain information similar to what is required under 52 Pa. Code §§ 73.4 and 73.8. These small LECs may meet with Commission Staff to determine the precise information to be provided so as to balance the Commission's specific informational needs with the LEC's need to minimize any administrative burdens created by the production of this information.

10. The biennial updates should report on joint ventures.

11. The biennial updates should report on the status of products and services that enhance the quality of life for those with disabilities.

12. As provided in the order approving these guidelines, the acceptance and approval of a network modernization plan and subsequent biennial reports required by

Chapter 30, will not eliminate the obligation of a LEC to provide any other reports required in any other chapter of the Public Utility Code or in the Commission's existing regulations.

13. Proprietary information will be protected so as not to impact adversely competitively sensitive information in the biennial updates by allowing a LEC to file under seal when appropriate; provided, however, that the Office of Consumer Advocate, the Office of Small Business Advocate and the Office of Trial Staff will have access to this competitively sensitive information subject only to the public advocates entering into appropriate proprietary agreements with the producing LEC.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1157. Filed for public inspection July 16, 1999, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before August 9, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the *additional 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-00115884, Folder 2. James R. Kimble, (Executor of the Estate of Girdie Kimble, Deceased), t/d/b/a Girdie Kimble and Son Limousine Service (24 North Felton Street, Philadelphia, Philadelphia County, PA 19139)—the transportation of persons in limousine service: (1) persons attending funerals between points in the city and county of Philadelphia, and within an airline radius of 30 statute miles of City Hall in said city; and (2) persons attending weddings or christening parties to or from homes of wedding or christening parties and churches or places at which marriage ceremonies or christening parties are performed in the city and county of Philadelphia; which is to be a transfer of all the rights authorized under the certificate issued at A-00104627, to Girdie Kimble (deceased) and James R. Kimble, Copartners, t/d/b/a Girdie Kimble and Son Limousine Service.

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-00116021. Paul J. Diveglia, t/d/b/a St. Topaz Limousine Service (1929 North Sixth Avenue, Altoona, Blair County, PA 16601)—persons in limousine service, between points in the counties of Blair and Cambria, and from points in said counties, to points in Pennsylvania,

and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00108798 to Richard M. Steinbugl, t/d/b/a St. Topaz Limousine, subject to the same limitations and conditions.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00116019. North Warren Volunteer Fire Department (12 South State Street, North Warren, Warren County, PA 16365), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Warren, and from points in said county, to points in Pennsylvania, and return. *Attorney:* Todd A. Woodin, 400 Market Street, Warren, PA 16365.

A-00116020. Glory to Glory, Inc., t/d/b/a Glory to Glory (340 West Milne Street, Philadelphia, Philadelphia County, PA 19144), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, from points in the city and county of Philadelphia, to correctional facilities located at points in Pennsylvania.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-00115452, Folder 2. T. J. McGeehan Sales and Service, Ltd. (R.R. 1, Box 101-D, White Haven, Luzerne County, PA 18661), a corporation of the Commonwealth of Pennsylvania—additional right—persons in limousine service, between points in the counties of Carbon and Luzerne, and from points in said counties, to points in Pennsylvania, and vice versa.

A-00111323, Folder 3. Terry J. Kovach, t/d/b/a Vogue Limousines (508 Route 30 East, Irwin, Westmoreland County, PA 15642)—additional right—persons in group and party service: (1) between points in the counties of Armstrong, Beaver, Bedford, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Somerset, Washington and Westmoreland, and from points in said counties, to points in Pennsylvania, and return; and (2) from points in the county of Allegheny, to points in Pennsylvania, and return; rights 1 and 2 subject to the following condition: that the service is limited to the transportation of persons attending weddings, proms, formals, concerts, special events and nights-on-the-town.

Applications of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under each application.

A-00116018. James J. Roccio & Patricia Seitz, Co-partners, t/d/b/a Festival Travel (903 Scalp Avenue, Johnstown, Cambria County, PA 15904)—brokerage license—to arrange for the transportation of persons and their baggage, between points in Pennsylvania.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Colonial Coach Corp.; Doc. No. A-00094605C99 Fs. 1,2,3,4

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission

has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Colonial Coach Corp., respondent, maintains a principal place of business at 408 Madison Avenue, Mt. Holly, NJ 08060.

2. That all times relevant to this Complaint, respondent held certificates of public convenience issued by this Commission at Application Docket No. A-00094605, Fs. 1,2,3 & 4.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificates of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificates of public convenience held by Colonial Coach Corp. at Docket No. A-00094605, Fs. 1,2,3 & 4, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (10) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Medical Express & General Courier Service, Inc.; Doc. No. A-00104479C99

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Medical Express & General Courier Service, Inc., respondent, maintains a principal place of business at 4494 Steubenville Pike, Pittsburgh, PA 15205.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00104479.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Medical Express & General Courier Service, Inc. at Docket No. A-00104479, for failure to main-

tain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
 George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (10) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Geno Taxi Co.; Doc. No. A-00110885T99 P-1280

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which

are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Geno Taxi Co., respondent, maintains a principal place of business at 1824 West Rockland Street, Philadelphia, PA 19141.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00110885, P-1280.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Geno Taxi Co. at Docket No. A-00110885, P-1280, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

George T. Mahan

Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (10) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking

your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1158. Filed for public inspection July 16, 1999, 9:00 a.m.]

Sewage Without Hearing

A-230245. Manwalamink Sewer Company. Application of Manwalamink Sewer Company for approval to begin to offer, render, furnish or supply sanitary sewage collection and disposal service to the public in additional territory in the townships of Smithfield and Middle Smithfield, Monroe County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 26, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Manwalamink Sewer Company

Through and By Counsel: Gerald F. Durkin, River Road, Fort Depuy, 2nd Floor, P. O. Box 93, Shawnee-on-Delaware, PA 18356.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1159. Filed for public inspection July 16, 1999, 9:00 a.m.]

Telecommunications

A-310663. ALLTEL Communications Services Corporation and Aerial Operating Company, Inc. Joint Petition of ALLTEL Communications Services Corporation and Aerial Operating Company, Inc. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

ALLTEL Communications Services Corporation and Aerial Operating Company, Inc., by its counsel, filed on May 21, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an

Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the ALLTEL Communications Services Corporation and Aerial Operating Company, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1160. Filed for public inspection July 16, 1999, 9:00 a.m.]

Transfer of Control Without Hearing

A-140325 F0002. El Paso Field Services Company, Pentex Natural Gas Company and Pentex Pipeline Company. Joint Application of El Paso Field Services Company, Pentex Natural Gas Company, and Pentex Pipeline Company for approval of the Transfer of Control of Pentex Pipeline Company, by Stock Purchase Agreement, from El Paso Field Services Company to Pentex Natural Gas Company.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before August 2, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: El Paso Field Services Company, Pentex Natural Gas Company

Through and By Counsel: David M. Kleppinger, Esquire, Pamela C. Polacek, Esquire, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1161. Filed for public inspection July 16, 1999, 9:00 a.m.]

Wastewater Without Hearing

A-230081. Warwick Drainage Company. Application of Warwick Drainage Company for a certificate of public convenience to operate a public wastewater collection, treatment and disposal plant for properties within St. Peter's Village, located in Warwick Township, Chester County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 26, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Warwick Drainage Company

Through and By Counsel: Joseph E. Brion, Esquire, Buckley, Nagle, Gentry, Brion, McGuire & Morris, LLP, 304 North High Street, West Chester, PA 19380.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1162. Filed for public inspection July 16, 1999, 9:00 a.m.]

Water Service Without Hearing

A-211420F2000. Kawon, Inc. Application of Kawon, Inc. for approval of the abandonment or discontinuance of water service and transfer to service provided by Hazleton City Authority, water department.

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 July 26, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Kawon, Inc.

Through and By Counsel: Dominic Yannuzzi, President, Kawon, Inc., P. O. Box A, Hazleton, PA 18201.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1163. Filed for public inspection July 16, 1999, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

August 25, 1999	James J. Hartz (Premium Assistance)	1 p.m.
	Ellen D. Packer (Multiple Service Membership)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective

positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 99-1164. Filed for public inspection July 16, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Geotechnical-Engineering Services Systemwide

Reference No. 3-115

The Turnpike Commission (Commission) will retain an engineering firm for an open-end contract for various geotechnical-engineering services on various projects. The contract will cover the entire Turnpike system. This contract will be for a period of 2 years or \$500,000, whichever occurs first.

The firm may be required to perform, but will not be limited to, the following geotechnical engineering services: review geotechnical work performed by private engineering firms; perform geotechnical design for Commission designed projects; prepare scopes of work; investigate slope movements and other geologic hazards for future programming; install and/or monitor geotechnical instruments; provide geotechnical consultation during and after construction; provide drilling inspection in accordance with PennDOT Design Manual Part 4 / Publication 293 qualifications and criteria; provide emergency response to geologic hazards; review and comment on Commission procedures and documents; investigate stability of retaining systems; develop specifications; prepare cost estimates; prepare and review pavement designs; respond to requests from construction and maintenance for various types of investigations; perform stability analyses of slopes and retaining structures; prepare erosion and sedimentation plans; perform scour analyses and develop remedial solutions; perform settlement analyses and develop remedial solutions; review contour grading plans; review value engineering proposals; prepare prints and information required for a value engineering review; prepare geotechnical engineering reports; attend field views and prepare minutes; prepare submissions for field view meetings; perform field reconnaissance; plot topography and cross sections; and attend coordination and status meetings with Commission personnel and prepare meeting minutes.

In most cases, the Commission will provide drilling and sampling services through separate open-end drilling contracts. However, the firm may be required to let separate contracts for drilling and will be required to have soil, rock and water testing capabilities. The soil and rock testing must be performed at an AASHTO Materials Reference Laboratory (AMRL) accredited laboratory and the water testing must be performed at a Pennsylvania Department of Environmental Resources certified laboratory. Some tests may be required to be performed under a HASP.

Environmental related work may include, but not be limited to, the following; perform geotechnical investigations under a Health and Safety Plan; develop Health and Safety Plans (HASPs) for projects; develop remediation for acid mine drainage (AMD) problems; review preliminary area reconnaissance (PARs), initial site assessments (ISAs), preliminary site investigations (PSIs), detailed site investigations (DSIs), and waste management plans.

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

The geotechnical, geological and engineering services identified above are the general work activities that can be expected under this open-end contract. A more specific and project-related scope of work will be outlined for each individual work order developed under this open-end contract.

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. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

e. 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 inquiries to Kenneth M. Heirendt, P.G., Pennsylvania Turnpike Commission, Western Regional Office, at (724) 755-5187 or by e-mail at kheirendt@paturnpike.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 subconsultants 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 this 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, August 6, 1999. 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. 99-1165. Filed for public inspection July 16, 1999, 9:00 a.m.]

Retention of an Engineering Firm

Construction Materials Inspection and Testing Services Districts 1 and 2, Milepost 0.00 to 199.00 in Allegheny, Beaver, Bedford, Butler, Franklin, Fulton, Huntingdon, Lawrence, Somerset and Westmoreland Counties

Reference No. 1-115

The Turnpike Commission (Commission) will retain an engineering firm to perform construction materials inspection and testing services both at the project site and at related plant locations in the Western Region (Milepost 0.0 to Milepost 199.0) of the Pennsylvania Turnpike. The types of projects that materials inspection and testing will be conducted on under this contract may include, but are not limited to, roadway reconstruction, bituminous overlays, bridge construction and rehabilitations, service plaza parking lot expansions and toll plaza construction. A testing laboratory capable of performing concrete, bituminous, aggregate and soils tests, in a timely, manner must be available throughout the life of the contract.

The contract will be for a maximum cost of \$750,000 or for a 36 month period. The firm will be required to provide sufficient office personnel, managers, engineers, technicians and clerical staff to support the field functions. In addition, the firm selected may be required to attend construction meetings with the Commission.

The selected firm may be required to test materials at asphalt and concrete plants, perform soils and aggregate testing, or perform testing associated with the manufacture of selected construction materials. Duties may also include the witnessing of onsite testing by the contractor. In addition, the selected firm may be required to keep records, document the construction work, attend monthly job conferences, determine from the project records the final quantities of certain contract items and perform other duties as may be required.

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.

Direct inquiries to John S. Ozimok at (717) 939-9551, ext. 3501; or by e-mail at jozimok@paturnpike.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 subconsultants 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 this 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 Michael W. Flack, P.E., Assistant Chief Engineer for Construction, 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, August 6, 1999. 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. 99-1166. Filed for public inspection July 16, 1999, 9:00 a.m.]

Retention of an Engineering Firm

Widening and Rehabilitation of Bridge Nos. EB-849 Eastbound and WB-849 Westbound at Milepost 162.08 Bedford County, PA

Reference No. 2-057

The Turnpike Commission (Commission) will retain an engineering firm for the widening and rehabilitation design of Bridge Nos. EB-849 Eastbound and WB-849 Westbound at Mileposts 162.08, in Bedford County. Bridge Nos. EB-849 Eastbound and WB-849 Westbound are dual nine-span prestressed concrete adjacent box beam structures that carry the Turnpike over SR 70 and old Route 126 (Light House Road). The selected firm will be responsible for the pre-final and final design of this project.

The engineering services required include field surveys, cross sections, evaluation of utility conflicts and potential relocations, development of erosion and sedimentation control plans, preliminary and final traffic control plans, preparation of type, size, and location plans and final bridge plans, geotechnical investigations and structural foundation reports, preparation of preliminary and final right-of-way plans, preparation of preliminary and final construction plans and specifications, in order for the Commission to let one construction contract. The intent is to widen both bridges to provide a minimum of two

12-foot travel lanes, a 12-foot shoulder right shoulder, and a minimum 4-foot left shoulder.

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.

Direct inquiries to Gary L. Graham, P.E., at 939-9551, ext. 5990; or by e-mail at ggraham@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 subconsultants 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, August 6, 1999. 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. 99-1167. Filed for public inspection July 16, 1999, 9:00 a.m.]